

ATHOL-ROYALSTON ELEMENTARY

STAFF HANDBOOK



2018 - 2019

Table of Contents

Expectations of School Performance	5
Activity Accounts	5
Assemblies	6
Attendance	6
Automobiles	6
Basic Safety Regulations	6
Calendar of Events Listings	6
Child Study	7
Class Coverage	7
Classroom Appearance	7
Classroom Doors	7
Classroom Repairs	7
College Courses	7
Communications	7 & 8
Confidentiality	8
Confiscated Items	8
Corridor Supervision	8
Crisis Team	8
Custodial Concerns	8
Damage to School Property	9
Discipline	9
Evacuations	9
Evaluations	9 & 10
Fees	10
Field Trips	10 & 11
Films	11
Fire Drills	11

Fundraising	11 & 12
Gambling	12
Grading	12
Hazing	12
Home Contacts	12
Homework	13
Illness in School	13
Instruction	13
Intercom	13
Keys	13
Language In School	13
Lesson Plans	13
Lost and Found	14
Mail/Email	14
MCAS (state testing)	14
Medical Emergencies	14
Medication	14
Opening Exercises	14
Paraprofessional Protocol	15
Paraprofessional Supervision	15
Parental Contact	15
Personal Business	15
Possession of Firearms/Weapons	15
Purchase Requests	15 & 16
Release of Information	16
Report Cards/Progress Reports	16
Reporting Abuse	16
School Cancellations	16
School Day	17
Seating Plans	17
Sexual Harassment	17

Special Ed Students & Plans	17
Staff Disciplinary Action	17
Student Activities	17
Student Assessments	17
Substitutes	18
Substitute Calling Procedure	18
Supplies	18
Supervision of Students	18 & 19
Suspensions-Exclusions	19
Teacher Meetings	19
Teachpoint	19
Textbook Distribution	19
Tobacco Use	19
Unassigned Periods	20
Voicemail/ Email	20
Policies, Laws & Regulations	20-61

Staff members should review all procedures and practices in the Elementary staff handbook, the ARRSD Handbook Supplement, and the school's student handbook. Staff members are responsible for knowing and following the content of these handbooks.

EXPECTATIONS OF SCHOOL PERFORMANCE

Our school will provide:

1. A safe school environment within a well-maintained school facility.
2. A curriculum guided by the MA Curriculum Frameworks to meet the needs of students in today's society, to provide technical skills needed for the ever-changing job market, and to prepare for state mandated tests.
3. A teaching staff and support staff committed to helping students achieve to the best of their ability.
4. An opportunity to explore technology with the aid of computers, multimedia, and a comprehensive, well-equipped library/media facility.
5. An opportunity to attend extra-help sessions when students are struggling with the classroom curriculum.

ACTIVITY ACCOUNTS

The principal or designee will manage activity accounts and make deposits. Please give them all requests for funds and collected monies. All deposits will be turned in with a 'Deposit Voucher' filled out.

PURCHASE STEPS:

All Principals and Administrators have access to Infinite Visions Budget System. Authorized persons will have access to enter purchase requisitions, read and run system reports.

1. Enter your purchase requisitions online.
2. System will not allow the user to enter any amount over the budget line.
3. Print out the requisition and Principal or Administrator must sign/date as approval. File authorized copy of requisition for annual audit.
4. System requisitions will be reviewed and released by central office daily.
5. Released/approved requisitions produce system purchase orders used to order from vendors.
6. Ordered items will be delivered to your location and billed to the central office.
7. The person receiving the order at your location is to check off each item on the packing list and sign/date as received within 1 week of the delivery. The completed packing list is sent to central office to match up to the invoiced items and purchase order (PO).

STAFF purchasing from vendors who DO NOT accept the school purchase orders:

1. Employee is to complete a manual requisition form including estimated costs (district form on file).
2. Principal approves the manual requisition.
3. Employee purchases the items on the approved requisition and attaches the original store purchase receipt (signed). The approved requisition and the purchase receipt are submitted to central office within 1 week of the actual purchase.
4. Central office will pay/reimburse the employee for all the authorized purchases BUT will not reimburse for any sales tax as the school district is tax exempt.

Amazon orders on-line:

1. Principals and Administrators are authorized to purchase directly online with Amazon.
2. Be sure to indicate the correct ship to address for your order to be delivered directly to you.
3. Be sure to indicate the grant number, budget account number to be charged in the PO or comments section of the Amazon order for accurate posting at the central office.
4. Take a copy of the order for the Principal to sign/date as approval- File approved orders.

Both the 'Deposit Voucher' and the 'Request for Funds' forms must be signed by the Activity/Club contact before they will be honored. Once the Principal's secretary has made a deposit or issued a check, a copy of the appropriate form will be put in the Activity/Club contact's mailbox.

No collected money is to remain in a teacher's possession. Funds collected during the day must be turned in before the teacher leaves the building. Funds collected after school hours must be turned in the next morning school is in session.

ASSEMBLIES

Teachers are to lead their students to assembly programs and sit with their students.

ATTENDANCE

Accurate recording of student attendance is an extremely important responsibility. In addition to providing proper documentation for legal reporting, these records also may impact on parent contacts, permanent records, court actions, and future discipline issues. Everyone must do this accurately and faithfully. Attendance must be submitted to the office electronically no later than 9am. Please report any discrepancies or errors to the attendance secretary throughout the day.

Any student arriving after 8:35am will be given a pass from the office before being admitted to class. This pass assures the teacher that the student has checked into the office.

If a student is not present and his/her whereabouts is uncertain, please notify the office as soon as possible.

AUTOMOBILES

Staff members will not transport students anywhere in their own private vehicles.

BASIC SAFETY REGULATIONS

It is incumbent upon the staff to:

1. Exercise close supervision of students using potentially dangerous equipment or materials.
2. Use proper guards or safety attachments on all machines.
3. Enforce the use of safety glasses by students, staff, and visitors in all shops or labs where eye damage could occur. *
4. Notify the immediate supervisor or administrator, in writing, of any unsafe conditions, which cannot be remedied immediately by the teacher.
5. Review safety procedures periodically with the entire class.
6. **Never leave students alone / without faculty or staff supervision.**

* The statute (Massachusetts General Laws, Chapter 71, Sec. 55C) regarding eye protection is printed in the ARRSD Handbook Supplement.

CALENDAR OF EVENTS LISTINGS

Each elementary school will designate an area where a calendar will be located with school events listed. It is the responsibility of the staff to check this calendar frequently.

Some events, both indoors and outdoors (especially those posted by outside organizations), may require a Use of Building Approval Form.

CHILD STUDY

- Child study sheets should be completed if there is a concern regarding any student. Prior to child study initiation, the teacher should, contact/meet with parents, meet with students, and other teachers.
- A child study meeting initiates interventions and accommodations necessary for possible further educational plans.

CLASS COVERAGE

Any staff member finding it necessary to leave the school building on school business during the school day must inform the Principal or Lead Teacher prior to doing so. The office will provide coverage as quickly as possible. The staff member should not leave until coverage arrives. All staff member must sign out and, if returning before the end of the school day, back in again. Staff member must complete the small necessity form per the contract.

CLASSROOM APPEARANCE

At the end of each day, teachers are to check classroom areas for the following:

1. All windows closed and lights out.
2. Room returned to original condition and prepared for light cleaning by the custodial staff. Chairs up.
3. Classroom doors closed
4. All confidential materials and tests locked away.
5. Equipment turned off.
6. All electronic devices are accounted for and properly stored
7. Other equipment should also be secured.
8. No obstructions to windows to the hallway
9. See Custodial Concerns.
10. Limited use of pre-made posters on walls

A well-organized, well-managed classroom can be a place of high motivation and intellectual energy. Bulletin boards should showcase new ideas, student work, reinforcement of lessons, etc., and should be changed often, but at least once each quarter.

On occasion, teachers may need to share a room. In these cases, both teachers should meet before school begins and outline room use and needs. Both teachers need to feel comfortable in the classroom. If problems arise, the teachers involved should work to resolve issues as quickly as possible.

CLASSROOM DOORS

Classroom doors shall remain locked at all times. Please keep doors closed when classrooms are empty.

CLASSROOM REPAIRS

To request classroom repairs, teachers should obtain a "Maintenance Request Form", complete it, and place it in the Principal's mailbox. Once reviewed and approved, it will be forwarded to maintenance. The request will be completed as schedule and finances permit.

COLLEGE COURSES

Teachers are required to step up to date with course credit. Teachers should consult the contract regarding this. Prior approval of the course is required; the appropriate form must be filled out and submitted to the Central Office. Be advised that not all colleges and universities meet DESE standards. Please check with DESE should you need class for certification purposes.

COMMUNICATIONS

All general notices sent to parents such as field trip notices and fund-raising must be approved by the Principal. This does not refer to failure notices or a note you must send home to an individual parent. This helps keep the Principal

informed should a parent call the office. A copy should be provided to the Principal's secretary to assist her answering parent's/guardians questions. Be sure to check spelling and grammar on all communications.

Teachers need to complete, at least monthly, newsletters that provide curriculum updates and strategies to build a home to school connection.

In addition, we must provide second language translations for students who require it. Please allow sufficient time for this to happen. It is a teacher's responsibility to know who needs this accommodation.

CONFIDENTIALITY

Teachers and staff members are bound by the HIPAA laws.

It is unlawful to discuss private student matters with persons or staff members who have no educational association with the students. (See legal notification below regarding student records.)

CONFISCATED ITEMS

Items confiscated from students should be brought to the principal's office as soon as possible and marked with student's name.

CORRIDOR SUPERVISION

Teachers are expected to supervise students under their jurisdiction at all times during the school day, both inside and outside the school building. According to state law, the teacher is responsible for all students assigned to him/her at any given time. In addition, each teacher must assume responsibility for students "within sight and hearing." Before school, between classes, and at dismissal time, teachers have the responsibility of supervising the passing of students in the hallways. Any inappropriate behavior on the part of a student should be handled immediately. Please be calm, firm, and respectful to the student while handling the situation. All teachers are expected to enforce proper student behavior.

CRISIS TEAM

There is an appointed Crisis Team chaired by the Principal, which meets with staff as needed. The Crisis Team consists of the school administration, guidance counselor, and nurse. An updated Crisis Response Telephone List will be issued at the beginning of each new school year.

CUSTODIAL CONCERN

Ventilators on top of the radiators must be kept clear in all classrooms to ensure the proper circulation.

- The sinks and tables will be kept clean. The custodial staff will clean the sinks periodically but students should be assigned to wash them often.
- The floors must be kept clear so they can be cleaned periodically.
- The chairs in all classrooms will be put on desks at the end of each day to facilitate the cleaning process.
- Materials of any kind should not be hung from the ceiling or light fixtures.
- Do not use masking tape on walls or windows. Painters tape or poster putty ONLY!

If teachers wish to have their rooms rearranged, please call a custodian to move heavy objects rather than scratch the floor. Teachers are expected to maintain student behavior in such a manner that property damage does not occur

DAMAGE TO SCHOOL PROPERTY

Instances of defacement or damage to school property should be reported as soon as possible during the same school day to the Principal.

DISCIPLINE

The teacher is expected to handle problems directly related to the classroom. Although the teacher is the primary disciplinarian, a teacher may request administrative assistance by contacting the main office. Once the problem is identified and the student has arrived an appropriate course of action will be determined.

Classroom discipline problems are the responsibility of the classroom teacher. This includes such information as tardiness to class, failure to prepare assignments, failure to arrive to class on time with proper materials, disruptive or inattentive behavior.

Teachers should exhaust all forms of disciplinary action, including conferencing with the student, calling the parent/guardian, mailing information to the parent/guardian, and having the student serve a teacher assigned consequence and/or detention. Discipline is both about determining the appropriate consequences AND providing support for the student so to develop the skills essential to meeting behavioral expectations.

The X2 discipline report and phone log is an important document in that it not only addresses a specific situation with the specific student, but it also generates statistics which can provide information personal and school-wide problems as well as valuable in the formulating long range decisions, identifying school problems, and developing action plans. They are kept in the X2 database and may be reviewed by teachers.

Before sending a student to the principal's office for disciplinary action, teacher should make every effort to solve the problem:

1. Teacher will discuss the problem with the student and try to find a solution to the problem and/or refer to the guidance department.
2. If unsuccessful – contact with a parent to discuss issue or set up a parental conference.
3. Every effort should be made to work out student behavior problems with the use of detentions, behavior plans, etc.

See legal notifications below regarding suspensions.

EVACUATIONS

State regulations stipulate that evacuation drills be conducted periodically. Staff should be familiar with the signals and exit procedures and clearly explain evacuation procedures to the students. A conspicuous sign must be displayed in each room showing the route to be followed.

Evacuation Procedures:

- **ALL** personnel must evacuate the building once the fire horn is sounded.
- Talking should be limited to adults giving direction during the fire drill. Students should not talk except to seek direction from a teacher.
The fire alarm will continue to sound until the building is entirely evacuated.
- Close windows, turn off lights and close door behind you.
- Students are to move quickly, without running, in single file, to the exit.
- Teachers must know alternate routes and be ready to direct students, should an exit be blocked. If there are two adults in the room, one will lead the class and one will follow.
- Teachers will take class lists or other class listings and will take attendance at the designated site. Report discrepancies to the administration. Also check your updated Evacuation List of students **NOT to re-enter the building after a bomb scare.**
- If it's an announced drill, students and staff remain at the designated areas until the all-clear announcement. • If there is an actual fire, all students will be directed to the school's alternate shelter.

-
- Every teacher is responsible for the enforcement of the above rules and assisting in the rapid and orderly evacuation of the building.

Power Outage:

1. Conduct instruction and business as usual to the extent it is possible.
2. Remain calm. Make an effort to alleviate student anxiety and classroom routines to the extent possible.
3. Teachers and aides who are not engaged in the direct supervision of students elsewhere should come to the office for a supervisory assignment.
4. If a teacher is in a classroom, which is unsafe for conducting class, he/she should notify the office and receive a new location assignment.
5. Information will probably be sent via runners. This will be done as soon as possible and as often as possible. Do not send students to the office for information updates.

EVALUATIONS

Evaluation is an important part of affirmation and growth. Teachers and administration are expected to follow the state evaluation system as per teacher contract.

FEES

Ordinarily, no fees, book rentals, or dues are charged to students. Any contemplated charge for books, clubs, etc., must be approved by the Principal before any contact is made with the student or home.

FIELD TRIPS

Field trips are encouraged, especially when they provide students with learning experiences that are directly related to the curriculum. Therefore, all field trip forms must be fully completed and the Massachusetts Standards and learning activities should be attached.

