

## STUDENT POLICIES GOALS

The student is the focal point of all operations of a school system. This top priority is shared with no one.

Consequently, the School Committee can expect to spend much of its time in study, deliberation, and policy formulation on matters directly related to students.

The Committee and staff will work together to establish an environment conducive to the very best learning achievements for each student through meeting the following goals regarding students:

1. To individualize the learning program in order to provide appropriately for each student according to his/her specific background, capabilities, learning styles, interests, and aspirations.
2. To protect and observe the legal rights of students.
3. To enhance the self-image of each student by helping him/her feel respected and worthy through a learning environment that provides positive encouragement through frequent success.
4. To provide an environment of reality in which students can learn personal and civic responsibility for their actions through meaningful experiences as school citizens.
5. To deal with students in matters of discipline in a just and constructive manner.
6. To provide in every way possible for the safety, health, and welfare of students.
7. To promote faithful attendance and good work.

SOURCE: MASC

LEGAL REF.: 603 CMR 26:00

## STUDENT POLICIES GOALS

### Active Efforts

- (1) The School Committee of each school district shall establish policies, promote regulations and procedures, and implement monitoring and evaluation practices that support and promote affirmative action and stimulate necessary changes to ensure that all obstacles to equal access to school programs for all persons are removed, regardless of race, sex, color, national origin, disability, sexual orientation, religion or limited English-speaking ability, no matter how subtle or unintended. Such policies shall include a requirement for an annual evaluation of all aspects of the K through 12 school program to insure that all students regardless of race, color, sex, religion, disability, sexual orientation, gender identity, or national origin are given an opportunity to develop skills, competence, and experience, and to receive appropriate guidance so that they may be able to participate in all programs offered by the school including athletics and other extracurricular activities. Special attention shall be given to schools and programs in which students of either sex or of racial or national origin groups present in the community are markedly under-represented.
- (2) If participation in any school sponsored program or activity has previously been limited to students based on race, color, sex, national origin, disability, sexual orientation, gender identity, or religion, then the School Committee shall make active efforts to insure that equal access to all school sponsored programs or activities be provided within the system.
- (3) It shall be the responsibility of the School Committee and the Superintendent to provide necessary information and in-service training for all school personnel in order to:
  - (a) Advance means of achieving educational goals in a manner free from discrimination on account of race, color, sex, religion, disability, sexual orientation, gender identity, or national origin.
  - (b) Enhance consciousness of the kinds of discriminatory and prejudicial practices and behavior, which may occur in the public schools.
- (4) The Superintendent, as an agent of the School Committee, shall promote and direct effective procedures for the full implementation of 603 CMR 26.00, and shall make recommendations to the Committee for the necessary policies, program changes, and budget resource allocations needed to achieve adherence to 603 CMR 26.00.
- (5) At the beginning of the school year, the Superintendent of each school system shall be responsible for sending to the parents of all school age children, in their primary language, a notice of the existence of S. 1971 c.622 and its implications. Such notice shall include the information that all courses of study, extracurricular activities and services offered by the school are available without regard to race, color, sex, religion, disability, sexual orientation, gender identity, or national origin. This notice may be included with other communications sent to parents by the school system. Upon request, the Department of Education shall provide a translation in requested languages to assist Superintendents in complying with this section. The Superintendent shall inform the community of the existence of the law and of its implications through newspaper releases or radio or television announcements.

- (6) The Superintendent shall ensure that all students are annually informed in a manner certain to reach them of the existence of St. 1971, c.622 and its implications. Students shall be informed that all courses of study, extracurricular activities, services, and facilities offered by the school are available without regard to race, color, sex, religion, disability, sexual orientation, gender identity, or national origin.
- (7) The Superintendent of each school system shall make certain that employers who recruit new employees in and through the schools of that district, do not discriminate on account of race, color, sex, religion, disability, sexual orientation, gender identity, or national origin in their hiring and recruitment practices within the schools. Before any employer is allowed to recruit at or through any school, they shall be required to sign a statement that they do not discriminate in hiring or employment practices on account of race, color, sex, religion, disability, sexual orientation, gender identity, or national origin.
- (8) Since adults serve as role models for students, school authorities shall utilize adults in a variety of jobs, and as members of policy-making committees, to the extent consistent with their contractual obligations, without regard to race, color, sex, religion, disability, sexual orientation, gender identity, or national origin.
- (9) Adults serving on athletic regulatory boards shall fairly represent the interests of both male and female students.
- (10) Because selective secondary schools have had atypical student bodies in the past, such selective secondary schools, including but not limited to selective academic high schools, regional vocational-technical schools and trade schools, shall admit qualified applicants of each sex and racial and ethnic groups in numbers proportionate to the existence of members of such class in the secondary school population of the geographic area served by that school. After the period for application to the school has closed, if it is found that qualified applicants of one of the above classes have not applied in numbers sufficient to maintain this proportion, qualified students of the other categories may be selected to fill the remaining openings.
- (11) Any contributions to a school for activities and monetary awards within or sponsored by the school or for scholarships administered by the school made after the effective date of 603 CMR 26.00 by any person, group or organization shall be free from any restrictions based upon race, color, sex, religion, disability, sexual orientation, gender identity, or national origin.

SOURCE: MASC

LEGAL REF.: 603 CMR 26:00

## 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 School 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, color, sex, gender identity, religion, national origin, sexual orientation or 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 and 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 advantages, privileges and course of study of such public school on account of race, color, sex, gender identity, religion, 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.

All implementing provisions issued by the Board of Education in compliance with this law will be followed.

SOURCE: MASC

LEGAL REFS.: Title VI, Civil Rights Act of 1964  
Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972  
Executive Order 11246, as amended by E.O. 11375  
Title IX, Education Amendments of 1972  
Title IX Part C of the No Child Left Behind Act Section 725 McKinney-Vento Homeless Assistance Act of 2001  
M.G.L. 76:5; 76:16 (Chapter 622 of the Acts of 1971)  
Board of Education Chapter 622 Regulations Pertaining to Access to Equal Educational Opportunity, adopted 6/24/75, amended 10/24/78  
Board of Education, Chapter 766 Regulations 10/74 - amended through 3/28/78  
603 CMR 26:00

CROSS REF.: AC, Nondiscrimination

## STUDENT-TO-STUDENT HARASSMENT

Harassment of students by other students will not be tolerated in the Andover Public Schools. This policy is in effect while students are on school grounds, School District property or property within the jurisdiction of the School District, school buses, or attending or engaging in school activities.

Harassment prohibited by the District includes, but is not limited to, harassment on the basis of race, sex, creed, color, national origin, sexual orientation, gender identity, religion, marital status or disability. Students whose behavior is found to be in violation of this policy will be subject to disciplinary action up to and including suspension.