After the field trips, students should have opportunities to reinforce any related learning, by such means as discussions, written activities, extended reading, and projects of various types.

To ensure the students' safety and to meet proper liability standards, it is necessary to have adequate supervision for students on all field trips. **A ratio of one adult for every ten students is required.** All chaperones must have an approved CORI on file in the school office. The Principal's secretary keeps this file and will guide you through the process if needed. If a parent has not completed and passed a CORI check, please have him or her see the secretary; it often takes a few weeks for approval.

Teachers are responsible for checking the CORI list prior to accepting any person as a chaperone.

The supervisor of a field trip must take a cell phone, and leave the number as well as the trip itinerary with the school secretary.

In addition, the following must be done regarding any field trip:

- The Principal must have approved the trip on the proper field trip form. Trips not budgeted or of more than one day in length require school committee approval; staff should plan well in advance so as to allow time for this to occur.
- Teachers should have an approved plan by the principal in order to fund the field trip
- Upon approval, inform the Principal's secretary of the date by completing a 'listing for calendar of events form; the Principal's secretary will then insert pertinent information onto the Master Calendar.
- Organize transportation and inform the Principal's Secretary how the bill will be paid and arrange for that payment.
- Have students/parents complete the appropriate permission slip and collect properly signed slips prior to going on the field trip. Students without slips **may not** participate if not signed by the deadline date.

-
- No private cars (teacher, parent or other) will be allowed for student transport.
- Compile an accurate list of participants and put a copy in every mailbox (including the Attendance secretary's). This must be done at least two days before the trip.
- Provide an updated list current with the attendance taken as students board the busses or other transportation.
- Contact the nurse to obtain medical kit and any medications that should be taken on the trip.
- Take attendance at intervals during the field trip.
- Upon return, confirm that all students have means of getting home.
- A supervising teacher **must stay until all students have left** with parents/guardians. • Please have a **backup plan** should the child's ride fail to come in a reasonable time.

Principals will use discretion as to whether a child can safely attend a field trip.

In the event that a student is missing at return departure time, a **teacher** or **chaperone must be left behind to locate** the missing student. If it is apparent that the returning bus will be excessively late, staff member should notify an administrator of the schedule change.

FILMS

The use of films and videos should complement and enhance student learning, and be directly related to the curriculum/course content. Films rated "G" may be shown without prior permission if they are directly tied to the course curriculum. Films rated "PG or "PG13," however, may not be shown without prior administrative approval. Teachers should plan ahead, since the approval process may require previewing and/or parent notification. At No time may "NC-17" or "R" rated films be shown in class. **It is unacceptable for teachers to engage in the practice of showing films for entertainment prior to a vacation day or any other day.**

FIRE DRILLS

Teachers must post fire drill instructions and appropriate exit in each room near the room exits. Follow standard closest exit evacuation route or use common sense. Teachers are reminded to bring rank book, take attendance and keep the class together as a group. Students and teachers are to be at least 300 feet from the building.

The fire alarm is a horn sound. Teachers have a very real responsibility in the case of disaster and should be ready to react quickly and with confidence. All windows should be closed immediately and the doors should be closed as the last person leaves a room. Remind students to walk rather than run.

Silence must be maintained during the entire drill. If this were not a drill, the administration, police or fire officials might give life-saving instructions.

FUNDRAISING

The following policies apply for fund raising proposals:

1. All fundraising projects must be approved by the administration. Any new fundraiser over \$25 needs to be reviewed by the Superintendent.
2. Projects that involve selling merchandise to residents of our community must be limited; the importance of the project to the organization and school will be given consideration.
3. Tickets or goods of any kind, other than those associated with school-sponsored activities are not to be sold on school grounds by students or outside organizations.

4. Fund raising projects, which have been approved, must not include procedures that interfere with any classes.
5. Fund raising projects, which involve the community, should be coordinated with the other ARRSD schools.
6. All funds raised through a fundraiser must be given to the Principal's secretary, or Principal, if he/she is not available, each day. See "Activity Accounts".
7. No selling of chances – 50/50 clubs in the school.
8. To the extent possible, all fundraising must be planned at the beginning of the school year so as to spread the fundraisers across the months as much as possible.

GAMBLING

Students, teachers, staff, and other employees of the school will not engage in any gambling activities. This prohibition extends to lotteries, pools, raffles, fantasy football, etc. If you question the appropriateness of an activity, check with the administration. Your attention during the days and hours of employment and on these premises must be focused on the needs of our students. Gambling diversions are inappropriate in a school setting.

GRADING

In grades K-4, a standards based report card is used to convey student progress and performance. Teachers and administrators share the responsibility of explaining the standards to parents and students. Students in grades 1-4 receive report cards three times during the school year. Kindergarten students receive report cards in January and June.

Teachers are required to utilize the school's information management system (X-2) to record grades. Accurate and up-to-date documentation of all students' performance will be kept. Under no circumstances should teachers publicly announce any student's grade. A student's grade is a private matter discussed between the teacher and the student and possibly the student's parent. Grades must not be posted with student names.

Student assignments and tests should be graded, returned, and reviewed promptly. Feedback is critical to reinforce instruction and learning.

HAZING

See legal notifications below about hazing.

HOME CONTACTS

Parent conferences are a means of keeping parents informed. It is the teacher's responsibility to contact parents on any matter concerning the performance or behavior of students throughout the school year. Teachers may not discuss or name other students to parents/guardians. It may be appropriate to be sure to notify both parents if a child is held in joint custody.

One key to reduction of classroom management problems and student success is parental contact. Teachers are also encouraged to call or write parents with good news and student improvement. "Good News Letters" should be made available to parents and a copy should also go to the Principal.

Occasionally a staff member is asked to provide weekly information to parents or school personnel who are providing data collection for a student for academic and/or behavioral support planning purposes. The weekly log is an essential element in providing services for identified students. Through the mutual efforts of all involved, the school can assist the student, and provide legally required written documentation.

In order to keep accurate records of parent contacts and communications, teachers should maintain a log, especially for "difficult" phone calls. Teachers are expected to maintain phone/conference logs that include essential concerns or elements of the conversation as well as strategies or plans for follow up.

HOMEWORK

In all cases, assignments should be carefully thought out in advance. You should give assignments that the student's respect. The term "homework" refers to an assignment to be prepared during a period of time outside of class. The purposes of homework are to improve the learning process, to stimulate interest on the part of the student.

Homework is a learning activity, which should increase in complexity with the maturity of the student. Homework assignments should take into consideration individual differences of students such as health, ability, conditions at home, and educational resources at home. To be consistent with our parent handbook, homework should follow the following guidelines: No more than 10 minutes per grade level. For example: Grade 1 no more than 10 minutes, Grade 2 no more than 20 minutes etc. Reading at home is always encouraged.

ILLNESS IN SCHOOL

Students who are too ill to remain in class should be sent directly to the Nurse's office. In some circumstances, it may be prudent to send another student as an escort. The nurse will determine what action should be taken. A pass should be issued to a student (and escort, if applicable) who is sent to the nurse's office.

INSTRUCTION

All teachers are expected to plan and teach **only** lessons related to the current Massachusetts state standards as well as follow the district curriculum maps.

INTERCOM

During the academic day, the intercom should be used as seldom as possible. Staff members who want special announcements made should notify the Principal's secretary. School-wide announcements will be made, as needed and at a time that is determined to be least intrusive to the learning environment.

KEYS

All staff members are provided with appropriate keys. It is important that keys are kept secure and not given to students. Any keys in a teacher's possession, not required for your daily work, shall be returned to the office prior to leaving school before summer vacation.

Should you need a replacement key, please contact an administrator.

LANGUAGE IN SCHOOL

Teachers must set an example by using proper speech at all times and politely correcting improper student speech if we are to have these expectations of students. Teachers should model proper speech and language at all times. Teachers using profane, abusive, sarcastic, or obscene language will not be tolerated. Teachers must also monitor their tone of voice and volume and use their voice to support student efforts. The easiest way for a student to learn to speak appropriately is by the modeling of adults.

LESSON PLANS

In order to ensure that the school is moving in a positive direction regarding implementation of the curriculum and meeting the needs of the variety of student performance levels, the principal will review lesson plans periodically. Lesson plans have to be completed daily in ELA and math including essential questions, standards, assessments, student learning objectives, and performance tasks.

LOST AND FOUND

Each school will designate a location for “lost and found”. Misplaced articles should be placed in lost and found. Expensive or delicate items should be turned in to the main office. Articles unclaimed after a period of time will be donated to the Salvation Army or other charitable organization.

MAIL/EMAIL

Mail will be placed in each staff member’s mailbox. Please do not send students to pick up mail without a note of request to the secretary. Outgoing, school-related mail should be addressed and brought to the office. Staff will be assigned a district email account; use of a district email account falls under the district’s “Use of Technology” policy. Email is an important communication tool for district staff and as such staff members are expected to check their email twice daily.

MCAS (State Testing)

The focus of the entire teaching staff shall be the overall improvement in instruction of the Massachusetts Curriculum Frameworks. To that end, all teachers should become familiar with the data from the state testing by analyzing the strengths and weaknesses of the students and incorporate learning strategies and interventions across the curriculum to strengthen skills.

MEDICAL EMERGENCIES

The following procedure is to be used for medical emergencies that occur in the classroom or on school grounds. The teacher in charge should notify the office immediately. If the situation warrants, the teacher should call 911 as well.

Be sure to state:

- a. The situation (what has happened).
- b. Location (exact room or specific area).
- c. Other immediate needs or help.

The secretary will contact the nurse. If necessary, additional assistance will be contacted immediately. The secretary will send help to the location as quickly as possible. Whenever a student is injured, the teacher in charge at the time must file a student accident report with the Principal’s secretary and nurse. (This should be done immediately while the details are fresh in mind.) The report must be filed within 48 hours after the accident occurs.

MEDICATION

The school nurse shall oversee all medications.

Any pupil who is required to take, during the school day, a medicine that is prescribed by a licensed physician shall be assisted by the school nurse or another member of the school staff, so designated by the building Principal or the school nurse, and subject to the school District having received and filed with the student health record the following:

- A. Written statement from the prescribing physician, detailing the method of taking the dosage and the time schedule to be observed.
- B. Written authorization (request) from the parent or guardian of the pupil indicating the desire that the school assist the pupil in the matters set forth in the physician’s statement, accompanied by a “hold harmless” release signed by a parent or guardian.

OPENING EXERCISES

As stipulated in Massachusetts General Laws, Chapter 71, Sec. 69, “Each teacher at the commencement of the first class of each day in all grades in all public schools shall lead the class in a group recitation of the **“Pledge of Allegiance to the Flag.”**”

PARAPROFESSIONAL PROTOCOL

Paraprofessional educators report directly to the classroom teacher, special education teacher, principal's designee or Principal. They are NOT, at any time, without specific permission from the principal, to communicate with the parent of any student regarding educational or school matters. Any parental communication shall be done by the classroom teacher, special education teacher, Principal's designee or Principal.

PARA PROFESSIONAL SUPERVISION

Paraprofessional educators are critically important in the classroom and are present to directly assist students. They are supervised by the principal, but work under the direction of the classroom teacher and the special education teacher. Teachers must make every effort to assure each Paraprofessional knows the students they are to assist and the appropriate support necessary to build academic success.

PARENTAL CONTACT

It is good practice for teachers to have proactive contacts with student families to communicate on progress, share successes, and positively promote the learning activities and expectations within the school and classroom environment. This regular communication builds relationship with student families and promotes a sense of shared responsibility. This relationship with a student's family will serve a teacher well especially if a problem occurs in the classroom and the teacher needs to contact the student's parent(s)/guardian(s) to discuss. Teachers should keep a record of the conversation as well as the time and date of the call. It is suggested that parent contact be made from school telephones and emails and not personal accounts.

PERSONAL BUSINESS

The school is not a place to engage in a personal business enterprise. Teachers must not use the school telephone, computers, equipment, or facilities to engage in personal business enterprises intended for profit.

Teachers are asked to limit their use of school equipment for personal and family medical needs to the duty free lunchtime and before or after the negotiated workday.

POSSESSION OF FIREARMS OR WEAPONS

Massachusetts General Laws, Chapter 269, Sec. 10, provides that no one, with the exception of a law enforcement officer, may have in his/her possession a firearm, loaded or unloaded, or any other dangerous weapon, in any school building or on the grounds of any building, at any time, without written authorization of the officer in charge of that building. For the purpose of definition, a firearm shall mean any pistol, revolver, rifle, or smoothbore arm from which a shot, bullet, or pellet can be discharged by whatever means. Violation of this law could be punished by fine of not more than one thousand dollars or by imprisonment for not more than one year, or both.

Possession of a knife is a violation of the Federal Gun Free Schools Act of 1994. Faculty is cautioned not to bring a knife of any kind onto school property.

PURCHASE REQUESTS

Purchase requests must be completed for ALL ordered items. Staff may obtain purchase requests from the Principal's secretary. *All forms are to be carefully completed* and must include the correct budget account and proper total. The Principal's secretary will process them through the Business Office.

After orders are received, shipping documents and invoices are submitted to the Principal's secretary who will then process and forward them to the Business Office.

Teachers should not submit purchase requests or invoices directly to the Business Office. No item should be ordered without an approved purchase order. In the case of an emergency need, a teacher may purchase something using a reimbursement form. This may not cost more than \$50.00 (fifty dollars) and must have prior approval of the Principal.

RELEASE OF INFORMATION

All staff members are cautioned against releasing oral or written information concerning, disciplinary or academic records of students. The academic and disciplinary contents of the official school records and the working files of teachers and other professionals are confidential and not for release to any member of the public. Should the media attempt to gain any information, impression, or characterization of a student or employee from you, please refer them to school administration. The school district cannot be a party to your individual action in a matter of libel or defamation.

REPORT CARDS/PROGRESS REPORTS

Our goal is to do all we can as teachers to promote success. We must be concerned if there is lack of progress occurring. If it does and it persists, the following actions are expected as teacher responses, in whole or in part, based on the results.

1. Conference with student
2. Parent contact and meeting
3. Guidance informed and consultation with the student's other teachers
4. Offer and schedule additional school support and/or after school support
5. Double-check any information regarding educational (504, IEP, CST) or medical plans
6. Submit a pre-referral to the principal in order to begin the child study process

REPORTING ABUSE

ALL EMPLOYEES ARE MANDATED REPORTERS.

All staff members are expected to work together to address student problems; by sharing information, maintaining confidentiality, and actively planning intervention, in order to minimize the chances of additional issues.