Harassment means conduct of a verbal or physical nature that is designed to embarrass, distress, agitate, disturb or trouble students when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of a student's education or of a student's participation in school programs or activities;
- Submission to or rejection of such conduct by a student is used as the basis for decisions affecting the student or;
- Such conduct has the purpose or effect of unreasonably interfering with a student's performance or creating an intimidating or hostile learning environment.

Harassment as described above may include, but is not limited to:

- Verbal, physical or written harassment or abuse;
- Repeated remarks of a demeaning nature;
- Implied or explicit threats concerning one's grades, achievements, or other school matter;
- Demeaning jokes, stories, or activities directed at the student.

The District will promptly and reasonably investigate allegations of harassment. The Principal of each building will be responsible for handling all complaints by students alleging harassment.

Retaliation against a student, because a student has filed a harassment complaint or assisted or participated in a harassment investigation or proceeding, is also prohibited. A student who is found to have retaliated against another in violation of this policy will be subject to disciplinary action up to and including suspension.

The Superintendent will develop administrative guidelines and procedures for the implementation of this policy.

SOURCE: MASC

LEGAL REF.: M.G.L. 76:5

Title VII, Section 703, Civil Rights Act of 1964 as amended  
Board of Education 603 CMR 26:00

CROSS REF: GBBA Harassment Prevention and Response.

REFS.: "Words that Hurt," American School Board Journal, September 1999  
National Education Policy Network, NSBA

Updated: June 12, 2014

Chairperson, Andover School Committee: Ann W. Gilbert  
*Original signature on file in the Superintendent's Office*

## **ATTENDANCE WITHIN PRESCRIBED SCHOOL ATTENDANCE AREAS**

1. All students in the Andover Public Schools are to attend the school to which they are assigned subject to districting regulations periodically voted by the Andover School Committee. In extraordinary cases, the Superintendent, with the prior approval of the School Committee, may authorize a departure from this policy. The reasons for this departure and the action taken shall be documented and provided to the School Committee.
2. A pupil who moves after October 1 from one Andover school district to another, may complete his/her year at his/her original school, provided that the sole responsibility for transportation rests with the parent or guardian.
3. If there is over enrollment in a grade level at any of the elementary schools, the elementary school principals will assign any student who registers for kindergarten through Grade 5 on or after June 1 to a school that has not maximized its class size. The school system will provide transportation for the student attending school outside of his/her prescribed school attendance area.

Approved: July 23, 1974

Reconfirmed: January 3, 1995; February 6, 2001

Amended and Approved: August 17, 2010

SOURCE: Andover

LEGAL REFS.: M.G.L. 71:37C; 71:37D; 71:37I; 71:37J

Board of Education Regulations Pertaining to Section 8 of Chapter 636 of the Acts of 1974, Regarding Magnet School Facilities and Magnet Educational Programs, adopted 2/25/75

Board of Education Regulations Pursuant to Chapter 636 of the Acts of 1974, adopted 9/10/74 Board of Education Regulations Pertaining to the Preparation of Racial Balance

Plans which Involve Redistricting, adopted 4/24/73 Title IX Part C of the No Child Left Behind Act Section 725 McKinney-Vento Homeless Assistance Act of 2001

CROSS REF.: JCA, Assignment of Students to Schools

Andover Public Schools

## RESIDENCY, SCHOOL ADMISSIONS and ENTRANCE AGE

All children of school age who actually reside in the Town of Andover will be entitled to attend the Andover Public Schools. "Actual residence" shall mean that the Town of Andover is the place which is most closely connected with the primary purpose of a dwelling and is the place where the child and his/her parents intend to remain permanently.

Temporary residence in a motel, hotel, or any other building in the Town of Andover does not constitute "actual residence". In such circumstances, however, the child may be allowed to enroll in accordance with the requirements and limitations of Policy JFA-A.

In circumstances where the child's parents do not live together the child's "actual residence" shall be that of the parent with sole physical custody. In a case of shared physical custody, the child's place of "actual residence" shall include the Town of Andover if at least one of the parents has "actual residence" in the Town of Andover. The terms "sole physical custody" and "shared physical custody" shall have the definitions set forth in M.G.L. c. 208, § 31.

In circumstances where legal guardianship of a child has been legally established, the child shall be entitled to enroll if he/she lives with the guardian and the guardian has "actual residence" in the Town of Andover.

### ENTRANCE AGE

1. Kindergarten: To be admitted to kindergarten, a child must be five years old on or before August 31 of the current year.
2. A physical examination by a physician before admission is required of all students.
3. A copy of the student's birth certificate is required before admission.
4. First Grade. To be admitted to the first grade, a child must be six years of age on or before August 31 of the current school year.
5. At the time of registration, parent or guardian must complete a "Affidavit of Residency" form for each student registered.
6. A child who moves to the Town of Andover from another community during his/her public school kindergarten year, will be allowed to continue in kindergarten and will be allowed to enter grade 1 of the following year, if the kindergarten year is successfully completed.
7. A child who moves to the Town of Andover during the summer following successful completion of public school kindergarten in another community will be allowed to enter Grade 1 in the coming year.
8. For the purpose of this policy, the school year is defined as beginning July 1<sup>st</sup> and ending the following June 30<sup>th</sup> in accordance with the Department of Education Regulations.

### Exceptions:

1. These residency requirements shall not apply to the following:
  - a. Students who are entitled to attend the Andover Public Schools under the McKinney-Vento Homeless Assistance Act. See Policy JFABD.

- b. Andover High School seniors already enrolled in the Andover Public Schools, who move out of the Town on or after October 1<sup>st</sup> of a given school year, may complete the current school year provided they have made the Superintendent of Schools aware of the move in writing within thirty (30) business days of such move. Other students, in any school, who move out of the Town of Andover on or after April 1<sup>st</sup> of a given school year may complete the current school year provided they have made the Superintendent of Schools aware of the move in writing within five (5) business days of such move. In all of the foregoing circumstances, students are responsible for their own travel arrangements to and from school after they move out of the Town of Andover.
- c. Children of Andover Public School Teachers shall be allowed to attend a regular education program in the Andover Public Schools in accordance with law and the provisions enumerated in the collective bargaining Agreement between the Andover School Committee and the Andover Education Association. Such attendance shall be on a tuition-free basis with the cost of any special services to be paid for by the parents, provided that this benefit shall not apply to programs for which Andover residents are charged tuition, such as Pre-School, all-day kindergarten, before/after school programs or summer programs.
- d. Non-resident international students shall also be allowed to enroll on a space available basis for both enrollment and course selection and contingent upon the following: (1) in accordance with state and federal laws, (2) under the provisions of programs sponsored by Rotary International, American Field Service, or a program approved in advance by the Superintendent, (3) requests must be received prior to July 1 to be considered for enrollment in the ensuing school year, except in unusual circumstances, (4) students on an F-1 visa may enroll only if they are in compliance with the conditions of the visa, and (5) prior to acceptance, a student must present a valid visa, evidence of health insurance, and evidence of a responsible family in the District with whom the international student is to reside.  
The Superintendent shall receive applications from international students and may, at his/her discretion, require formal papers attesting to the health, character, motives, ability to communicate in English, and other criteria which he/she may deem pertinent.