Two areas of legal concern are child abuse and threats of suicide. By statute, a staff member who has knowledge of or observes abuse, or has reasonable suspicion that a student has been the victim of child abuse, must report such suspected cases within 24 hours by telephone, and within 36 hours in writing, to appropriate police and social welfare agencies and to the principal. The school guidance counselor should also be notified, and will then be a partner through the filing of a 51A. Copies must go to the Principal, School Guidance Counselor as well as to Pupil Services.

The hotline for reporting concerns is 1-800-842-5905.

All employees must report in writing any incident that may be considered as bullying to the Principal as soon as possible the day of occurrence.

SCHOOL CANCELLATIONS

When the Superintendent cancels school, staff will be notified as early as possible by the automated telephone system – "One Call". Cancellations will also be broadcast over area radio stations and major television stations as well.

SCHOOL DAY

Teachers must be in school by 8:15 A.M. and may leave no earlier than 3:05 P.M. Monday through Friday. Additional attendance at faculty meetings, grade level meetings, and student IEP meetings are expected.

SEATING PLANS

In the case of substitutes, Up-to-date seating plans should be on the teacher's desk or otherwise readily available, at all times, from September through June. Seating charts should be updated several times per year and any special health considerations and accommodations should be noted.

SEXUAL HARASSMENT

See legal brief below

SPECIAL EDUCATION STUDENTS AND STUDENT SUPPORT PLANS

Special education students and students with support plans (504 accommodation plans or District Curriculum Accommodation Plans-DCAP) are the responsibility of the classroom teacher. In the case of a special education student there is a shared responsibility with the special education teacher as well. All teachers MUST know the particular instructional accommodations for each of their students identified as having a special education or student support need and provide appropriate accommodations at all times.

STAFF DISCIPLINARY ACTION

Under section 42D of Chapter 71 of the Massachusetts General Laws, the Superintendent may suspend any district employee and the Principal may suspend any teacher or other employee assigned to his/her school. The employee has the right to counsel during any investigation.

In order to comply with the law, if a staff member is uncomfortable with the direction of a conversation between an administrator and him or herself, a request to stop the conversation until counsel is available should be made. All such requests will be noted and honored.

STUDENT ACTIVITIES

The duties of class and club advisors are:

- The advisor will attend all class/club meetings
- The advisor will instruct officers on the proper use of parliamentary procedures
- The advisor will oversee the use of class monies. 'Check Request Forms' must be filled out and signed by one of the class/club advisors before they will be honored.
- Advisors are responsible for the enforcement of regulations governing conduct at school events. It is not the policeman's duty to enforce the rules.
- Advisors are expected to chaperone social events pertaining to their class or club.
If the advisor is unable to attend, it is his or her responsibility to find a substitute or cancel the activity.
- A paid position means that the majority of meetings are paid outside of the normal school hours.

STUDENT ASSESSMENTS

Teachers are responsible for administering benchmarks assessments three times a year as indicated on the district assessment calendar. Teachers will progress monitor students at tier 2 and tier 3 as needed with progress monitoring assessments as needed.

SUBSTITUTES

A teacher who is ill or for any other reason (personal, conference, etc.) unable to attend school is requested to notify the substitute caller (978-544-6269) as soon as possible, but no later than 7:00 A.M. the day of absence. (Appendix A, Article IX of the Master Contract). (Calls should be made to the substitute caller no later than 8:30 P.M and no earlier than 5:30 A.M.) Since other schools use the same substitute lists, an early call helps enable us to obtain a qualified substitute.

In cooperation with and under the supervision of the Principal, lead teacher, or office secretary the substitute will be apprised of the duties of the day and will have lesson plans from the teacher.

Two methods may be used for substitute plans:

- Plans left on the desk/ coordinate with staff member
- Use of plans in the Administrative office file

If for any reason it is necessary to leave a class or supervisory assignment, the staff member must ascertain that another staff member is covering. If a staff member is not available, the main office can send someone. **Students must not be left unsupervised.**

SUBSTITUTE CALLING PROCEDURE

1. Cheryl Parker will be the contact for substitutes. **Her number is 978-544-6269.**
2. Her answering machine can be reached during the day, in the evenings until 8:30 PM, and in the early morning, not before 5:30 AM.
3. If you know ahead of time that you will be out, please contact Cheryl's answering machine so that she can make arrangements as soon as possible. Each person should make the call themselves, using the number listed above.
4. **Do not call Cheryl at work.**
5. Requests, for particular substitutes, may only be made by the Principal.
6. These are the steps to follow when calling:
 - a. Very clearly state your name
 - b. Give your grade or subject area
 - c. Name your School
 - d. The day and date of absence
 - e. Whether your absence is for a personal day, conference or illness
 - f. If there are any special activities planned for your class, (field trip, project, etc.)
 - g. Please let her know what time to arrive, (consider any morning duties)

Remember to leave completed materials and directions/pertinent student information with your plan book and substitute folder, as they are essential when a substitute is used.

General substitute files must be kept in the main office and updated quarterly with student information useful for up to 5 days.

SUPPLIES

Any teacher needing supplies should notify the Principal's secretary in writing which supplies and the quantity of those supplies that are needed. If available, the supplies will be given to the teacher as soon as possible.

SUPERVISION OF STUDENTS

Our actions should reflect our expectations of students to:

1. Act as ladies and gentlemen.
2. Be on time for classes.
3. Teachers should not consume food or drinks other than water in the presence of students in the classrooms.

4. Bring appropriate books and materials.
5. Be prepared for class.
6. Begin class work immediately with the starting class time and continue until the end of each class period.
7. Be properly dismissed from class rather than react to the clocks.

Supervision of students should include staff commitment to:

1. Be aware of and sensitive to student needs.
2. Acknowledge students' exemplary behavior.
3. Observe inappropriate student behavior and take corrective action.
4. Follow school regulations, rather than follow personal preferences or inclinations.

SUSPENSION-EXCLUSIONS-EXPULSIONS

No student shall be barred from school attendance except by temporary suspension by the principal. The length of the suspension is at the discretion of the principal or assistant principal. The principal shall seek a return to class as soon as is reasonable.

Suspension generally results from unannounced and unacceptable volatile action by word or deed or a prolonged series of related incidents that repeated warnings and counseling has failed to alleviate. The suspension notice is mailed home by the administration and in most situations, phoned home by the administration. Unless the cause for suspension is extremely serious, the first suspension includes wording..." suspended for "X" number of school days...or until we can meet in conference at your convenience".

A suspended student may not be on school grounds or participate in any school activities when they are suspended from school. Students are expected to complete all assignments missed during suspension and are responsible for communicating with their teachers about the assignments.

Students who are excluded (a long term suspension) are entitled to continue their studies. Teacher must respond and provide work when requested. Students with IEP's or 504 plans may be tutored while they are excluded. If tests/quizzes are sent as part of the work for the tutor, specify the test/quiz instructions for the tutor.

TEACHERS MEETINGS

There will be up to four hours of teacher meetings per month (per ATA negotiation). Attendance is mandatory.

TEACHPOINT

ARRSD has adopted the use of TEACHPOINT for the purpose of educator evaluation. Classroom observations, educator and/or evaluator collection of evidence records, and formative and summative assessments and evaluations are recorded through the use of this web based platform. Teachers are expected to utilize TEACHPOINT and to regularly check it for evaluation purposes.

TOBACCO USE

As per Massachusetts's law (Chapter 71, sec. 2A and 37H; and ARRSD policy 5011.0), the use of tobacco products will not be permitted by anyone in district schools or on district grounds at any time. Students may not possess tobacco products on school property. Faculty and staff shall not leave school during work hours to smoke.

UNASSIGNED PERIODS

Note that periods are designated as common planning or preparation rather than free. Their designated purposes are to give you time during the day to improve the quality of your teaching and to meet with other faculty and staff, students, or parents. They are not free in the sense that you have nothing to do. In addition, you may be called upon to perform supervisory duties should a substitute teacher be needed but unavailable or if your services are needed for student supervision. This is also a good time to confer with the guidance department or other professional staff concerning students with special needs or problems.

VOICEMAIL

Teachers have the responsibility of checking their voicemail on a daily basis. Keeping a log of all calls is suggested. Teachers are expected to utilize their district email account and to check their email twice daily.

Athol-Royalston Regional School District

Handbook Policies, Laws, and Regulations

Equal Access & Non-Discrimination

ATTENDANCE LAWS

School is compulsory for students under the age of sixteen. A student may be considered truant and court proceedings initiated when the student accumulates seven unexcused absences in a six-month period. (See MGL Ch. 76, S. 2).

STUDENT RECORD REGULATIONS

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

The Family Educational Rights and Privacy Act (FERPA) also specify rights related to educational records. This Act gives the parent or guardian the right to:

1. inspect and review his/her child's educational records
2. make copies of these records
3. receive a list of all individuals having access to these records
4. ask for an explanation of any item in the records
5. ask for an amendment to any report on the grounds that it is inaccurate, or violates the child's rights
6. a hearing on the issue if the school refuses to make an amendment

If there are any questions, please feel free to contact Darcy Fernandes, Superintendent of Schools or Kate Clark /504 Coordinator for the Athol-Royalston Regional School District at (978) 249-2403.

23.01: Application of Rights

603 CMR 23.00 is promulgated to insure parents and students' rights of confidentiality, inspection, amendment, and destruction of student records and to assist local school systems in adhering to the law. 603 CMR 23.00 should be liberally construed for these purposes.

- (1) These rights shall be the rights of the student upon reaching 14 years of age or upon entering the ninth grade, whichever comes first. If a student is under the age of 14 and has not yet entered the ninth grade, these rights shall belong to the student's parent.
- (2) If a student is from 14 through 17 years of age or has entered the ninth grade, both the student and his/her parent, or either one acting alone, shall exercise these rights.
- (3) If a student is 18 years of age or older, he/she alone shall exercise these rights, subject to the following. The parent may continue to exercise the rights until expressly limited by such student. Such student may limit the rights and provisions of 603 CMR 23.00 which extend to his/her parent, except the right to inspect the student record, by making such request in writing to the school principal or superintendent of schools who shall honor such request and retain a copy of it in the student record. Pursuant to M.G.L. c. 71, section 34E, the parent of a student may inspect the student record regardless of the student's age.
- (4) Notwithstanding 603 CMR 23.01(1) and 23.01(2), nothing shall be construed to mean that a school committee cannot extend the provisions of 603 CMR 23.00 to students under the age of 14 or to students who have not yet entered the ninth grade.

23.02: Definition of Terms

The various terms as used in 603 CMR 23.00 are defined below:

Access shall mean inspection or copying of a student record, in whole or in part.

Authorized school personnel shall consist of three groups:

- (a) School administrators, teachers, counselors and other professionals who are employed by the school committee or who are providing services to the student under an agreement between the school committee and a service provider, and who are working directly with the student in an administrative, teaching counseling, and/or diagnostic capacity. Any such personnel who are not employed directly by the school committee shall have access only to the student record information that is required for them to perform their duties.
- (b) Administrative office staff and clerical personnel, including operators of data processing equipment or equipment that produces microfilm/microfiche, who are either employed by the school committee or are employed under a school committee service contract, and whose duties require them to have access to student records for purposes of processing information for the student record. Such personnel shall have access only to the student record information that is required for them to perform their duties.

(c) The Evaluation Team which evaluates a student.

Eligible student shall mean any student who is 14 years of age or older or who has entered 9th grade, unless the school committee acting pursuant to 603 CMR 23.01(4) extends the rights and provisions of 603 CMR 23.00 to students under the age of 14 or to students who have not yet entered 9th grade.

Evaluation Team shall mean the team which evaluates school-age children pursuant to M.G.L. c. 71B (St. 1972, c. 766) and 603 CMR 28.00.

Parent shall mean a student's father or mother, or guardian, or person or agency legally authorized to act on behalf of the student in place of or in conjunction with the father, mother, or guardian. Any parent who by court order does not have physical custody of the student, is considered a non-custodial parent for purposes of M.G.L. c. 71, § 34H and 603 CMR 23.00. This includes parents who by court order do not reside with or supervise the student, even for short periods of time.

Release shall mean the oral or written disclosure, in whole or in part, of information in a student record.

School-age child with special needs shall have the same definition as that given in M.G.L. c. 71B (St. 1972, c. 766) and 603 CMR 28.00.

School committee shall include a school committee, a board of trustees of a charter school, a board of trustees of a vocational-technical school, a board of directors of an educational collaborative and the governing body of an M.G.L. c. 71B (Chapter 766) approved private school.

Student shall mean any person enrolled or formerly enrolled in a public elementary or secondary school or any person age three or older about whom a school committee maintains information. The term as used in 603, CMR 23.00 shall not include a person about whom a school committee maintains information relative only to that person's employment by the school committee. **The student record** shall consist of the transcript and the temporary record, including all information recording and computer tapes, microfilm, microfiche, or any other materials regardless of physical form or characteristics concerning a student that is organized on the basis of the student's name or in a way that such student may be individually identified, and that is kept by the public schools of the Commonwealth. The term as used in 603 CMR 23.00 shall mean all such information and materials regardless of where they are located, except for the information and materials specifically exempted by 603 CMR 23.04.

The temporary record shall consist of all the information in the student record, which is not contained in the transcript. This information clearly shall be of importance to the educational process. Such information may include standardized test results, class rank (when applicable), extracurricular activities, and evaluations by teachers, counselors, and other school staff.

Third party shall mean any person or private or public agency, authority, or organization other than the eligible student, his/her parent, or authorized school personnel.

The transcript shall contain administrative records that constitute the minimum data necessary to reflect the student's educational progress and to operate the educational system. These data shall be limited to the name, address, and phone number of the student; his/ her birthdate; name, address, and phone number of the parent or guardian; course titles, grades (or the equivalent when grades are not applicable), course credit, grade level completed, and the year completed.

23.03: Collection of Data: Limitations and Requirements

All information and data contained in or added to the student record shall be limited to information relevant to the educational needs of the student. Information and data added to the temporary record shall include the name, signature, and position of the person who is the source of the information, and the date of entry into the record. Standardized group test results that are added to the temporary record need only include the name of the test and/or publisher, and date of testing.

23.04: Personal Files of School Employees

The term student record does not include notes, memory aids and other similar information that is maintained in the personal files of a school employee and is not accessible or revealed to authorized school personnel or any third party. Such information may be shared with the student, parent or a temporary substitute of the maker of the record, but if it is released to authorized school personnel it becomes part of the student record subject to all the provisions of 603 CMR 23.00.

23.05: Privacy and Security of Student Records

- (1) The school principal or his/her designee shall be responsible for the privacy and security of all student records maintained in the school.
- (2) The superintendent of schools or his/her designee shall be responsible for the privacy and security of all student records that are not under the supervision of a school principal, for example, former students' transcripts stored in the school department's central administrative offices or student records of school-age children with special needs who have not been enrolled in a public school.
- (3) The principal and superintendent of schools shall insure that student records under their supervision are kept physically secure, that authorized school personnel are informed of the provisions of 603 CMR 23.00 and M.G.L. c. 71, § 34H and are educated as to the importance of information privacy and confidentiality; and that any computerized systems employed are electronically secure.

23.06: Destruction of Student Records

- (1) The student's transcript shall be maintained by the school department and may only be destroyed 60 years following his/her graduation, transfer, or withdrawal from the school system.
- (2) During the time a student is enrolled in a school, the principal or his/her designee shall periodically

review and destroy misleading, outdated, or irrelevant information contained in the temporary record provided that the eligible student and his/her parent are notified in writing and are given opportunity to receive the information or a copy of it prior to its destruction. A copy of such notice shall be placed in the temporary record.

(3) The temporary record of any student enrolled on or after the effective date of 603 CMR 23.00 shall be destroyed no later than seven years after the student transfers, graduates, or withdraws from the school system. Written notice to the eligible student and his/her parent of the approximate date of destruction of the record and their right to receive the information in whole or in part, shall be made at the time of such transfer, graduation, or withdrawal. Such notice shall be in addition to the routine information letter required by 603 CMR 23.10.

(4) In accordance with M.G.L. c 71, section 87, the score of any group intelligence test administered to a student enrolled in a public school shall be removed from the record of said student at the end of the school year in which such test was so administered.

23.07: Access to Student Records

(1) **Log of Access.** A log shall be kept as part of each student's record. If parts of the student record are separately located, a separate log shall be kept with each part. The log shall indicate all persons who have obtained access to the student record, stating: the name, position and signature of the person releasing the information; the name, position and, if a third party, the affiliation if any, of the person who is to receive the information; the date of access; the parts of the record to which access was obtained; and the purpose of such access. Unless student record information is to be deleted or released, this log requirement shall not apply to:

- (a) authorized school personnel under 603 CMR 23.02(9) (a) who inspect the student record;
- (b) administrative office staff and clerical personnel under 603 CMR 23.02(9) (b), who add information to or obtain access to the student record; and
- (c) school nurses who inspect the student health record.

(2) **Access of Eligible Students and Parents.** The eligible student or the parent, subject to the provisions of 603 CMR 23.07 (5), shall have access to the student record. Access shall be provided as soon as practicable and within ten days after the initial request, except in the case of non-custodial parents as provided in 603 CMR 23.07 (5). Upon request for access, the entire student record regardless of the physical location of its parts shall be made available.

(a) Upon request, copies of any information contained in the student record shall be furnished to the eligible student or the parent. A reasonable fee, not to exceed the cost of reproduction, may be charged. However, a fee may not be charged if to do so would effectively prevent the parents or eligible student from exercising their right, under federal law, to inspect and review the records.

(b) Any student, regardless of age, shall have the right pursuant to M.G.L. c. 71, section 34A to receive a copy of his/her transcript.

(c) The eligible student or the parent shall have the right upon request to meet with professionally qualified school personnel and to have any of the contents of the student record interpreted.

(d) The eligible student or the parent may have the student record inspected or interpreted by a third party of their choice. Such third party shall present specific written consent of the eligible student or parent, prior to gaining access to the student record.

(3) **Access of Authorized School Personnel.** Subject to 603 CMR 23.00, authorized school personnel shall have access to the student records of students to whom they are providing services, when such access is required in the performance of their official duties. The consent of the eligible student or parent shall not be necessary.

(4) **Access of Third Parties.** Except for the provisions of 603 CMR 23.07(4)(a) through 23.07(4)(h), no third party shall have access to information in or from a student record without the specific, informed written consent of the eligible student or the parent. When granting consent, the eligible student or parent shall have the right to designate which parts of the student record shall be released to the third party. A copy of such consent shall be retained by the eligible student or parent and a duplicate placed in the temporary record. Except for information described in 603 CMR 23.07(4)(a), personally identifiable information from a student record shall only be released to a third party on the condition that he/she will not permit any other third party to have access to such information without the written consent of the eligible student or parent.

(a) A school may release the following directory information: a student's name, address, telephone listing, date and place of birth, major field of study, dates of attendance, weight and height of members of athletic teams, class, participation in officially recognized activities and sports, degrees, honors and awards, and post-high school plans without the consent of the eligible student or parent; provided that the school gives public notice of the types of information it may release under 603 CMR 23.07 and allows eligible students and parents a reasonable time after such notice to request that this information not be released without the prior consent of the eligible student or parent. Such notice may be included in the routine information letter required under 603 CMR 23.10.

(b) Upon receipt of a court order or lawfully issued subpoena the school shall comply, provided that the school makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance.

(c) A school may release information regarding a student upon receipt of a request from the Department of Social Services, a probation officer, a justice of any court, or the Department of Youth Services under the provisions of M.G.L. c. 119, sections 51B, 57, 69 and 69A respectively.

(d) Federal, state and local education officials, and their authorized agents shall have access to student records as necessary in connection with the audit, evaluation or enforcement of federal

and state education laws, or programs; provided that except when collection of personally identifiable data is specifically authorized by law, any data collected by such officials shall be protected so that parties other than such officials and their authorized agents cannot personally identify such students and their parents; and such personally identifiable data shall be destroyed when no longer needed for the audit, evaluation or enforcement of federal and state education laws.

(e) A school may disclose information regarding a student to appropriate parties in connection with a health or safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. This includes, but is not limited to, disclosures to the local police department and the Department of Social Services under the provisions of M.G.L. c. 71; section 37L and M.G.L. c. 119, section 51A.

(f) Upon notification by law enforcement authorities that a student, or former student, has been reported missing, a mark shall be placed in the student record of such student. The school shall report any request concerning the records of the such child to the appropriate law enforcement authority pursuant to the provisions of M.G.L. c. 22A, section 9.

(g) Authorized school personnel of the school to which a student seeks or intends to transfer may have access to such student's record without the consent of the eligible student or parent, provided that the school the student is leaving, or has left, gives notice that it forwards student records to schools in which the student seeks or intends to enroll. Such notice may be included in the routine information letter required under 603 CMR 23.10.

(h) School health personnel and local and state health department personnel shall have access to student health records, including but not limited to immunization records, when such access is required in the performance of official duties, without the consent of the eligible student or parent.

(5) Access Procedures for Non-Custodial Parents. As required by M.G.L. c. 71, § 34H, a noncustodial parent may have access to the student record in accordance with the following provisions.

(a) A non-custodial parent is eligible to obtain access to the student record unless:

1. the parent has been denied legal custody based on a threat to the safety of the student or to the custodial parent, or
2. the parent has been denied visitation or has been ordered to supervised visitation, or 3. the parent's access to the student or to the custodial parent has been restricted by a temporary or permanent protective order, unless the protective order (or any subsequent order modifying the protective order) specifically allows access to the information contained in the student record.

(b) In order to obtain access, the non-custodial parent must submit a written request for the student record to the principal annually. The initial request must include the following:

1. a certified copy of the court order or judgment relative to the custody of the student that either indicates that the requesting parent is eligible to receive access as set forth in 603 CMR

- 23.07 (5) (a), or a certified copy of a court order specifically ordering that the student records be made available to the non-custodial parent, and
2. an affidavit from the non-custodial parent that said court order or judgment remains in effect and that there is no temporary or permanent order restricting access to the custodial parent or any child in the custodial parent's custody.
- (c) The non-custodial parent must submit a written request for access each year stating that said parent continues to be entitled to unsupervised visitation with the student and is eligible to obtain access as set forth in 603 CMR 23.07 (5) (a).
- (d) Upon receipt of the request (initial and annual) the school must immediately notify the custodial parent by certified and first class mail, in English and the primary language of the custodial parent, that it will provide the non-custodial parent with access after 21 days, unless the custodial parent provides the principal with documentation that the non-custodial parent is not eligible to obtain access as set forth in 603 CMR 23.07 (5) (a).
- (e) The school must delete the address and telephone number of the student and custodial parent from student records provided to non-custodial parents. In addition, such records must be marked to indicate that they shall not be used to enroll the student in another school.
- (f) Upon receipt of a court order which prohibits the distribution of information pursuant to G.L. c. 71, §34H, the school shall notify the non-custodial parent that it shall cease to provide access to the student record to the non-custodial parent.

23.08: Amending the Student Record

- (1) The eligible student or the parent shall have the right to add information, comments, data, or any other relevant written material to the student record.
- (2) The eligible student or the parent shall have the right to request in writing deletion or amendment of any information contained in the student record, except for information, which was inserted into that record by an Evaluation Team. Such information inserted by an Evaluation Team shall not be subject to such a request until after the acceptance of the Evaluation Team Educational Plan, or, if the Evaluation Team Educational Plan is rejected, after the completion of the special education appeal process. Any deletion or amendment shall be made in accordance with the procedure described below:
- (a) If such student or parent is of the opinion that adding information is not sufficient to explain, clarify or correct objectionable material in the student record, either student or parent shall present the objection in writing and/or have the right to have a conference with the principal or his/her designee to make the objections known.
- (b) The principal or his/her designee shall within one week after the conference or receipt of the objection, if no conference was requested, render to such student or parent a decision in writing, stating the reason or reasons for the decision. If the decision is in favor of the student or parent,

the principal or his/her designee shall promptly take such steps as may be necessary to put the decision into effect.

23.09: Appeals

(1) In the event that any decision of a principal or his/her designee regarding any of the provisions contained in 603 CMR 23.00 is not satisfactory in whole or in part to the eligible student or parent, they shall have the right of appeal to the superintendent of schools. Request for such appeal shall be in writing to the superintendent of schools.

(2) The superintendent of schools or his/her designee shall within two weeks after being notified of such appeal (longer should the appellant request a delay) review the issues presented and render a written decision to the appellant, stating the reason or reasons for the decision. If the decision is in favor of the appellant, the superintendent of schools or his/her designee shall promptly take such steps as may be necessary to put the decision into effect.

(3) In the event that the decision of the superintendent of schools or his/her designee is not satisfactory to the appellant in whole or in part, the appellant shall have the right of appeal to the school committee. Request for such appeal shall be in writing to the chairperson of the school committee.

(4) The school committee shall within four weeks after being notified of such appeal (longer should the appellant request a delay) conduct a fair hearing to decide the issues presented by the appellant.

(a) School officials shall have the burden of proof on issues presented by the appellant.

(b) The appellant shall have the right to be represented by an advocate of his/her choosing, to cross-examine witnesses, to present evidence, to make a tape or other recording of the proceedings, and to receive a written decision within two weeks after the hearing.

(c) If the appeal concerns statements by an employee of the school committee, such person(s) shall have the right to be present and to have an advocate of his/her own choosing.

(5) Nothing in 603 CMR 23.00 shall abridge or limit any right of an eligible student or parent to seek enforcement of 603 CMR 23.00 or the statutes regarding student records, in any court or administrative agency of competent jurisdiction.

23.10: Notification

(1) At least once during every school year, the school shall publish and distribute to students and their parents in their primary language a routine information letter informing them of the following:

- (a) The standardized testing programs and research studies to be conducted during the year and other routine information to be collected or solicited from the student during the year.
- (b) The general provisions of 603 CMR 23.00 regarding parent and student rights and those copies of 603 CMR 23.00 are available to them from the school.
- (2) In those school systems required under M.G.L. c. 71A to conduct a bilingual program, all forms, regulations, or other documents regarding 603 CMR 23.00 that a parent receives or is required to receive shall be in the language spoken in the home of the student, provided that it is a language for which the school system is required to provide a bilingual program.

23.11: Monitoring

The Department of Education may, pursuant to a request by an eligible student or parent or on its own initiative, conduct reviews to insure compliance with 603 CMR 23.00. The school committee and the specific school(s) involved shall cooperate to the fullest extent with such review.

23.12: Severance Clause

The provisions of 603 CMR 23.00 is severable and should any section be found upon judicial review to exceed the authority of the State Board of Education, the remaining sections should not be affected.

EQUAL OPPORTUNITY GRIEVANCE PROCEDURE

TITLE IX- CHAPTER 662

NON-DISCRIMINATION

In compliance with the requirements by the federal government (Title IX of the education Amendments of 1972, and the implementing regulations) and the Massachusetts state government (Chapter 622 of the Acts of 1971, and the implementing regulations) the Athol-Royalston Regional School District shall prohibit discrimination on the basis of race, color, national origin, religion, sex, age, disability, handicap and sexual orientation, gender identity, gender identity, in regard to hiring practices by any and all schools and departments and also in regard to pupil admission to schools, courses of study, activities and any other opportunities for pupils made available within the School System. Please see page 48 to review the procedure to have a complaint or concern about harassment or discrimination investigated. Any concerns or complaints regarding discrimination, please contact Molly Superchi 978-249-2430 or Mary Jane Rickson 978-249-2435

In addition, under Section 504 of the federal Rehabilitation Act of 1973, and other relevant law no otherwise qualified handicapped individual shall, solely by reason of a handicap, be excluded from the participation in, be denied the benefits of, or subjected to discrimination under any program or activity.

Any student or employee of the Athol-Royalston School District who believes he/she has been discriminated against, denied a benefit, or excluded from participation in any district education program or activity on the basis of sex, race, color, religion, gender identity, or national origin in violation of this policy, may file a written complaint.

A local complaint procedure has been established and any such complaint should be addressed to your student's **building principal**.

The principal/assistant principal shall cause a review of the written complaint within ten working days after receipt of the written complaint. If the complainant is not satisfied with such response, he/she may submit a written appeal to the School Committee indicating with specifics the nature of the disagreement, stating his/her reasons for such disagreement. A copy of the written complaint shall then be provided to each member of the School Committee.

The School Committee shall consider the appeal which will be listed for action by the School Committee on the next regularly scheduled School Committee agenda. The School Committee shall permit the complainant to address the School Committee in public or in closed session, as appropriate and lawful. Any individual has the right at any time to address inquiries regarding their civil rights to the Office of Civil Rights, Boston, MA.