The Andover Public Schools' residency requirements, verification procedures, and consequences of falsifying or misrepresenting residency will be published in the Andover Public Schools' Policy Manual, and published in each school handbook.

UPDATED: December 4, 2014

SOURCE: Andover Public Schools

LEGAL REFS: M.G.L. c. 76:5; 76:6

SOURCE: MASC

CROSS REFS.: JFBB, School Choice  
JLCA, Physical Examination of Students  
JLCB, Inoculations of Students



## ADMISSION PROCEDURES / RESIDENCY REQUIREMENTS

To be eligible to register to attend the Andover Public Schools (APS), a student must actually reside in Andover, unless the exceptions set forth in Policy JF applies. The residence of a minor child is ordinarily presumed to the legal residence of the child's parent or legal guardian. The student's parent or legal guardian must submit at least one original document from each category listed below and any other documents that may be requested, including but not limited to those referenced categories. A parent, guardian, or student who is unable to produce the required documents should contact the Superintendent of Schools, who shall have discretion in the matter based on the facts and circumstances.

Category 1 Evidence of Residency	Category 2 Evidence of Occupancy (2 proofs)	Category 3 Evidence of Identification)
Copy of Deed &/or a record of recent mortgage payment and/or property tax bill from the Town of Andover	Gas/Oil Bill or National Grid "Proof of Residency" Letter	Valid MA Driver's License
Copy of current lease and fully signed and executed Lease and/or Rental Agreement (Must be executed by both parties); record of the most recent rent payment	Electric Bill or National Grid "Proof of Residency" Letter	Valid MA Photo ID Card
Proof of tenancy-at-will	Home (not cell) Telephone Bill	Valid Passport
Fully signed and executed Purchase and Sale (P&S) Agreement (provided occupancy date occurs within 30 days of enrollment)	Cable Bill or Water Bill; Home/renters insurance bill (Bill must be dated within the past 45 days and address and name must be stated)	Other Government Issued Photo ID
Section 8 Agreement	Affidavit of Residency must be notarized prior to student's enrollment.	W-2 form that show the current address; payroll stub dated within past 45 days; bank statement listing current address

The Principal, or his/her designee, shall verify the home address and home telephone number of each student at least once during the school year. Any irregularities shall be reported promptly to the Superintendent of Schools or her/his designee. Parents/legal guardians are required to notify the school of any changes to their address or the address of the student within five business days of the change.

### **Enforcement**

Should a question arise concerning any student's residency elsewhere while attending the Andover Public Schools, the student's residency will be subject to further inquiry and/or investigation. Such questions concerning residency may arise on the basis of incomplete, suspicious, or contradictory proofs of address; anonymous tips; correspondence that is returned to the Andover Public Schools because of an invalid or unknown address, or other grounds.

The Superintendent or designee, may request additional documentation, may use the assistance of School Department personnel, and/or may obtain the services of police or investigative agency personnel to conduct investigations into student residence, who will report his or her findings to the Superintendent of Schools, who shall make final determination of residency. Upon an initial determination by the Superintendent of Schools that a student is actually residing in a city or town other than the Town of Andover, the student's enrollment in Andover Public Schools shall be terminated immediately.

**Penalties**

In addition to termination of enrollment and the imposition of other penalties permitted by law (M.G.L. c. 76, § 5), the Andover Public Schools reserves the right to recover restitution based upon the costs of educational services provided during the period of non-residency.

UPDATED: December 4, 2014

SOURCE: Andover Public Schools

LEGAL REFS: M.G.L. c. 76:5; 76:6

Approved: October 23, 2001

SOURCE: Andover

## ADMISSION OF POTENTIAL RESIDENTS

The School Committee may permit children of potential residents to attend school in the district subject to the following conditions and presentation of clear and documented evidence of intent to establish actual residence in the district (as defined in Policy JF):

1. A student whose parents or legal guardian are planning to move into an existing dwelling in the district during the first or second semester of a school year may be granted provisional permission to enroll in the district schools at the beginning of that semester, provided that the anticipated date of residence is within 60 calendar days of the beginning of the semester. The parents or legal guardian must provide the anticipated date of residence and in support must produce an executed lease or an executed purchase and sale agreement consistent with that anticipated date, as well as an executed affidavit in a form satisfactory to the Superintendent verifying the information.
2. A student whose parents or legal guardian are planning to establish residence in a newly-constructed dwelling in the district during the first or second semester of a school year may be granted provisional permission to enroll in the district schools at the beginning of that semester, provided that the anticipated date of residence is within 60 calendar days of the beginning of the semester. The parents or legal guardian must provide the anticipated date of residence and in support must produce a certificate of occupancy consistent with that anticipated date, as well as an executed affidavit in a form satisfactory to the Superintendent verifying the information.
3. When a student is allowed to enroll at the beginning of the semester under either of the circumstances described in paragraphs 1 or 2, above, enrollment is conditioned upon the parents or legal guardian paying on a prorated basis the daily tuition rate established by the Department of Elementary and Secondary Education for all school days commencing with the first day of the semester and ending with the date on which actual residence is established.

Payment may be made in advance for all such school days calculated on the basis of the anticipated date of residence, and shall be in the form of a certified bank check or money order payable to Andover Public Schools. Should actual residence be established sooner than the anticipated date, the parents or legal guardian shall be entitled to a refund for all paid school days occurring after the date of actual residence, upon suitable verification of actual residence. Should the establishment of actual residence be delayed beyond the anticipated date, an additional payment for all additional school days until the date of actual residence (as established by suitable verification) shall be charged and paid as a condition of continued enrollment. Failure to make such payment shall require the withdrawal of the student from the district's schools.

4. If a student is allowed to enroll in accordance with either of paragraphs 1 or 2, above, the parents or legal guardian shall be responsible for the student's transportation to and from school until actual residence is established.

5. In either of the circumstances described in paragraphs 1 or 2, above, in which actual residence is not established by the last date of the semester, there shall be no entitlement to enrollment for the next semester; continued enrollment shall be denied; and the student shall be required to transfer to the district of actual residence. The foregoing shall be subject to the discretion of the Superintendent in cases of extraordinary circumstances or undue hardship, based on the Superintendent's assessment of the facts consistent with the residency standards set forth in this Policy Manual.
6. A copy of this Policy shall be given to the parents or legal guardian at the time of enrollment and they shall be required to sign a form acknowledging that they have read this Policy, that they fully understand all of its terms and requirements, and that they agree to be bound by such terms and requirements.