EQUAL EDUCATIONAL OPPORTUNITIES

In recognition of the diversified characteristics and needs of our students and with the keen desire to be responsive to them, the committee will make every effort to protect the dignity of the students as individuals. It also will offer careful consideration and sympathetic understanding of their personal feelings, particularly with reference to their race, creed, sex, religion, nationality, gender identity, and physical and intellectual differences.

To accomplish this, the committee and its staff will make every effort to comply with the letter and the spirit of the Massachusetts equal educational opportunities law (known as Chapter 622 of the Acts of 1971), which prohibits discrimination in public school admissions programs. The law reads as follows.

“No child shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantage, privileges and course of study of such public school on account of race, color, sex religion, gender identity, national origin or sexual orientation.”

This will mean that every student will be given equal opportunity in school admission, admissions to courses, course content, guidance and extracurricular and athletic activities.

AVAILABILITY OF IN-SCHOOL PROGRAMS FOR PREGNANT STUDENTS

1. Pregnant students are permitted to remain in regular classes and participate in extracurricular activities with non-pregnant students throughout their pregnancy, and after giving birth, are permitted to return to the same academic and extracurricular program as before the leave.
2. The district does not require a pregnant student to obtain the certification of a physician that the student is physically and emotionally able to continue in school.

SECTION 504 OF THE REHABILITATION ACT OF 1973

Section 504 of the Rehabilitation Act of 1973 is a broad civil rights law that protects the handicapped or disabled individuals in programs that receive federal funds.

Under this Act, a qualified disabled person is “one who has had a physical or mental disability which substantially limits a major life activity or, has a record of such or is regarded as disabled by others.” Major life activities include the ability to care for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working. A disability need only limit one major life activity for an individual to be eligible.

Typically, students with disabilities who do not qualify for special education under IDEA do qualify under Section 504. These disabilities might include students with Attention Deficit Disorder (AD/HD), students with AIDS, heart conditions, and other physical disabilities such as severe asthma, juvenile diabetes, severe arthritis, cerebral palsy, etc. All of these conditions under 504 allow a student to receive the necessary related services to make their education comparable to non-disabled students.

Services given to students under section 504 are considered the responsibility of regular education, as they are not in need of basic skills help and can function with adjustments in the regular classroom.

Many of the specific regulations found in IDEA do not apply to Section 504. However, the due process rights of students and parents or guardians are protected and a specific grievance procedure must be in place including the right to mediation or an impartial hearing and the right to be represented by an attorney. If students are thought to have a disability under Section 504, they have a right to an evaluation. A team knowledgeable about the student will make recommendations regarding modifications and/or placement in the least restrictive environment. A written plan must be developed documenting the presence of a disability, which limits a major life activity, and a statement of the adjustments that will be made.

POLICIES AND PROCEDURE SECTION 504 OF THE REHABILITATION ACT OF 1973

A. Statement of Intent:

It is the policy of Athol-Royalston Regional School District to comply with all the relevant and applicable provisions of Section 504. The Athol-Royalston Regional School District will not discriminate against its personnel or students because of a person’s physical or mental disability.

The Athol-Royalston Regional School District will also make reasonable adjustments wherever necessary for all employees or applicants with disabilities and students provided that any adjustments made do not require significant difficulty or expense. The Athol-Royalston Regional School District policy of nondiscrimination applies to all personnel and employment practices (See ADA policies and practices) and all public preschool, elementary and secondary programs and activities.

B. Access to Programs and Services

The Athol-Royalston Regional School District will review all procedures used to identify student's eligibility under Section 504, and access to appropriate educational services.

The principal of the building is responsible for Section 504 for the Athol-Royalston Regional School District and has the complete support of management in the implementation of this program.

Any person having inquiries concerning The Athol-Royalston Regional School District's compliance with Section 504 is directed to contact:

Kathryn Clark
Director of Pupil Personnel
1062 Pleasant Street
Athol, Ma 01331
9789-249-2403

Student Safety

TOBACCO FREE ZONE

Use of any tobacco products within the school buildings, school facilities, on school grounds, including vehicles or school busses by any individual, including school personnel and students, is prohibited at all times.

ALCOHOLIC BEVERAGES IN SCHOOL

Chapter 272, Section 40A. Whoever gives, sells, delivers or has in his possession any alcoholic beverage, except for medicinal purposes, in any public school building, or on any premises used for public school purposes and under the charge of a school committee or other public board or officer, shall be punished by imprisonment for not more than thirty days or by a fine of not more than one hundred dollars, or both; provided, however, that a school committee of a city, town or district may authorize a public or nonprofit organization using a public school building with its permission during non school hours to possess and sell alcoholic beverages therein provided such nonprofit organization is properly licensed under the provisions of section fourteen of chapter one hundred and thirty-eight.

STUDENT DRESS

Chapter 71, Section 83. School officials shall not abridge the rights of students as to personal dress and appearance except if such officials determine that such personal dress and appearance violate reasonable standards of health, safety and cleanliness.

EYE PROTECTION

Chapter 71, Section 55C. Each teacher and pupil of any school, public or private, shall, while attending school classes in industrial art or vocational shops or laboratories in which caustic or explosive chemicals, hot liquids or solids, hot molten metals, or explosives are used or in which welding of any type, repair or servicing of vehicles, heat treatment or tempering of metals, or the milling, sawing, stamping or cutting of solid materials, or any similar dangerous process is taught, exposure to which may be a source of danger to the eyes, wear an industrial quality eye protective device, approved by the department of public health. Each visitor to any such classroom or laboratory shall also be required to wear such protective device.

IMMUNIZATION LAWS

MGL Ch.76, S. 15. No child shall, except as hereinafter provided, be admitted to school except upon presentation of a physician's certificate that the child has been successfully immunized against diphtheria, pertussis, tetanus, measles, and poliomyelitis and such other communicable diseases as may be specified from time to time by the Department of Public Health.

ADMINISTERING OF MEDICINE IN SCHOOL

The Athol-Royalston Regional School District Committee has adopted the state policies and procedures (105 CMR 210.00) concerning regulations governing the administration of prescription medications in public and private schools, and to adopt (105 CMR 210.007) training of school personnel responsible for administering prescription medication written by the Massachusetts Department of Public Health School Health Unit.

PHYSICAL RESTRAINT POLICY

The Athol-Royalston Regional School District complies with the Department of Elementary and Secondary Education (DESE) restraint regulations, 603 C.M.R. 46.00 et seq., as required by law. These regulations apply not only while attending school, but also at school-sponsored events and activities, whether or not on school property. Copies of this law are available at <http://www.doe.mass.edu/lawsregs/603cmr46.html>, and in the office of the principal.

The Athol-Royalston Regional School District uses non-violent restraint such as redirection, escorts to quiet areas, talking to students and other such methods. Physical restraint is only used as a last resort.

PROHIBITION AGAINST FIREARMS IN SCHOOLS

Chapter 269, Section 10. Whoever, not being a law enforcement officer, and notwithstanding any license obtained by him under the provisions of chapter one hundred and forty, carries on his person a firearm as hereinafter defined, loaded or unloaded or other dangerous weapon in any building or on the grounds of any elementary or secondary school, college or university without the written authorization of the board or officer in charge of such elementary or secondary school, college or university shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both. For the purpose of this paragraph, "firearm" shall mean any pistol, revolver, rifle or smoothbore arm from which a shot, bullet or pellet can be discharged by whatever means.

Any officer in charge of an elementary or secondary school, college or university or any faculty member or administrative officer of an elementary or secondary school, college or university failing to report violations of this paragraph shall be guilty of a misdemeanor and punished by a fine of not more than five hundred dollars.

SCHOOL SEARCH AND SEIZURE

To maintain order and discipline in the schools and to protect the safety and welfare of students and school personnel, school authorities may search a student, student lockers or student automobiles under the circumstances outlined below and may seize any illegal, unauthorized, or contraband materials discovered in the search.

A student's failure to permit searches and seizures as provided in this policy will be considered grounds for disciplinary action.

1. PERSONAL SEARCHES

A student's person and/or personal effects (e.g., purse, book bag, etc.) may be searched whenever a school authority has reasonable suspicion to believe that the student is in possession of illegal or unauthorized materials.

If a pat down search of a student's person is conducted it will be conducted in private by a school official of the same sex and with an adult witness present, when feasible.

If extreme emergency conditions require a more intrusive search of a student's person such a search may only be conducted in private by a school official of the same sex, with an adult witness of the same sex present and only upon the prior approval of the school superintendent or one of his/her designees, unless the health or safety of students will be endangered by the delay which might be caused by following these procedures.

2. LOCKER SEARCHES

Student lockers are school property and remain at all times under the control of the school; however, students are expected to assume full responsibility for the security of their lockers.

Periodic general inspections of lockers may be conducted by school authorities for any reason at any time without notice, without student consent, and without a search warrant.

3. AUTOMOBILE SEARCHES

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of student parking lots and inspections of the exteriors of student automobiles on school property. The interiors of student vehicles may be inspected whenever a school authority has reasonable suspicion to believe that illegal or unauthorized materials are contained inside. Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant.

Legal references: State v. F.W.E., 360 SO. 2D 148 (FLA. APP. 1978), ZAMORA v. POMEROY, 639 F.2D 622 (10th CIR. 1981), State v. D.T.W. 425 SO. 2D 1383 (FLA.APP.1983)

19J POLICY SOLICITATIONS BY STUDENTS

The Athol-Royalston Regional School District shall strive to safeguard the students and their parents from money raising plans of outside organizations, commercial enterprises and individuals.

This policy applies particularly to ticket sales and sales of articles or services except those directly sponsored or handled by the school authorities.

School sponsored or school approved activities must have the approval of the principal who will submit the proposal to the school committee in advance for information. Door to door sales projects are discouraged by the committee, but may be conducted by individual parent or student groups. Students in grades K-8 are required to be accompanied by a parent or guardian. Students in grades 9-12 need not be accompanied by a parent or guardian. Such sales will be limited to family and friends only and solicitation will not take place in public places (e.g. stores, malls, post offices, etc). Administrators and teachers will not be responsible for the distribution of materials or the collection of funds. Any such project shall be for the benefit of the students enrolled in schools only. The secondary students shall be involved in determining how the money raised shall be spent.

All participants shall be voluntary with written parent consent. On all school committee, approved projects, published information related to advertising, tickets, and other materials must carry the name of the sponsor. The use of the title, Athol-Royalston Regional School District, shall not be used on any materials, notices or advertising without the specific consent of the school committee.

The administrators of the school sponsoring the fundraising activities shall be responsible for the proper administration of each project in accordance with the provisions of the state law and appropriate accounting practices and procedures. All monies collected shall be deposited in the proper school account, subject to the administration of the regional school treasurer, such as, high school revolving account; middle school revolving accounts, elementary trust fund.

DISTRIBUTION OF PRINTED MATERIALS

Students of the Athol-Royalston Regional School District may distribute such materials with the approval of the building principal, at a place and time designated by the principal. Such place and time shall be determined to avoid disruption of the educational process. The committee instructs the principal to take appropriate legal action against distributors of printed materials deemed obscene or libelous or otherwise in violation of the law under the Commonwealth of Massachusetts or of the United States of America.

The school committee recognizes that distribution of such materials on public property, not part of the school premises, is not within its jurisdiction. Therefore, students may distribute such printed materials on the sidewalk area along Main Street or other approaches to the school as they see fit. The committee cautions students that they are not immune from prosecution for offenses against the laws of obscenity and libel and other pertinent statutes.

ATHOL-ROYALSTON REGIONAL SCHOOL DISTRICT INTERNET USE POLICY

Overview

The Internet is an electronic communications network which provides vast, diverse and unique resources. Our goal in providing this service to teacher, staff and ultimately students, is to promote educational excellence in the Athol-Royalston Regional School District by facilitating resource sharing, innovation and communication.

With access to computers and people all over the world also comes the availability of material that may not be considered to be of educational value in the context of the school setting. There may be some material or individual communications which are not suitable for school-aged children. The Athol-Royalston Regional School District views information gathered from the Internet in the same manner as information gathered from other reference materials identified by the schools. Specifically, the district supports resources that will enhance the learning environment with directed guidance from the faculty and staff. Exploration and utilization of resources is encouraged. However, it is impossible to control all materials on a global network and an industrious user may discover inappropriate information.

In the schools, student access to, and use of, the Internet will be available through a school designated account and will be carried out at teacher direction and monitored as any other classroom activity. Training will be provided. Every school complies with the CIPA (Children's Internet Protection Act). The school district, however, cannot prevent the possibility that some users may access material that is not consistent with the educational mission, goals and policies of the school district.

Guidelines

Internet access is coordinated through a complex association of government agencies and regional networks. The operation of the Internet relies heavily on the proper conduct of the users, who must adhere to strict guidelines. The district staff has the right and obligation to monitor student Internet activities. Internet access is a privilege, not a right. It shall be the policy of the Athol-Royalston Regional School District that every student who uses the District's internet connection shall have on file, at each school that the student attends, the official "Athol-Royalston Regional School District Contract Regarding the Use of the Internet" which is signed and dated by both the student and a parent/guardian. The Principal of each school shall be responsible for adherence to this policy and place such contracts in the student's temporary file. If a district user violates any of the acceptable use provisions outlined in this document, his/her account will be terminated and future access will be denied. Some violations may also constitute a criminal offense and may result in legal action. Any use violating these provisions, applicable state and federal laws, or posted classroom and district policies, is subject to loss of access privileges and any other district disciplinary options.

1) Acceptable Use

- Student use must be in support of education and research consistent with curriculum
- Student use must be consistent with the rules appropriate to any network being used/accessed.

2) Unacceptable Use

- Unauthorized use of copyrighted material is prohibited.
- Threatening or obscene material is prohibited.
- Distribution of material protected by trade secret is prohibited.
- Use for commercial activities is not acceptable.
- Product advertisement or political lobbying is prohibited.
- Plagiarism is prohibited.

3) Netiquette

- Do not watch when others type in their passwords.
- Be polite.
- Do not use vulgar or obscene language.
- Do not reveal your own home address, telephone #, or telephone # of others.
- Use caution when revealing your school address or e-mail number (or those of others).
- Electronic mail is not guaranteed to be private.
- Do not intentionally disrupt the network or other users.
- Abide by generally accepted rules of network etiquette.

4) Security

- If you identify a security problem, notify a teacher/administrator immediately.
- Do not show or identify a security problem to others.
- Do not reveal your account password or allow another person to use your account.
- Do not use another individual's account.
- Attempts to log on as another user will result in cancellation of your privileges.
- Any user identified as a security risk or having a history of problems with other computer systems may be denied access.

- The student user must notify their teacher/administrator of any change in account information.
- The student user may be occasionally required to update registration, password and account information in order to continue Internet access.
- The student user must use school accounts on school grounds. **5) Vandalism/Harassment**
- Vandalism is defined as any malicious attempt to harm or destroy data or another user, the Internet or other networks. This includes, but is not limited to, creating and/or uploading computer viruses. Harassment is defined as the persistent annoyance of another user or the interference in another user's work. This includes, but is not limited to, the sending of unwanted e-mail.
- Vandalism and/or harassment will result in the cancellation of privileges.

6) Penalties

- Any user violating these provisions, applicable state and federal laws or posted classroom and district rules is subject to loss of privileges and any other district disciplinary options, including criminal prosecution.
- School and district administrators will make the determination as to what constitutes unacceptable use and their decision will be final.

The Athol-Royalston Regional School District makes no warranties of any kind, whether expressed or implied, for the service it is providing. The Athol-Royalston Regional School District will not be responsible for any damages a user may suffer, including loss of data. The District will not be responsible for the accuracy or quality of information obtained through this Internet connection.

All terms and conditions as stated in this document are applicable to all users of the Internet. These provisions reflect an agreement of the parties and shall be governed and interpreted in accordance with the laws of the state of Massachusetts and the United States of America.

Student Discipline

REGULATIONS AND LAWS REGARDING STUDENT DISCIPLINE

Due process is a right of all students. The standards for minimum due process for suspensions from school for ten days or less are set forth in Goss v. Lopez.

To ensure the safety of all students and faculty, the following laws, memorandums, and case law also affect students and teachers in the Athol-Royalston Regional School District.

DISCIPLINING STUDENTS WITH SPECIAL NEEDS

All students are expected to meet the requirements for behavior as set forth in this handbook. However, students eligible for special education are entitled to certain additional protections under state and federal law.

Specifically, these laws include M.G.L. c. 71B and its implementing regulations (603 CMR 28.00) and 20 USC 1401 et.seq. (“IDEA”) and its implementing regulations (34 CFR 300 et. seq.).

Students eligible for special education who violate school rules are subject to removal from their current educational placement for up to ten school days per school year, to the extent that such removal would be applied to students without disabilities, without prior determination as to whether the misconduct is related to the student’s disability.

Any time school personnel seek to remove a student from his or her current educational placement for more than ten school days in a school year, this constitutes a “change of placement” and invokes certain procedural rights including but not limited to a review by the IEP Team of the relationship between the student’s disability and the behavior subject to the disciplinary action, which is referred to as a Manifestation Determination.

If the behavior is a manifestation of the student’s disability the student’s Team will conduct a functional behavior assessment and develop a behavior intervention plan, provided that such an assessment was not already conducted before the behavior occurred. In the situation where an assessment was already conducted and a behavior intervention plan is already in place, the Team will review the plan and revise it accordingly. The student will also be returned to his educational placement unless the parent and the school agree otherwise.

If the behavior is not a manifestation of the student’s disability, then the student may be removed from his educational placement to the same extent that a regular education student would be removed, provided that the special education student must continue to receive educational services to enable the child to continue to receive his special education services in order to participate in the general education curriculum, although in another setting, and to continue to progress toward meeting the goals set out in the student’s IEP. Additionally, the student should receive, as appropriate, a functional behavioral assessment and behavior intervention plan to prevent the behavior from happening again.

There are certain situations in which school personnel may order a change in placement of a special education student without regard to whether the student’s behavior is determined to be a manifestation of the student’s disability. These situations include when a special education student:

1. Carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of a State or local educational agency;
2. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of a State or local educational agency; or

3. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of a State or local educational agency.

In these situations, school personnel may remove the special education student to an appropriate Interim Alternative Educational Setting (IAES) for not more than forty-five (45) school days without regard to whether the student's behavior is determined to be a manifestation of the student's disability. A student may also be placed in such a setting on the authority of a hearing officer if the officer orders the alternative placement after the district provides evidence that the student is substantially likely to injure him/herself or others.

If a special education student commits an offense, which causes the student to be expelled from school, the school district continues to be responsible for providing the student with a free appropriate public education in another educational setting.

For more information regarding the rights of special education students see the Massachusetts Department of Education's Procedural Safeguards Notice, which is available in many languages, at www.doe.mass.edu/sped/prb/. Additionally, copies of the state and federal special education laws are available online at the Massachusetts Bureau of Special Education Appeals website, at www.doe.mass.edu/bzca/ or can be requested from the Director of Special Education at 978-2492403.

DISCIPLINE OF STUDENTS NOT YET ELIGIBLE FOR SPECIAL EDUCATION

A child who has not been determined to be eligible for special education and related services and who has engaged in behavior that violates the Student Code of Conduct, may assert any of the protections provided for special education students if the school had knowledge (as determined by the IDEA) that the child was a child with a disability before the behavior that precipitated the disciplinary action occurred. The school district may be considered to have prior knowledge if, before the behavior that resulted in the disciplinary action occurred:

1. The parent of the student expressed concern in writing to supervisory or administrative personnel of the student's school or to a teacher of the student that the student is in need of special education and related services; or
2. The parent requested an evaluation of the student; or
3. District staff expressed, directly to the special education director or other supervisory personnel, specific concerns about a pattern of behavior demonstrated by the student.

The district may not be deemed to have had knowledge if the parent has not consented to an evaluation of the student or has refused special education services, or if an evaluation of the student was completed and resulted in a determination of ineligibility. If the district had no knowledge that the student is a student with a disability prior to taking disciplinary action, the

student may be subjected to disciplinary measures applied to students without disabilities. However, if an evaluation is requested during the time period in which the student is subjected to these disciplinary measures, the district must conduct the evaluation in an expedited manner.

DISCIPLINE OF STUDENTS ON 504 PLAN

School personnel may not suspend a student on a 504 plan for more than ten consecutive school days without a manifestation determination. Procedural protections for eligible 504 students are the same as those afforded to special education students. Please contact the principal of the School.

DUE PROCESS FOR SUSPENSIONS

NOTICE OF PROPOSED SUSPENSION

Except in the case of an emergency removal or disciplinary offense defined under M.G.L. c. 71, §§37H or 37H½ or an in-school suspension as defined by 603 CMR 53.02(6), the school shall provide the student and parent/guardian with written and oral notice of the proposed out-of-school suspension, an opportunity to be heard at hearing, and the opportunity to participate at the hearing. Notice shall set forth in plain language:

- a) the disciplinary offense;
- b) the basis for the charge;
- c) the potential consequences, including the potential length of the student's suspension;
- d) the opportunity for the student to have a hearing with the principal concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident, and for the parent/guardian to attend the hearing;
- e) the date, time, and location of the hearing;
- f) the right of the student and student's parent/guardian to interpreter services at the hearing if needed to participate;

The principal shall make reasonable efforts to notify the parent/guardian orally of the opportunity to attend the hearing. In order to conduct a hearing without the parent/guardian present, the principal must be able to document reasonable efforts to include the parent/guardian. Reasonable effort is presumed if the principal sent written notice and documented at least two attempts to contact the parent/guardian in the manner specified by the parent/guardian for emergency situations.

All written communications regarding notice of proposed suspension shall be either by hand delivery or delivered by first-class mail, certified mail, or email to address provided by the parent/guardian for school communications (or other method agreed to by the principal and parent/guardian) in English, and in the primary language in the home if other than English, or other means of communication where appropriate.

SHORT-TERM SUSPENSIONS: HEARING AND PRINCIPAL DETERMINATION

A short-term suspension is the removal of the student from the school premises and regular classroom activities for ten (10) consecutive days or less. Out-of-school short-term suspensions which do not cumulatively over the course of the school year exceed ten (10) days of suspension shall be conducted in accordance with this section.

Principal Hearing. The purpose of the hearing with the principal is to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student has committed the disciplinary offense, the basis for the charge, and any other pertinent information. The student shall have an opportunity to present information, including mitigating facts. A parent/guardian present at the hearing shall have the opportunity to discuss the student's conduct and offer information, including mitigating circumstances.

Based on the available information, including mitigating circumstances, the principal will make a determination whether the student committed the disciplinary offense, and if so, the consequence. The principal will provide notification in writing of his/her determination in the form of an update to the student and parent/guardian, and provide reasons for the determination. If the student is suspended, the principal shall inform the parent/guardian of the type and duration of the suspension, and shall provide an opportunity for the student to make up assignments and other school work as needed to make academic progress during the period of removal. If the student is in grades pre-k through 3, the principal shall send his/her determination to the superintendent and explain the reasons prior to imposing an out-of-school suspension, before the short-term suspension takes effect.

All written communications regarding the hearing and principal determination shall be either hand delivery or delivered by first-class mail, certified mail, or email to the address provided by the parent/guardian for school communications (or other method agreed to by the principal and parent/guardian) in English, and in the primary language in the home if other than English, or other means of communication where appropriate.

LONG-TERM SUSPENSIONS: HEARING AND PRINCIPAL DETERMINATION

A long-term suspension is the removal of a student from the school premises and regular classroom activities for more than ten (10) consecutive school days, or for more than ten (10) school days cumulatively for multiple disciplinary offenses in any school year. The purpose of the hearing with the principal is to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student has committed the disciplinary offense, the basis for the charge, and any other pertinent information. The student shall have an opportunity to present information, including mitigating facts, that the principal will consider in determining whether alternatives to suspension such as loss of privileges, detention, an apology, a student contract, restitution, and/or probation are appropriate.

Additionally, the student shall have the following additional rights:

- i. In advance of the hearing, the opportunity to review the student's record and the documents upon which the principal may rely in making a determination to suspend the student or not;
- ii. the right to be represented by counsel or a lay person of the student's choice, at the student's and or parent's/guardian's expense;
- iii. the right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so; and
- iv. the right to cross-examine witnesses presented by the school district;
- v. the right to request that the hearing be recorded by the principal. All participants shall be informed that the hearing is being recorded by audio. A copy of the audio recording will be provided to the student or parent/guardian upon request.

Based on the evidence submitted at the hearing the principal shall make a determination as to whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension (the use of evidence-based strategies and programs, such as mediation, conflict resolution, restorative justice, and positive interventions and supports) what remedy or consequence will be imposed. If the principal decides to impose a long-term suspension, the written determination shall:

- i. Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing;
- ii. Set out key facts and conclusions reached by the principal;
- iii. Identify the length and effective date of the suspension, as well as a date of return to school;iv. Include notice of the student's opportunity to receive a specific list of education services to make academic progress during removal, and the contact information of a school member who can provided more detailed information.
- v. Inform the student of the right to appeal the principal's decision to the superintendent or his/her designee (only if a long-term suspension has been imposed) within five (5) calendar days, which may be extended by parent/guardian request in writing an additional seven (7) calendar days.

The long-term suspension will remain in effect unless and until the superintendent decides to reverse the principal's determination on appeal.

If the student is in grades pre-k through grade 3, the principal shall send his/her determination to the superintendent and explain the reasons prior to imposing an out-of-school suspension, whether short-term or long-term, before the suspension takes effect.

All written communications regarding the hearing and principal determination shall be either hand delivery or delivered by first-class mail, certified mail, or email to the provided by the parent/guardian for school communications (or other method agreed to by the principal and parent/guardian) in English, and in the primary language in the home if other than English, or by other means of communication where appropriate.

APPEAL OF LONG-TERM SUSPENSION

A student who is placed on a long-term suspension shall have the right to appeal the principal's decision to the superintendent if properly and timely filed. A good faith effort shall be made to include the parent/guardian at the hearing. The appeal shall be held within three (3) school days of the appeal, unless the student or parent/guardian requests an extension of up to seven (7) additional calendar days, which the superintendent shall grant.

The student and parent/guardian shall have the same rights afforded at the long-term suspension principal hearing. Within five (5) calendar days of the hearing the superintendent shall issue his/her written decision which meets the criteria required of the principal's determination. If the superintendent determines the student committed the disciplinary offense, the superintendent may impose the same or a lesser consequence than that of the principal. The superintendent's decision shall be final.

EMERGENCY REMOVAL

A student may be temporarily removed prior to notice and hearing when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school and, in the principal's judgment, there is no alternative available to alleviate the danger or disruption. The temporary removal shall not exceed two (2) school days, following the day of the emergency removal.

During the emergency, removal the principal shall make immediate and reasonable efforts to orally notify the student and student's parent/guardian of the emergency removal and the reason for the emergency removal. The principal shall also provide the due process requirements of written notice for suspensions and provide for a hearing which meets the due process requirements of a long-term suspension or short-term suspension, as applicable, within the two (2) school day time period, unless an extension of time for the hearing is otherwise agreed to by the principal, student, and parent/guardian.

A decision shall be rendered orally on the same day as the hearing, and in writing no later than the following school day. The decision shall meet all of the due process requirements of a principal's determination in a long-term suspension or short-term suspension, as applicable.

IN-SCHOOL SUSPENSION UNDER 603 CMR 53:02(6) & 603 CMR 53.10

In-school suspension is defined as the removal of a student from regular classroom activities, but not the school premises, for not more than ten (10) consecutive school days, or no more than ten (10) school days cumulatively for multiple infractions over the course of the school year.

A Principal may impose an in-school suspension as defined above according to the following procedures:

The principal shall inform the student of the disciplinary offense charged and the basis for the charge, and provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident. If the principal determines that the student committed the disciplinary offense, the principal shall inform the student of the length of the student's in-school suspension, which shall not exceed ten (10) days, cumulatively or consecutively, in a school year.

On the same day as the in-school suspension decision, the principal shall make reasonable efforts to notify the parent orally of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension. The principal shall also invite the parent to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. Such meeting shall be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the principal is unable to reach the parent after making and documenting at least two (2) attempts to do so, such attempts shall constitute reasonable efforts for purposes of orally informing the parent of the in school suspension.

The principal shall send written notice to the student and parent about the in-school suspension, including the reason and the length of the in-school suspension, and inviting the parent to a meeting with the principal for the purpose set forth above, if such meeting has not already occurred. The principal shall deliver such notice on the day of the suspension by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or by other method of delivery agreed to by the principal and the parent.

SUSPENSION OR EXPULSION FOR DISCIPLINARY OFFENSES UNDER M.G.L. 71 §§37H and 37H½

The due process notification and hearing requirements in the preceding sections do not apply to the following disciplinary offenses:

Possession of a dangerous weapon, possession of a controlled substance, or assault of staff A student may be subject to expulsion if found in possession of a dangerous weapon, possession of a controlled substance, or the student assaults a member of educational staff, and the principal determines the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

The Principal shall notify the student and parent(s)/guardian(s) in writing of the opportunity for a hearing, and the right to have representation at the hearing, along with the opportunity to present evidence and witnesses. After said hearing, a principal may, in his/her discretion, decide to levy a suspension rather than expulsion. A student expelled for such an infraction shall have the right to appeal the decision to the Superintendent. The expelled student shall have ten (10) days from the date of the expulsion in which to notify the Superintendent of his/her appeal. The student has the

right to counsel at the hearing before the Superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student was guilty of the alleged offense.