APPROVED: December 4, 2014

Chairperson, Andover School Committee: Ann W. Gilbert  
*Original signature on file in the Superintendent's Office*

SOURCE: Andover Public Schools

LEGAL REFS: M.G.L. 76:5; 76: 6

**ANDOVER PUBLIC SCHOOLS [www.aps1.net](http://www.aps1.net)  
Affidavit of Residency**

I/we, the undersigned parent(s) or legal guardian(s) of \_\_\_\_\_, hereby certify as follows:

- I/we reside at \_\_\_\_\_  
Home Address – Apartment Number – Andover, MA - Telephone: Home/Cell
- I/we wish to enroll/continue the enrollment of the above named student in the Andover Public Schools for the \_\_\_\_\_ school year.

I/we understand that pursuant to Massachusetts law and Andover Public Schools Committee policy, students who actually reside in the Town of Andover may attend the Andover Public Schools and students who do not actually reside in the Town of Andover may not attend the Andover Public Schools, unless a policy exception applies. I/we hereby acknowledge that no such policy exception applies to the above-named student.

- I/we hereby certify that the above named student resides with me at the Andover Massachusetts address shown on this form.
- I/we acknowledge that I am/we are required to notify the Principal/Assistant Principal of the above student’s school, **in writing**, of any change in said student’s address within five (5) calendar days of such change of address and **to provide new proof of residency** pursuant to the Andover Public Schools Admission policy, as amended on 12/4/2014.
- I/we understand that this affidavit will be relied upon by the Andover Public Schools for the purpose of determining the above student’s eligibility to attend the Andover Public Schools on the basis of residency. If said student is enrolled in the Andover Public Schools based upon the information contained in this affidavit and it is subsequently determined that the student does not actually reside in Andover, I/we understand that the student’s enrollment in the Andover Public Schools may be promptly terminated and I/we may be held jointly and severally liable to the Andover Public Schools for the student’s tuition for the full academic year.
- I/we further certify that I am/we are the parent(s) or legal guardian(s) of the above student.

Signed under the pain and penalties of perjury on this \_\_\_\_\_  
(Day) (Month) (Year)

\_\_\_\_\_  
Parent/Guardian 1 Parent/Guardian 2

**\*\*\* NOTARIZED DOCUMENT REQUIRED ONLY FOR ALL NEW REGISTRATIONS \*\*\***

**Notary Public:**

County: \_\_\_\_\_, State: \_\_\_\_\_ personally appeared and subscribed and sworn before me, this, \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

*This information contained in this legal affidavit is subject to verification by a residency investigator.*

**For Official Use Only:** New Enrollments-Group A, B & C proofs needed plus notarized form;  
\*Cert of Address: Grades 6 and 9<sup>th</sup> only: Group B proofs needed – utility bill must be w/in past 45 days\*

## **HOMELESS STUDENTS: ENROLLMENT RIGHTS AND SERVICES**

To the extent practical and as required by law, the district will work with homeless students and their families to provide stability in school attendance and other services. Special attention will be given to ensuring the enrollment and attendance of homeless students not currently attending school. Homeless students will be provided district services for which they are eligible, including Head Start and comparable pre-school programs, Title I, similar state programs, special education, bilingual education, vocational and technical education programs, gifted and talented programs and school nutrition programs.

Homeless students are defined as lacking a fixed, regular and adequate nighttime residence, including:

1. Sharing the housing of other persons due to loss of housing or economic hardship;
2. Living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations;
3. Living in emergency or transitional shelters;
4. Being abandoned in hospitals;
5. Awaiting foster care placement;
6. Living in public or private places not designed for or ordinarily used as regular sleeping accommodations for human beings;
7. Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations or similar settings;
8. Migratory children living in conditions described in the previous examples.

The superintendent shall designate an appropriate staff person to be the district's liaison for homeless students and their families.

To the extent feasible, homeless students will continue to be enrolled in their school of origin while they remain homeless or until the end of the academic year in which they obtain permanent housing. Instead of remaining in the school of origin, parents or guardians of homeless students may request enrollment in the school in the attendance area in which the student is actually living, or other schools. Attendance rights by living in attendance areas, other student assignment policies, or intra and inter-district choice options are available to homeless families on the same terms as families resident in the district.

If there is an enrollment dispute, the student shall be immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute. The parent or guardian shall be informed of the district's decision and their appeal rights in writing. The district's liaison will carry out dispute resolution as provided by state rule. Unaccompanied youth will also be enrolled pending resolution of the dispute.

Once the enrollment decision is made, the school shall immediately enroll the student, pursuant to district policies. If the student does not have immediate access to immunization records, the student shall be admitted under a personal exception. Students and families should be encouraged to obtain current immunization records or immunizations as soon as possible, and the district liaison is directed to assist. Records from the student's previous school shall be requested from the previous school pursuant to district policies. Emergency contact information is required at the time of enrollment consistent with district policies, including compliance with the state's address confidentiality program when necessary.

Homeless students are entitled to transportation to their school of origin or the school where they are to be enrolled. If the school of origin is in a different district, or a homeless student is living in another district but will attend his or her school of origin in this district, the districts will coordinate the transportation services necessary for the student, or will divide the costs equally.

The district's liaison for homeless students and their families shall coordinate with local social service agencies that provide services to homeless children and youths and their families; other school districts on issues of transportation and records transfers; and state and local housing agencies responsible for comprehensive housing affordability strategies. This coordination includes providing public notice of the educational rights of homeless students in schools, family shelters and soup kitchens. The district's liaison will also review and recommend amendments to district policies that may act as barriers to the enrollment of homeless students.

SOURCE: MASC

LEGAL REFS.: Title IX, Part C  
No Child Left Behind Act, 2002

## SCHOOL CHOICE

It is the policy of this School District to admit non-resident students under the terms and conditions of the Interdistrict School Choice Law (M.G.L. 76:12) and under the following local conditions:

1. That by May 1 of every school year, the administration will determine the number of spaces in each school available to choice students.
2. That by June 1 of every school year, if consideration is being given to withdraw from the provisions of the choice law, a public meeting will be held to review this decision.
3. That resident students be given priority placement in any classes or programs within the District.
4. That the selection of non-resident students for admission be in the form of a random drawing when the number of requests exceeds the number of available spaces. There will be two drawings for this purpose. The first will take place during the last week of the current school year but no later than July 1st. The second will be conducted during the week immediately preceding the opening of the next school year and will be based on the possibility of unexpected additional openings.
5. Any student who is accepted for admission under the provisions of this policy is entitled to remain in the District until graduation from high school except if there is a lack of funding of the program.
6. The School Committee affirms its position that it shall not discriminate in the admission of any child on the basis of race, color, religion, national origin, sex, age, sexual orientation, gender identity, ancestry, athletic performance, physical handicap, special need, academic performance or proficiency in the English language.