Felony complaint or issuance of felony delinquency complaint

Upon the issuance of a criminal complaint charging a student with a felony, or the issuance of a felony delinquency complaint against a student, the Principal may suspend a student for a period of time determined appropriate by the Principal if the Principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

The Principal shall notify the student in writing of the charges, the reasons for the suspension (prior to such suspension taking effect), and the right to appeal. The Principal will also provide the student and parent(s)/guardian(s) the process for appealing the suspension to the Superintendent. The request for appeal must be made in writing within five (5) calendar days. The hearing shall be held within three (3) days of the request. The suspension shall remain in effect prior to any appeal hearing before the Superintendent. At the hearing, the student shall have the right to present oral and written testimony, and the right to counsel. The Superintendent has the authority to overturn or alter the decision of the Principal. The Superintendent shall render a decision on the appeal within five (5) calendar days of the hearing.

Felony conviction or adjudication/admission in court of guilt for a felony or felony delinquency

The Principal may expel a student convicted of a felony, or has an adjudication or admission of guilt regarding a felony, if the Principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

The student shall receive written notification of the charges and reasons for the proposed expulsion. The student shall also receive written notification of his right to appeal the decision to the Superintendent, as well as the appeal process. The expulsion shall remain in effect prior to any appeal hearing conducted by the Superintendent.

The student shall notify the Superintendent in writing of his/her request for an appeal the decision no later than five (5) calendar days following the date of the expulsion. The Superintendent hearing shall be held with the student and parent(s)/guardian(s) within three (3) calendar days of the expulsion. At the hearing, the student shall have the right to present oral and written testimony, and shall have the right to counsel. The Superintendent has the authority to overturn or alter the decision of the Principal. The Superintendent shall render a decision on the appeal within five (5) calendar days of the hearing.

Any student expelled from school for such an offense shall be afforded an opportunity to receive educational services and make academic progress.

STUDENT ARRESTED

The Principal of the school may suspend, exclude or place on academic probation, a student who has been charged with a felony or is the subject of a felony delinquency complaint, if the principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

Any student found guilty of a felony and who is not removed from school, may be placed on academic probation and may not participate in any extracurricular activities, i.e., sports, student council, class offices, NHS, plays, dances. When a student is placed on academic probation he/she will have the right to attend school during the academic day only. The duration of the academic probation will be determined by the principal. (Refer to MGL Chapter 71, Sect. 37H1/2

STUDENT DISTURBANCES

The school committee recognizes the authority of the school administrator to administrate and provide the best possible education for the student or students in his/her school.

Any student who deliberately disrupts the orderly process of education, no matter the pretext, will be subject to immediate suspension from school, and the principal of the school will make any recommendations as to the final disposition of this disciplinary action.

This includes any organized disturbance, sit-down strike, walkout, bomb scare, false alarm, or any serious vandalism. In the event a large number of students leave the premises or disturb the premises, the principal and other staff members in conjunction with the local police, will disperse this gathering, attempt to make identification of those participating and immediately suspend those students involved. The leader of the organized disturbance will be recommended for immediate expulsion.

DISRUPTION AND HARASSMENT OF SCHOOL ACTIVITIES

Any student or group of students who disturb or harass students and school activities will be subject to immediate suspension from school and possible exclusion by the building principal, or may be expelled by the school committee.

CHAPTER 722 - AN ACT INCREASING THE PENALTIES FOR DEFACING OR DESTROYING STATE, COUNTY OR MUNICIPAL PROPERTY:

Section 96: Whoever willfully, intentionally and without right defaces, marks or injures the walls, wainscoting or any other part of any building belonging to the Commonwealth, or the

appurtenances thereof, by cutting, writing or otherwise, shall be punished by a fine of not less than one hundred thousand dollars or by imprisonment for not more than two years. Any person convicted under the provisions of this section shall, in addition to any fine assessed, reimburse the Commonwealth for the total amount of damages incurred.

Harassment & Bullying

SEXUAL HARASSMENT POLICY

I. Definition of Sexual Harassment

In Massachusetts, the legal definition for sexual harassment is this:

“Sexual harassment” means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

- (a) Submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of basis for employment decisions or education development.
- (b) Submission to or rejection of such conduct by an individual is used as the basis for employment or education decisions affecting such individual.
- (c) Such conduct has the purpose or effect of unreasonably interfering with an individual’s work or educational performance or creating an intimidating, hostile or offensive working or educational environment.

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a workplace environment that is hostile, offensive, intimidating, or humiliating to male or female workers or students may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct, which if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its persuasiveness:

- Unwelcome sexual advances - whether they involve physical touching or not;
 - Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one’s sex life; comment on an individual’s body, comment about an individual’s sexual activity, deficiencies, or prowess;
 - Displaying sexually suggestive objects, pictures, cartoons; • Inquiries into one’s sexual experiences; and,
 - Discussion of one’s sexual activities.
- All employees and students should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment, and retaliation against individual for cooperating with an investigation of a sexual harassment complaint is unlawful and will not be tolerated by this organization.

II. Complaints of Sexual Harassment

If any of our employees or students believe that he or she has been subjected to sexual harassment, they have the right to file a complaint with our organization in writing or orally. If you would like to file a complaint, you may do so by contacting Molly Superchi 978-249-2430 or Mary Jane Rickson 978-249-2435

This person is also available to discuss any concerns you may have and to provide information to you about our policy on sexual harassment and our complaint process.

III. Sexual Harassment Investigation

When we receive the complaint, we will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way to maintain confidentiality to the extent practicable under the circumstances. Our investigation will include a private interview with the person filing the complaint and with witnesses. We will also interview the person alleged to have committed sexual harassment. When we have completed our investigation, we will, to the extent appropriate inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation. If it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct, and where it is appropriate we will also impose disciplinary action.

IV. Disciplinary Action

If it is determined that inappropriate conduct has been committed by one of our employees, we will take such action as is appropriate under the circumstances. Such action may range from counseling to termination from employment or suspension from school, and may include such other forms of disciplinary action, as we deem appropriate under the circumstances.

V. State and Federal Remedies

In addition to the above, if you believe you have been subjected to sexual harassment, you may file a formal complaint subjected to sexual harassment, you may file a formal complaint with either or both of the government agencies set forth below.

Using our complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies has a short time period for filing a claim (EEOC - 180 days; MCAD - 6 months).

1. The United States Equal Employment Opportunity Commission (EEOC),
1 Congress Street - 10th floor,
Boston, MA 02114 (617) 565-3200
2. The Massachusetts Commission against Discrimination (MCAD)
Boston Office: Springfield Office
Room 601 Room 220
Boston, MA 02108 Springfield, MA 01103 (617)
727-3990 (413) 739-2145

SEXUAL HARASSMENT POLICY/COMPLAINT PROCEDURE FOR STUDENTS

PURPOSE

To create for all Athol-Royalston Regional School District students a study environment free of sexual harassment.

The Athol-Royalston Regional School District is committed to safeguarding the right of all persons associated with the Athol-Royalston Regional School District, including students, employees, school committee members and volunteers to a work and educational environment that is free from all forms of sexual harassment. Therefore, the Athol-Royalston Regional School District condemns and prohibits all sexual harassment on its premises.

All individuals associated with the District, but not necessarily limited to the School Committee, the administration, the staff, students and members of the public while on campus, are expected to conduct themselves at all times so as to provide an atmosphere free from sexual harassment. Any person who engages in sexual harassment while acting as a member of the school community or while on school property will be in violation of this policy.

Appropriate disciplinary action, up to and including dismissal, will be taken in any instance where an employee violates this policy. Sexual harassment by a student will result in disciplinary action up to and including expulsion. Sexual harassment by others will result in their being excluded from School premises or if it is required that they enter the premises, they will be accompanied by a District representative at all times.

If the sexual harassment is criminal in nature, the offense shall be reported to the police department as well as the Title IX Coordinator. If the sexual harassment requires the intervention of State social service or protective agencies, the proper authorities will be contacted. In these circumstances, the School's attorney will be immediately contacted to give advice and guidance on how to process these actions with the appropriate authorities.

Any student who believes that he or she has been subjected to sexual harassment should make a **complaint to any administrator, the Title IX Coordinator(s)**, or directly to the Superintendent, so that appropriate action may be taken at once.

Management representatives are charged with the responsibility of discouraging any sexually harassing behaviors within or outside of their areas of supervision. This includes directly confronting the harasser when a management representative observes harassing behavior, and immediately reporting the activity to the Title IX Coordinator(s).

The Title IX Coordinator will investigate complaints promptly, and corrective action will be taken where appropriate. No person will suffer retaliation or intimidation as a result of using the internal complaint procedure.

A copy of this policy and its accompanying regulations are posted in appropriate places, and made available to individuals upon request.

The Title IX Coordinator for the Athol-Royalston Regional School District is:

<u>Molly Superchi</u>	<u>Mary Jane Rickson</u>
Title IX Coordinator	Title IX Coordinator
1062 Pleasant Street	2363 Main St
Athol, Ma 01331	Athol, Ma 01331
978-249-2430	978-249-2435

Legal References: Title VII, Section 703, Civil Rights Act 1964 as amended
45 Federal Regulations 746776 issued by Chapter 622/EEOC Title IX of 1972 Education Amendments

SEXUAL HARASSMENT DEFINITION

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature where:

1. Submission to such conduct is either explicitly or implicitly made a term or condition of a student's education; or
2. Submission to or rejection of such conduct is used as a basis for education decisions affecting such student; or
3. Such conduct has the purpose or effect of substantially interfering with a student's educational performance, or creating an intimidating, hostile or offensive educational environment.

Sexual harassment may include, but is not limited to:

1. Assault, inappropriate touching, intentionally impeding movement, comments, gestures, or written communications of a suggestive or derogatory nature.
2. Continuing to express sexual interest after being informed that the interest is unwelcome. (Reciprocal attraction between peers is not considered sexual harassment.)
3. Implying or actually withholding grades earned or deserved, suggesting that a poor performance evaluation will be prepared, or suggesting that a scholarship recommendation or college application will be denied.
4. Coercive sexual behavior used to control, influence or affect the educational opportunities, grades and/or the learning environment of a student.

5. Offering or granting favors or educational benefits, such as grades or recommendations, in exchange for sexual favors.

Other sexual harassing behavior directed towards students, whether committed by management, staff, or students, is also prohibited. Such conduct includes but is not limited to:

1. Unwelcome sexual flirtations, advances or propositions;
1. Sexually explicit language or gestures;
1. Touching that an individual interprets as sexual in nature;
1. Any unwelcome physical contact;
1. The presence of sexually provocative photographs, pictures or other material, and the telling of sexual stories or jokes;
1. Verbal or nonverbal behavior about an individual's body that is interpreted as sexual in nature.

COMPLAINT PROCEDURE

INFORMAL PROCESS FOR STUDENTS

In determining whether an alleged incident constitutes sexual harassment, the Title IX Coordinator will be vested with the authority and responsibility of processing all sexual harassment complaints in accordance with the procedure outlined below, unless the Title IX Coordinator is the subject of the complaint.

1. Any student of the District who believes that he/she has been subjected to sexual harassment is to report the incident(s) to any administrator, Title IX Coordinator, or directly to the Superintendent. The administrator and/or Superintendent are to immediately contact the Title IX Coordinator. A written record of the complaint will be made by the party receiving the complaint. A separate file system will be maintained, apart from the student's personal record, regarding these complaints and as to all matters relating to the complaints.
2. If the alleged harassment involves **the Title IX Coordinator(s)**, the Superintendent of Schools will act as the Title IX Coordinator.
3. If the alleged harassment involves the Superintendent of Schools, the Secretary of the School Committee will act as the Title IX Coordinator.
4. The Superintendent and **the Title IX Coordinator(s)** will look at the totality of the circumstances and the context in which the alleged incidents occurred. They will attempt to

resolve the problem by conferring with both parties in order to obtain a clear understanding of the facts. All matters involving sexual harassment complaints will remain confidential to the extent possible.

5. Students may be accompanied, at any phase of this process or subsequent hearing before the Committee, by a parent, guardian or representative of their choosing. Parents will be immediately notified by the Title IX Coordinator of the existence of a student's report of sexual harassment.

6. The Title IX Coordinator will explain each phase of the Informal and Formal Complaint Process to a student who wishes to file a complaint and will assist the student in the processing of the complaint. In addition, the Title IX Coordinator will inform the student of additional forums for resolution of the complaint such as the Office of Civil Rights (O.C.R.) and the Massachusetts Commission Against Discrimination (M.C.A.D.).

7. Under normal circumstances, the Title IX Coordinator's investigation will be completed within five working days of the initial complaint. Upon completion of the investigation, the Title IX Coordinator shall issue his/her findings in writing to the student and the alleged harasser.

COMPLAINT PROCEDURE

FORMAL PROCESS FOR STUDENTS

1. A complainant may file a formal complaint immediately or may do so after the Superintendent and the Title IX Coordinator's efforts to reach a settlement under the informal process have proven unsuccessful.
2. The complaint will state clearly and concisely the complainant's description of the incident and it will also indicate any remedy sought. The complaint must be signed by the complainant. The Superintendent's office will send the respondent a copy of the complaint within five working days after it is received. A separate file system shall be maintained as to all matters relating to the complaint. Confidentiality shall be maintained to the extent possible.
3. The respondent will have ten working days to respond in writing. This statement will contain full and specific references to each claim in the complaint, admitting, denying or explaining the complainant's allegations. The respondent must sign his or her statement which will then be appended to the original complaint. Within three working days, the Superintendent's office will forward both statements to the complainant and the respondent.
4. There will be two modes of resolution for formal complaints. A complaint may be settled through mediation or through a hearing. If the complainant and respondent agree to pursue mediation, a date mutually acceptable to both parties will be set within ten working days. If the mediation results in a mutually acceptable agreement, copies of the agreement will be forwarded to both parties. If the mediation does not result in an agreement, the case will be

forwarded to the Superintendent for a hearing unless the Superintendent is the alleged harasser in which case the hearing will be before the Athol-Royalston Regional School Committee.

5. When a hearing is requested, the Title IX Coordinator will inform the Superintendent or the School Committee, as the case may be, and the case will be heard at the next regularly scheduled meeting of the School Committee pursuant to the provisions of the Commonwealth's Open Meeting Law and/or before the Superintendent pursuant to M.G.L., c. 71, § 42.

FORMAL HEARING

1. The purpose of the Superintendent or School Committee Hearing is to determine whether the school system's policy on sexual harassment has been violated, and, if so, to determine the appropriate consequences for the violation.
2. Both parties will be given a full and fair hearing. The proceeding, although formal, is not a court proceeding and the Superintendent or School Committee is not bound by the procedures and rules of evidence of a court of law. In most instances, complainants and respondents will be expected to speak for themselves, although, if desired, each party may be accompanied by counsel or an advocate.
3. The presiding officer of the hearing may have counsel present for purposes of assisting in the orderly conduct of the hearing and the questioning of witnesses. The complainant and the respondent will be asked to clarify the issues and to define the areas of disagreement. To encourage a fair and focused hearing, at the start of the proceedings the points of agreement and disagreement will be reviewed. The Superintendent or the Committee, as the case may be, will hear testimony and consider whether the School Committee Policy on Sexual Harassment has been violated, and, if so, will recommend appropriate consequences.
4. The presiding officer will:
 - a. ensure an orderly presentation of all evidence;
 - b. ensure that the proceedings are accurately recorded by means of a tape or stenographic recording; and
 - c. see that a decision is issued no later than ten working days after the conclusion of the hearing or, when written arguments are submitted, ten working days after their submission.
5. The Superintendent or the Committee, as the case may be, will:
 - a. conduct a fair and impartial hearing which ensures the rights of all parties involved;

- b. define issues of contention;
- c. receive and consider all relevant evidence which reasonable people customarily rely upon in the conduct of serious business;
- d. ask relevant questions of the complainant, respondent, and any witnesses if needed to elicit information which may be of assistance in making a decision; and
- e. ensure that the complainant and respondent have full opportunity to present their claims orally or in writing, and to present witnesses and evidence which may establish their claims.

DECISION OF THE SUPERINTENDENT OR THE COMMITTEE

1. After all the evidence, testimony, and written arguments have been presented, the committee will convene for deliberations to determine whether the school system's policy on sexual harassment has been violated. If the Committee finds after a roll call vote that the policy has not been violated, that fact will be registered in the records of the hearing, and the written decision will be forwarded to the complainant and the respondent no later than fifteen working days after completion of the hearing.

In hearings before the Superintendent, if the Superintendent finds that the policy has not been violated, the Superintendent will issue a written decision to the complainant and the respondent no later than fifteen working days after the completion of the hearing.

2. If the Committee finds after a roll call vote that the charge of violating the District's policy on sexual harassment has been substantiated, the hearing Committee will prepare findings and will determine a penalty for the respondent and relief for the complainant. The Committee will issue such decision to the complainant and the respondent no later than fifteen working days after the completion of the hearing.

In hearings before the Superintendent, if the Superintendent finds that the charge of violating the school system's policy on sexual harassment has been substantiated, the Superintendent will prepare findings and will determine a penalty for the respondent and relief for the complainant. The Superintendent will issue such decision to the complainant and the respondent no later than fifteen working days after the completion of the hearing.

The findings of fact as well as the penalty and relief will be based solely on the testimony and evidence presented at the hearing.

3. The penalty should reflect the severity of the harassment. The penalties may include, but will not be limited to, any one or combination of the following: verbal admonition, written warning placed in the respondent's personnel file or student record, probation, suspension without pay, dismissal, demotion, or removal from administrative duties within a department; students may be

subject to suspension or expulsion proceedings following a finding that the policy has been violated. The Committee or Superintendent may also make appropriate recommendations, such as professional counseling, and may recommend relief for the complainant which reinstates and restores, as much as possible, the aggrieved party.

BULLYING

Bullying or harassment of any type, including cyber-bullying, will not be tolerated and may result in suspension or exclusion from AHS. Bullying that occurs outside of school may result in disciplinary action if the behavior causes problems at school.

PROHIBITION AGAINST BULLYING AND RETALIATION.

Acts of bullying, which include cyber bullying, are prohibited:

- (i) on school grounds and property immediately adjacent to school grounds, at a school-sponsored or school--related activity, function, or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased, or used by a school district or school; or through the use of technology or an electronic device owned, leased, or used by a school district or school, and
- (ii) at a location, activity, function, or program that is not school--related through the use of technology or an electronic device that is not owned, leased, or used by a school district or school, if the acts create a hostile environment at school for the target or witnesses, infringe on their rights at school, or materially and substantially disrupt the education process or the orderly operation of a school.

Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying is also prohibited.

As stated in M.G.L. c. 71, § 37O, nothing in this Plan requires the district or school to staff any non-school related activities, functions, or programs.

DEFINITIONS

Aggressor is a student who engages in bullying, cyber bullying, or retaliation.

Bullying, as defined in M.G.L. c. 71, § 37O, is the repeated use by one or more students of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:

- i. causes physical or emotional harm to the target or damage to the target's property;
- ii. places the target in reasonable fear of harm to himself or herself or of damage to his or her property;
- iii. creates a hostile environment at school for the target;
- iv. infringes on the rights of the target at school; or
- v. materially and substantially disrupts the education process or the orderly operation of a school.

Cyberbullying, is bullying through the use of technology or electronic devices such as telephones, cell phones, computers, and the Internet. It includes, but is not limited to, email, instant messages, text messages, and Internet postings. See M.G.L. c. 71, § 37O for the legal definition of cyberbullying.

Hostile environment, as defined in M.G.L. c. 71, § 37O, is a situation in which bullying causes the school environment to be permeated with intimidation, ridicule, or insult that is sufficiently severe or pervasive to alter the conditions of a student's education.

Retaliation is any form of intimidation, reprisal, or harassment directed against a student who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying.

Staff includes, but is not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, support staff, or paraprofessionals.

Target is a student against whom bullying, cyberbullying, or retaliation has been perpetrated.

Reporting by Students, Parents or Guardians, and Others

The school or district expects students, parents or guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the principal or designee. Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report. Students, parents or guardians, and others may request assistance from a staff member to complete a written report. Students will be provided practical, safe, private and age-appropriate ways to report and discuss an incident of bullying with a staff member, or with the principal or designee. **Responding to a report of bullying or retaliation.**

1. Safety

Before fully investigating the allegations of bullying or retaliation, the principal or designee will take steps to assess the need to restore a sense of safety to the alleged target and/or to protect the alleged a reported act of bullying or retaliation.

2. Obligations to Notify Others

a. Notice to parents or guardians. Upon determining that bullying or retaliation has occurred, the principal or designee will promptly notify the parents or guardians of the target and the aggressor of this, and of the procedures for responding to it. There may be circumstances in which the principal or designee contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.

b. Notice to Another School or District. If the reported incident involves students from more than one school district, charter school, nonpublic school, approved private special education day or residential school, or collaborative school, the principal or designee first informed of the incident will promptly notify by telephone the principal or designee of the other school(s) of the incident so that each school may take appropriate action. All communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR 49.00.

c. Notice to Law Enforcement. At any point after receiving a report of bullying or retaliation, including after an investigation, if the principal or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the principal will notify the local law enforcement agency. Notice will be consistent with the requirements of 603 CMR 49.00 and locally established agreements with the local law enforcement agency. Also, if an incident occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in school, the principal or designee shall contact the local law enforcement agency if he or she has a reasonable basis to believe that criminal charges may be pursued against the aggressor.

In making this determination, the principal will, consistent with the Plan and with applicable school or district policies and procedures, consult with the school resource officer, if any, and other individuals the principal or designee deems appropriate.

A. Investigation. The principal or designee will investigate promptly all reports of bullying or retaliation and, in doing so, will consider all available information known, including the nature of the allegation(s) and the ages of the students involved.

During the investigation the principal or designee will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The principal or designee will remind the alleged aggressor, target, and witnesses that retaliation is strictly prohibited and will result in disciplinary action.

Interviews may be conducted by the principal or designee, other staff members as determined by the principal or designee, and in consultation with the school counselor, as appropriate. To the extent practicable, and given his/her obligation to investigate and address the matter, the principal or designee will maintain confidentiality during the investigative process. The principal or designee will maintain a written record of the investigation.

Procedures for investigating reports of bullying and retaliation will be consistent with school or district policies and procedures for investigations. If necessary, the principal or designee will consult with legal counsel about the investigation. (Align this with school or district procedures.)

B. Determinations. The principal or designee will make a determination based upon all of the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the principal or designee will take steps reasonably calculated to prevent recurrence and to ensure that the target is not restricted in participating in school or in benefiting from school activities. The principal or designee will: 1) determine what remedial action is required, if any, and 2) determine what responsive actions and/or disciplinary action is necessary.

Depending upon the circumstances, the principal or designee may choose to consult with the students' teacher(s) and/or school counselor, and the target's or aggressor's parents or guardians, to identify any underlying social or emotional issue(s) that may have contributed to the bullying behavior and to assess the level of need for additional social skills development.

The principal or designee will promptly notify the parents or guardians of the target and the aggressor about the results of the investigation and, if bullying or retaliation is found, what action is being taken to prevent further acts of bullying or retaliation. All notice to parents must comply with applicable state and federal privacy laws and regulations. Because of the legal requirements regarding the confidentiality of student records, the principal or designee cannot report specific information to the target's parent or guardian about the disciplinary action taken unless it involves a "stay away" order or other directive that the target must be aware of in order to report violations.

RELATIONSHIP OF BULLYING LAW TO OTHER LAWS

Consistent with state and federal laws, and the policies of the school or district, no person shall be discriminated against in admission to a public school of any town or in obtaining the advantages, privilege and courses of study of such public school on account of race, color, sex, religion, national origin, or sexual orientation. Nothing in the Plan prevents the school or district from taking action to remediate discrimination or harassment based on a person's membership in a legally protected category under local, state, or federal law, or school or district policies.

In addition, nothing in the Plan is designed or intended to limit the authority of the school or district to take disciplinary action or other action under M.G.L. c. 71, §§ 37H or 37H½, other applicable laws, or local school or district policies in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.

43A. CRIMINAL HARASSMENT; PUNISHMENT

(a) Whoever willfully and maliciously engages in a knowing pattern of conduct or series of acts over a period of time directed at a specific person, which seriously alarms that person and would cause a reasonable person to suffer substantial emotional distress, shall be guilty of the crime of criminal harassment and shall be punished by imprisonment in a house of correction for not more than two and one-half years or by a fine of not more than \$1,000 or by both such fine and imprisonment. Such conduct or acts described in this paragraph shall include but not be limited to, conduct or acts conducted by mail or by use of a telephonic or telecommunication device including, but not limited to, electronic mail, internet communications or facsimile communications.

(b) Whoever, after having been convicted of the crime of criminal harassment, commits a second or subsequent such crime, or whoever commits the crime of criminal harassment having previously been convicted of a violation of section 43, shall be punished by imprisonment in a house of correction for not more than two and one-half years or by imprisonment in the state prison for not more than ten years.

CHAPTER 536 - AN ACT PROHIBITING THE ACT OF HAZING

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows: Chapter 269 of the General Laws is hereby amended by adding the following three sections:

Section 17: Whoever is a principal organizer or participant in the crime of hazing as defined herein shall be punished by a fine of not more than three thousand dollars (\$3,000.00) or by imprisonment in a house of correction for not more than one hundred days or by both such fine and imprisonment.

The term “hazing” as used such in this section eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

Section 18: Whoever knows that another person is the victim of hazing as defined in section seventeen and is at the scene of such a crime shall, to the extent that such person can do so without danger or peril to himself or others, report such a crime to the appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine no more than one thousand dollars (\$1,000.00).

Section 19: Each secondary school and each public and private school or college shall issue to every group or organization under its authority or operating on or in conjunction with its campus or school, and to every member, plebe, pledges or applicant for membership in such group or organization, a copy of this section and sections seventeen and eighteen.

An officer of each such group or organization, and each individual receiving a copy of said sections seventeen and eighteen shall sign an acknowledgment stating that such group, organization or individual has received a copy of said sections seventeen and eighteen.

Each secondary school and each public or private school or college shall file, at least annually, a report with the regents of higher education and in the case of secondary schools, the board of education, certifying that such institution has complied with the provisions of this section and also certifying that said school has adopted a disciplinary policy with regards to the organizers and participants of hazing. The board of regents and in the case of secondary schools, the board of education shall promulgate regulations governing the content and frequency of such institution, which fails to make such report.

Public Complaints

PUBLIC COMPLAINTS ABOUT SCHOOL PERSONNEL

The following procedures are established to ensure that a citizen’s complaint is given respectful attention and that the integrity of the educational program is upheld. “Complaint” in this regulation will be restricted in meaning to that criticism of particular school employees by a citizen of the school district, which includes or implies a demand for action by school authorities. Other comments, suggestions, and/or concerns will be promptly referred informally to affected personnel.

1. If a complaint comes first to the person against whom it is directed, he/she will listen courteously and may try to resolve the difficulty by explaining the background and educational purpose involved. If the complaint remains unresolved, either party may move the complaint to the building principal or other immediate supervisor to have his/her views considered further. Whether the complaint terminates with the individual staff member involved or seems likely to go further, the staff member will inform his/her supervisor of the complaint.

2. If a complaint comes first to the principal or other supervisor of the person criticized, he/she should listen courteously or acknowledge a letter promptly and politely, but should make no judgments whatsoever. If the complaint involves a particular employee, the supervisor will promptly inform that person of the complaint and will arrange a conference between the complainant, the person criticized, and supervisor (if necessary).

At Superintendent's level, supervisor refers to the Chairman of the School Committee.

If the complainant has already met with the person criticized and remains unsatisfied, the supervisor should invite the complainant to file his/her complaint in writing and return it.

3. No further action on the complaint should be taken unless the complainant submits the complaint in writing.

4. When a written complaint is received, the principal or other supervisor will promptly schedule a conference with himself/herself, the complainant, the person criticized, and if advisable, the department chairman or other person that either the supervisor, the person criticized or the complainant feels could contribute resolution of the problem.

5. If the complainant is not satisfied with the results of the conference above, he/she should then be referred to the superintendent, who will promptly handle the complaint personally or refer it to his/her designee.

6. Should dissatisfaction remain after the above steps have been taken, the matter will be placed on the agenda for the next regularly scheduled school committee meeting. The decision of the committee will be communicated in writing to all interested persons.