SOURCE: MASC

LEGAL REFS.: M.G.L. 71:6; 71:6A; 76:6; 76:12; 76:12B



## **SCHOOL ADMISSIONS, WITHDRAWALS, EXCLUSIONS, AND EXEMPTIONS FROM SCHOOL ATTENDANCE**

### **I. School Admissions**

#### **A. Purpose and Construction, Definitions**

- (1) 603 CMR 26.00 is promulgated to insure that the public schools of the Commonwealth do not discriminate against students on the basis of race, color, sex, gender identity, religion, national origin, or sexual orientation, and that all students have equal rights of access and equal enjoyment of the opportunities, advantages, privileges and courses of study at such schools. 603 CMR 26.00 shall be liberally construed for these purposes.
- (2) The obligation to comply with 603 CMR 26.00 is not obviated or alleviated by any local law or rule or regulation of any organization, club, athletic or other league or association which would limit the eligibility or participation of any student on the basis of race, color, sex, gender identity, religion, national origin, or sexual orientation,
- (3) For purposes of 603 CMR 26.01, gender identity shall mean a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth. Gender-related identity may be shown by providing evidence including, but not limited to, medical history, care or treatment of the gender-related identity, consistent and uniform assertion of the gender-related identity, or any other evidence that the gender-related identity is sincerely held as part of a person's core identity; provided, however, that gender-related identity shall not be asserted for any improper purpose.

#### **B. School Admissions**

- (1) All public schools in the Commonwealth shall admit students without regard to race, color, sex, gender identity, religion, national origin, or sexual orientation. This includes, but is not limited to charter, elementary, secondary, trade, regional vocational-technical schools and selective academic high schools.
- (2) No school shall discourage in any express or implied manner, applicants for admission because of race, color, sex, gender identity, religion, national origin, or sexual orientation. Written materials and other media used to publicize a school shall specifically affirm that the school does not discriminate on the basis of race, color, sex, gender identity, religion, national origin, or sexual orientation.
- (3) The national citizenship of any applicant shall not be a criterion for admission to any public school nor shall national citizenship be a factor in the assignment or availability of courses of study or extra-curricular activities.

- (4) Any standards used as part of the admissions process, including but not limited to testing, the use of recommendations and interviewing, to any public school (as referred to in 603 CMR 26.02 (1)) shall not discriminate on the basis of race, color, sex, gender
- (5) identity, religion, national origin, or sexual orientation. A student's limited English-speaking ability (as defined by M.G.L. c. 71A) shall not be a deterrent to or limitation on a student's admission to a public school.
- (6) In determining whether a student satisfies any criteria for admission to selective academic high schools, regional vocational technical schools, trade schools and charter schools, or in making any offer of admission to such a school, public school officials shall not treat a student differently from another based on the student's race, color, sex, gender identity, religion, national origin, or sexual orientation. Public schools shall not use admission criteria that have the effect of subjecting students to discrimination because of their race, color, sex, gender identity, religion, national origin, or sexual orientation.
- (7) Nothing in 603 CMR 26.00 shall control the interpretation of or interfere with the implementation of M.G.L. c. 71, § 37C and related statutes, providing for the elimination of racial imbalance in public schools, or M.G.L. c. 71A, providing for the establishment of transitional bilingual education programs in public schools, all rules and regulations promulgated in respect thereto and all court and administrative decisions construing or relating thereto.

## **II. Admission to Course of Study**

- (1) All courses of study offered by a public school shall be open and available to students regardless of race, color, sex, gender identity, religion, national origin, or sexual orientation.
- (2) A public school shall determine what courses or units of study are required of a student without regard to the race, color, sex, gender identity, religion, national origin, or sexual orientation of that student.
- (3) A public school shall not schedule students into courses or units of study on the basis of race, color, sex, gender identity, religion, national origin, or sexual orientation.
- (4) No student, on the basis of race, color, sex, gender identity, religion, national origin, limited English-speaking ability, or sexual orientation, shall be discriminated against in accessing the courses of study and other opportunities available through the school system of the city or town in which he or she resides.
- (5) Nothing in 603 CMR 26.03 shall be construed to prevent schools from providing separately to each sex those segments for a program of instruction dealing exclusively with human sexuality.

### **III. Students Withdrawing from Andover High School**

In accordance with M.G.L. c. 76, §18, no student sixteen years of age or older shall be considered to have permanently left public school unless an administrator of the school which such student last attended has sent notice within five (5) days of the tenth (10<sup>th</sup>) consecutive absence to the parent or guardian of such student in both the primary language of such parent or guardian and English, stating that such student and his/her parent or guardian may meet with the superintendent or the superintendent's designee for an exit interview.

The time for meeting may be extended at the request of the parent or guardian and with consent of the superintendent or designated representative, provided that no extension shall be longer than fourteen (14) days.

The superintendent or designee shall convene a team that may consist of the principal, guidance counselor, teachers, attendance officer, and other relevant school staff, to participant in the exit interview.

During the exist interview, the student shall be given information about the detrimental effects of early withdrawal from school, the benefits of earning a high school diploma and the alternate education programs and services available to the student.

The superintendent shall annually report to the Massachusetts Department of Elementary and Secondary Education the number of students sixteen (16) years of age or older which have permanently left school, the reasons for such leaving, and any alternative educational or other placement which each such students has taken.

Students withdrawing from Andover High School must complete a withdrawal form, return all books, and obtain signatures from a parent (if the student is under age 18), guidance counselor, and school administrator prior to withdrawal. The Special Education Department will convene a team meeting prior to the withdrawal of a student who is eligible for special education services.

### **IV. Exclusions and Exemptions from School Attendance**

Denial of Admission means the withholding of the privilege of enrolling in a school of the District

1. The following shall be the grounds for denial of admission to school or diversion to an appropriate alternative program: Graduation from the twelfth grade of any school or receipt of any document evidencing completion of the equivalent of a secondary curriculum;
2. Failure to meet the requirements of age by a student who has reached the age of six (6) years at a time after the beginning of the school year, as fixed by the School Committee as provided in Massachusetts General Laws;
3. Having been expelled during any school year from this District or any district in the Commonwealth;

4. Not being a resident of the District and the District has opted not to participate in the School Choice Law;
5. Failure to comply with the provisions of the Massachusetts School Entry Immunization Law; and
6. Any student who is nineteen (19) years of age or older seeking admission to Andover High School will be referred to programs offered locally or at Massachusetts Community Colleges, Special education students between the ages of nineteen (19) and twenty-one (21) will be assigned on a case-by-case basis in accordance with their Individual Education Plans (IEPs).

SOURCE: Andover

LEGAL REFS.: M.G.L. 15:1G; 71:37H; 71B:1; 76:1; 76:5; 76:12; 76:12A; 76:12B; 76:15; 76:15A; 76:18; 603 CMR 26.00; 26:01; 26:02; 26:03

Original Policy Approved: October 8, 2002

Updated Policy Approved: April 30, 2015

Chairperson, Andover School Committee: Ann W. Gilbert

*Original signature on file in the Superintendent's Office*

## **STUDENT ATTENDANCE, ABSENCES AND TARDINESS**

Regular and punctual school attendance is essential for success in school. The Committee does recognize that parents of children attending our schools have special rights as well as responsibilities, one of which is to ensure that their children attend school regularly, in accordance with state law.

Therefore, students may be excused temporarily from school attendance for the following reasons:

1. Illness or quarantine.
2. Bereavement or serious illness in family.
3. Weather so inclement as to endanger the health of the child.
4. Observance of major religious holidays.

A child may also be excused for other exceptional reasons with approval of the school administrator.

The School Committee does not condone family or student vacations while school is in session.

A student's understanding of the importance of day-to-day schoolwork is an important factor in the shaping of his character. Parents can help their children by refusing to allow them to miss school needlessly.

Accordingly, parents will provide a written explanation for the absence and tardiness of a child. This will be required in advance for types of absences where advance notice is possible.

In instances of chronic or irregular absence reportedly due to illness, the school administration may request a physician's statement certifying such absences to be justifiable.

SOURCE: MASC

LEGAL REFS.: M.G.L. 76:1; 76:16; 76:20

## **VIDEO CONFERENCING FOR STUDENTS WITH LONG-TERM ABSENCES**

**DEFINITION:** Video Conferencing shall be defined for our purposes as simultaneous live video and audio communication between two or more locations using telephone data lines, computers, computer video conferencing software, associated microphone(s), and video camera(s).

Video Conferencing may be used when:

- In the opinion of the school's Principal, it is deemed an effective means to enhance the educational experiences of the Andover student(s).
- Use of video conferencing will assist the student(s) in meeting the educational goals and objectives of the approved Andover Public Schools curriculum guidelines.

Video Conferencing may be provided for a student with disabilities when ALL of the conditions listed below are fulfilled. Video conferencing may be provided:

1. For a student with a disability for whom a long term (over 4 months) public school absence has occurred or is anticipated.
2. For this student when recommended by the school Principal and Director of Pupil Personnel with the endorsement of the Assistant Superintendent of Schools and the approval of the Superintendent of Schools.
3. When in the opinion of the Principal and the Director of Pupil Personnel, this activity will help achieve the educational goals of the student.
4. With the approval of the student's legal guardian.
5. When the student is willing to actively participate in the video conferencing class(es).
6. When video conferencing equipment is available.
7. When appropriate telecommunications facilities are available at the school location.
8. When everyone is involved in the use of the equipment has had appropriate training.
9. When technical support has been arranged in advance of the event.
10. When any cost associated with the video conferencing can be fully funded through, but not limited to, corporate sponsorship, state grant, federal grant, private contribution and/or school district operating budget.

### **DURATION:**

The duration of the video conferencing services will continue as recommended by the Principal and Pupil Personnel Administrator.

GENERAL:

- Video conferencing is not to be used for purposes of teacher evaluation.
- Video conferencing is to be used live and is not to be taped.
- Correcting of homework, testing, and other grading responsibility lies with the teacher at the receiving facility. Teachers at the sending school are expected to fax or otherwise send class worksheets and homework assignments as used in the class to the remote site.

Approved: September 1, 1998

SOURCE: Andover

## EXCLUSIONS AND EXEMPTIONS FROM SCHOOL ATTENDANCE

### Denial of Admission

Denial of admission means the withholding of the privilege of enrolling in a school of the District.

The following shall be the grounds for denial of admission to school or diversion to an appropriate alternative program:

Graduation from the twelfth grade of any school or receipt of any document evidencing completion of the equivalent of a secondary curriculum;

Failure to meet the requirements of age by a student who has reached the age of six years at a time after the beginning of the school year, as fixed by the School Committee as provided in Massachusetts General Laws;

Having been expelled during the same school year from this District or any district in the Commonwealth;

Not being a resident of the District and the District has opted not to participate in the School Choice Law;

Failure to comply with the provisions of the Massachusetts School Entry Immunization Law.

SOURCE: MASC

LEGAL REFS.: M.G.L. 71:37H; 76:12; 76:12A; 76:12B  
603 CMR 26:00



## **STUDENT RIGHTS AND RESPONSIBILITIES**

The School Committee has the responsibility to afford students the rights that are theirs by virtue of guarantees offered under the federal and state constitutions and statutes. In connection with rights, there are responsibilities that must be assumed by students.

Among these rights and responsibilities are the following:

1. Civil rights--including the rights to equal educational opportunity and freedom from discrimination; the responsibility not to discriminate against others.
2. The right to attend free public schools; the responsibility to attend school regularly and to observe school rules essential for permitting others to learn at school.
3. The right to due process of law with respect to suspension, expulsion, and decisions the student believes injure his rights.
4. The right to free inquiry and expression; responsibility to observe reasonable rules regarding these rights.
5. The right to privacy, which includes privacy with respect to the student's school records.

It is the School Committee's belief that as part of the educational process students should be made aware of their legal rights, and of the legal authority of the School Committee to make and delegate authority to its staff to make, rules regarding the orderly operation of the schools.

Students have the right to know the standards of behavior that are expected of them, and the consequences of misbehavior.

The rights and responsibilities of students, including standards of conduct, will be made available to students and their parents through handbooks distributed annually.

SOURCE: MASC

LEGAL REFS.: M.G.L. 71:37H; 71:82 through 71:86

## **STUDENT INVOLVEMENT IN DECISION-MAKING**

As appropriate to the age of students, class or school organizations and school government organizations, such as student councils, may be formed to offer practice in self-government and to serve as channels for the expression of students' ideas and opinions.

The Committee will take into consideration student opinions in establishing policies that directly affect student programs, activities, privileges and other areas of student sensitivity.

Students will be welcomed at Committee meetings and granted privileges of speaking in line with the privileges extended to the general public.

### Student Advisory Committee

As required by state law, the Committee will meet at least once every other month while school is in session with its student advisory committee, which is composed of five students elected by the high school student body. The chair of the student advisory committee shall be an ex-officio nonvoting member of the School Committee without the right to attend executive sessions unless such right is expressly granted by the School Committee.

SOURCE: MASC

LEGAL REF.: M.G.L. 71:38M

CROSS REF.: BDF, Advisory Committees to the School Committee

## **STUDENT DRESS CODE**

The responsibility for the dress and appearance of the students will rest with individual students and parents.

They have the right to determine how the student will dress providing that attire is not destructive to school property, complies with requirements for health and safety, and does not cause disorder or disruption. The administration is authorized to take action in instances where individual dress does not meet the stated requirements.

This does not mean that student, faculty, or parent groups may not recommend appropriate dress for school or special occasions. It means that students will not be prevented from attending school or a school function, or otherwise be discriminated against, so long as their dress and appearance meet the requirements set forth above.

SOURCE: MASC

## **STUDENT CONDUCT ON SCHOOL BUSES**

The School Committee and its staff share with students and parents the responsibility for student safety during transportation to and from school. The authority for enforcing School Committee requirements of student conduct on buses will rest with the Principal.

To ensure the safety of all students who ride in buses, it may occasionally be necessary to revoke the privilege of transportation from a student who abuses this privilege. Parents of children whose behavior and misconduct on school buses endangers the health, safety, and welfare of other riders will be notified that their children face the loss of transportation privileges in accordance with regulations approved by the School Committee.

SOURCE: MASC

## **STUDENT PUBLICATIONS**

Students will enjoy the constitutional rights of freedom of expression. They will have the right to express their views in speech, writing, or through any other medium or form of expression within limitations comparable to those imposed on all citizens but specifically designed for children and youth in a school setting.

The School Committee will encourage student publications not only because they offer an educational activity through which students gain experience in reporting, writing, editing, and understanding responsible journalism, but also because they provide an opportunity for students to express their views.

All student publications will be expected to comply with the rules for responsible journalism. This means that libelous statements, unfounded charges and accusations, obscenity, defamation of persons, false statements, material advocating racial or religious prejudice, hatred, violence, the breaking of laws and school regulations, or materials designed to disrupt the educational process will not be permitted.

The Superintendent will establish guidelines that are in keeping with the above and provide for the review of the content of all student publications prior to their distribution.

Review of content prior to publication is not censorship but part of the educational process as this concerns student publications. It can be pointed out to students, as it frequently is to journalists, that a publisher (in this case, the school system) enjoys freedom to determine what it will and will not publish.

### Distribution of Literature

Students have a right to the distribution of literature on school grounds and in school buildings, except that the Principal may prohibit the distribution in school buildings of a specific issue or publication if it does not comply with rules for responsible journalism. The Principal may require that no literature be distributed unless a copy is submitted to him/her in advance.

The Principal will reasonably regulate the time, place, and manner of distribution of literature.

SOURCE: MASC

LEGAL REF.: M.G.L. 71:82

## **GANG ACTIVITY/SECRET SOCIETIES**

The goal of the School Committee is to keep District schools and students free from the threats or harmful influence of any gang. For purposes of this policy, gang is defined as any group, secret society, organization or association that advocates drug use, violence, ethnic intimidation, or disruptive or illegal behavior. The Principal or his/her designee shall maintain supervision of school premises to deter intimidation of students and confrontations between members of different gangs.

The Superintendent shall establish open lines of communication with local law enforcement agencies so as to share information and provide mutual support in this effort within appropriate legal guidelines.

The Superintendent shall provide in-service training to help staff members identify gangs and gang symbols, recognize early manifestations of disruptive activities, and respond appropriately. Staff members shall be informed about conflict management techniques and alerted to intervention measures and community resources that may help students.

### Symbols

The School Committee finds that gang symbols are inherently disruptive to the educational process, and therefore prohibits the presence of any insignia, apparel, jewelry, accessory, notebook or other school supply, or manner of grooming which by virtue of its color, arrangement, trademark, or any other attribute denotes membership in gangs. The School Committee further prohibits any demonstration of gang membership through the use of hand gestures, graffiti, or printed materials. This policy shall be applied by the Principal or his/her designee as the need for it arises at individual school sites. A student may be suspended for failure to comply with the provisions of this policy.

### Prevention Education

The School Committee realizes that students may become involved in gangs without understanding the consequences of such membership. Early intervention is a key component of efforts to break the cycle of such memberships. Therefore, gang violence prevention information shall be made available in the elementary, middle, and high schools as appropriate.

## **SECRET SOCIETIES**

Fraternities, sororities and/or secret societies shall not receive District or building recognition in any manner.

A student may be suspended for failure to comply with the provisions of this policy.

SOURCE: MASC

Updated: June 12, 2014

Chairperson, Andover School Committee: Ann W. Gilbert  
*Original signature on file in the Superintendent's Office*

## PROHIBITION OF HAZING

In accordance with Massachusetts General Laws, Chapter 536 of the Acts of 1985, the School Committee hereby deems that no student, employee or school organization under the control of the School Committee shall engage in the activity of hazing a student while on or off school property, or at a school-sponsored event regardless of the location. No organization that uses the facilities or grounds under the control of the School Committee shall engage in the activity of hazing any person while on school property.

Any student who observes what appears to them to be the activity of hazing another student or person should report such information to the Principal including the time, date, location, names of identifiable participants and the types of behavior exhibited. Students and employees of the District are obligated by law to report incidents of hazing to the police department.

Any student who is present at a hazing has the obligation to report such an incident. Failure to do so may result in disciplinary action by the school against that student and could involve suspension from school for up to three days.

Any student who participates in the hazing of another student or other person may, upon the approval of the Superintendent of Schools, be suspended from school for up to ninety (90) school days.

Any student determined by the Principal to be the organizer of a hazing activity may be recommended for suspension of up to ninety (90) school days but will receive no less disciplinary action than that of a participant.

In all cases relating to hazing, students will receive procedural due process.

SOURCE: MASC

LEGAL REF.: M.G.L. 71:37H 3/4 269:17, 18, 19

Updated: June 12, 2014

Chairperson, Andover School Committee: Ann W. Gilbert

*Original signature on file in the Superintendent's Office*

## HAZING

### CH. 269, S.17. CRIME OF HAZING; DEFINITION; PENALTY

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 or by imprisonment in a house of correction for not more than one year, or by both such fine and imprisonment.

The term "hazing" as used in this section and in sections 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, beating, branding, forced calisthenics, exposure to the weather, 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. Notwithstanding any other provisions of this section to be contrary, consent shall not be available as a defense to any prosecution under this action.

### CH. 269, S.18. DUTY TO REPORT HAZING

Whoever knows that another person is the victim of hazing as defined in section seventeen and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars.

### CH. 269, S.19. HAZING STATUTES TO BE PROVIDED; STATEMENT OF COMPLIANCE AND DISCIPLINE POLICY REQUIRED

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, pledge 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 reports, and shall forthwith report to the attorney general any such institution which fails to make such a report.

SOURCE: MASC



## ANTI-BULLYING IN SCHOOLS

A safe learning environment is one in which every student develops emotionally, academically, and physically in a caring and supportive atmosphere free of intimidation and abuse. Bullying of any type has no place in a school setting. The Andover Public Schools will endeavor to maintain a learning and working environment free of bullying. The Andover School Committee and all of the Andover Public Schools shall not tolerate bullying.

### *Definitions:*

“Bullying” is the repeated use by one or more students or by a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a victim that: (i) causes physical or emotional harm to the victim or damage to the victim’s property; (ii) places the victim in reasonable fear of harm to himself/herself or of damage to his/her property; (iii) creates a hostile environment at school for the victim; (iv) infringes on the rights of the victim at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school. For the purposes of this section, bullying shall include cyber-bullying.

“Cyber-bullying” is bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications. Cyber-bullying shall also include (i) the creation of a web page or blog in which the creator assumes the identity of another person or (ii) the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying. Cyber-bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying.

Where the term “bullying” is used in this document, it is intended to encompass both “bullying” and “cyber-bullying” as defined above.

### *Policy:*

Bullying shall be prohibited: (i) on school grounds, 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, or through the use of technology or an electronic device that is not owned, leased or used by a school district or school, if the bullying creates a hostile environment at school for the victim, infringes on the rights of the victim at school or materially and substantially disrupts the education process or the orderly operation of a school. Nothing contained herein shall require schools to staff any non-school related activities, functions, or programs.

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

The school district shall provide age-appropriate instruction on bullying prevention in each grade that is incorporated into the curriculum of the school district or school. The curriculum shall be evidence-based.

The school district shall develop, adhere to and update a plan to address bullying prevention and intervention in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents and guardians. The plan shall apply to students and members of a school staff, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity and paraprofessionals. The consultation shall include, but not be limited to, notice and a public comment period. The plan shall be updated at least biennially.

The plan shall include, but not be limited to: (i) descriptions of and statements prohibiting bullying, cyber-bullying and retaliation; (ii) clear procedures for students, staff, parents, guardians and others to report bullying or retaliation; (iii) a provision that reports of bullying or retaliation may be made anonymously; provided, however, that no disciplinary action shall be taken against a student solely on the basis of an anonymous report; (iv) clear procedures for promptly responding to and investigating reports of bullying or retaliation; (v) the range of disciplinary actions that may be taken against a perpetrator for bullying or retaliation; provided, however, that the disciplinary actions shall balance the need for accountability with the need to teach appropriate behavior; (vi) clear procedures for restoring a sense of safety for a victim and assessing that victim's needs for protection; (vii) strategies for protecting from bullying or retaliation a person who reports bullying, provides information during an investigation of bullying or witnesses or has reliable information about an act of bullying; (viii) procedures consistent with state and federal law for promptly notifying the parents or guardians of a victim and a perpetrator; provided, further, that the parents or guardians of a victim shall also be notified of the action taken to prevent any further acts of bullying or retaliation; and provided, further, that the procedures shall provide for immediate notification pursuant to regulations promulgated under this subsection by the principal or person who holds a comparable role to the local law enforcement agency when criminal charges may be pursued against the perpetrator; (ix) a provision that a student who knowingly makes a false accusation of bullying or retaliation shall be subject to disciplinary action; and (x) a strategy for providing counseling or referral to appropriate services for perpetrators and victims and for appropriate family members of said students. The plan shall afford all students the same protection regardless of their status under the law.

The plan shall include a provision for ongoing professional development to build the skills of all staff members, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities and paraprofessionals, to prevent, identify, and respond to bullying. The content of such professional development shall include, but not limited to: (i) developmentally appropriate strategies to prevent bullying incidents, (ii) developmentally appropriate strategies for immediate, effective interventions to stop bullying incidents; (iii) information regarding the complex interaction and power differential that can take place between and among a perpetrator, victim, and witness to the bullying; (iv) research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment; (v) information on the incidence and nature of cyber-bullying; and (vi) internet safety issues as they relate to cyber-bullying.

The plan shall include provisions for informing parents and guardians about the bullying prevention curriculum of the school district or school and shall include, but not be limited to: (i) how parents and guardians can reinforce the curriculum at home and support the school district or school plan; (ii) the dynamics of bullying; and (iii) online safety and cyber-bullying.

The school district shall provide to students and parents or guardians, in age-appropriate terms and in the languages which are most prevalent among the students, parents or guardians, annual written notice of the relevant student-related sections of the plan.

The school district shall provide to all school staff annual written notice of the plan. The faculty and staff at each school shall be trained annually on the plan applicable to the school. Relevant sections of the plan relating to the duties of faculty and staff shall be included in employee handbooks. The plan shall be posted on the district's website.

Each school principal or the person who holds a comparable position shall be responsible for the implementation and oversight of the plan at his/her school. A member of a school staff, including, but not limited to, an educator, administrator, school nurse, secretary, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional, shall immediately report any instance of bullying or retaliation the staff member has witnessed or become aware of to the principal or to the school official identified in the plan as responsible for receiving such reports or both. Upon receipt of such a report, the school principal or a designee shall promptly conduct an investigation. If the school principal or a designee determines that bullying or retaliation has occurred, the school principal or designee shall (i) notify the local law enforcement agency if the school principal or designee believes that criminal charges may be pursued against a perpetrator; (ii) take appropriate disciplinary action; (iii) notify the parents or guardians of a perpetrator; and (iv) notify the parents or guardians of the victim, and to the extent consistent with state and federal law, notify them of the action taken to prevent any further acts of bullying or retaliation.

If an incident of bullying or retaliation involves students from more than one school district, the school district or school first informed of the bullying or retaliation shall, consistent with the state and federal law, promptly notify the appropriate administrator of the other school district or school so that both take age appropriate action. If an incident of bullying or retaliation occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in the local school district, the school district informed of the bullying or retaliation shall contact law enforcement.

Whenever an evaluation of an Individualized Education Program team indicates that a child has a disability that affects social skills development or that a child is vulnerable to bullying, harassment or teasing because of that child's disability, the Individualized Education Program shall address the skills and proficiencies needed to avoid and respond to bullying, harassment or teasing.

***References:***

MGL: Chapter 92 of the Acts of 2010

***Adopted:***

By the School Committee August 17, 2010 – Dennis Fogue, Chairperson

Updated on October 10, 2013 – Dennis Fogue, Chairperson

CROSS REFS.:       AC, Nondiscrimination  
                          ACAB, Sexual Harassment  
                          JICFA-E, Hazing

## **ALCOHOL, TOBACCO, AND DRUG USE BY STUDENTS PROHIBITED**

A student shall not, regardless of the quantity, use or consume, possess, buy or sell, or give away any beverage containing alcohol; any tobacco product, including vapor/E-cigarettes; marijuana; steroids; or any controlled substance. The School Committee prohibits the use or consumption by students of alcohol, tobacco products, or drugs on school property or at any school function.

Additionally, any student who is under the influence of drugs or alcoholic beverages prior to, or during, attendance at or participation in a school-sponsored activity, will be barred from that activity and may be subject to disciplinary action.

This policy shall be posted on the district's website and notice shall be provided to all students and parents of this policy in accordance with state law. Additionally, the district shall file a copy of this policy with DESE in accordance with law in a manner requested by DESE.

SOURCE: MASC March 2016

LEGAL REFS.: M.G.L.71:2A; 71:96; 272:40A

CROSS REFS.: IHAMB, Teaching About Alcohol, Tobacco and Drugs  
GBEC, Drug Free Workplace Policy