

ANDOVER ELEMENTARY SCHOOLS STUDENT HANDBOOK

2021-2022



4 C's

CRITICAL THINKING ♦ CREATIVITY ♦ COMMUNICATION ♦ COLLABORATION

Principals

Ms. Michelle Costa – Bancroft School
Ms. Pamela Lathrop – High Plain Elementary School
Mr. Jason DiCarlo – Sanborn School
Ms. Carol Green – Coordinator, Shawsheen Pre-School
Ms. Brenda Lee – South School
Ms. Jennifer Hunt – West Elementary School

Andover Public Schools - Andover, Massachusetts 01810
Andover Public Schools
Andover, Massachusetts 01810

**Bancroft School – High Plain School – Sanborn School
Shawsheen Pre-School - South School – West Elementary School**

September 1, 2021

Dear Parents/Guardians,

Welcome to our schools! We are pleased to have you and your child/children as members of the Andover Elementary School Community. The Andover Elementary Schools Student Handbook is available to you online only on the APS website (www.aps1.net) in the “Student” section of the website. Students must go online with their parents to access the Handbook. Please take time to read and discuss the handbook with your child/children.

We hope this handbook will serve as a handy reference for information about our schools. As you can see, this handbook contains a great amount of information including:

General Information
Curriculum
Code of Behavior

Student Services
Parent Involvement
Policies

Health Services
Student Behavior

Parents and students are expected to read, discuss and refer to this handbook. We have attempted to anticipate questions about our school and provide appropriate answers in this booklet. If you need further clarification about any information contained within, please do not hesitate to contact the school.

Research shows that a major factor in insuring a successful school experience for your child/children is a close partnership between the school and the home. We invite parents to become involved in a meaningful and positive way at our school.

We look forward to working closely with you and your children during the upcoming school year. Thank you for taking the time to review the handbook online with your child/children. If you have any questions, please contact your respective principal or assistant principal.

Sincerely,

Bancroft

High Plain

Sanborn

Shawsheen
PreSchool

South

West Elem

Michelle Costa,
Principal

Pamela Lathrop,
Principal

Jason DiCarlo,
Principal

Carol Green
Coordinator

Brenda Lee,
Principal

Jennifer Hunt,
Principal

Kim Rabold,
Asst. Principal

Marika Lyons,
Asst. Principal

Carolyn Fawcett,
Asst. Principal

Kathleen Caron,
Asst. Principal

Margo McGonigle,
Asst. Principal

2021-2022 ANDOVER ELEMENTARY SCHOOL CALENDAR

Monday, Aug 30-31	Teacher Workshop Day
Wednesday, September 1	Students Report to School
Friday, September 3	No Classes for Faculty and Students
Monday, September 6	No Classes – Labor Day
Friday, October 8	<i>Early Release Days</i>
Monday, October 11	No Classes – Columbus Day
Friday, November 5	Kindergarten Teacher Conference Day – <i>no school for Kindergarten only</i>
Thursday, November 11	No Classes – Veterans Day
Friday, November 12	No Classes - Teacher Conference Days Districtwide
Wednesday, November 24	<i>Early Release</i> –Thanksgiving Recess begins
Thurs-Friday, November 25-26	No Classes - Thanksgiving Recess
Friday, December 10	<i>Early Release Day</i>
December 24-January 2	No Classes - Holiday Recess
Monday, January 3	Schools Reopen
Monday, January 17	No Classes - Martin Luther King Day
Friday, January 28	<i>Early Release Day</i>
Monday, February 21	No Classes – President’s Day
Feb. 22 – Feb. 25	Winter Recess
Monday, February 28	Schools Reopen
Friday, March 18	<i>Early Release Day</i>
April 19 – 23	Spring Recess
Monday, April 26	Schools Reopen
Friday, May 6	<i>Early Release Day</i>
Monday, May 30	No Classes - Memorial Day
Friday, June 3	<i>Early Release Day</i>
Thursday, June 14	180 th Day (last day, if no snow days)
Monday, June 20	No Classes - Juneteenth Holiday observed
Thursday, June 22	185 th Day (includes 5 snow days)

DIRECTORY

ELEMENTARY SCHOOLS:

Ms. Michelle Costa	Principal	Bancroft Elementary School	(978) 247-9500
Ms. Kimberly Rabold	Assistant Principal		
Ms. Pamela Lathrop	Principal	High Plain Elementary School	(978) 247-8600
Ms. Marika Lyons	Assistant Principal		
Mr. Jason DiCarlo	Principal	Sanborn Elementary School	(978) 247-9700
Ms. Carolyn Fawcett	Assistant Principal		
Ms. Carol Green	Coordinator	Shawsheen Pre-School	(978) 247-8200
Ms. Brenda Lee	Principal	South Elementary School	(978) 247-9800
Ms. Kathleen Caron	Assistant Principal		
Ms. Jennifer Hunt	Principal	West Elementary School	(978) 247-5300
Ms. Margo McGonigle	Assistant Principal		

MIDDLE SCHOOLS

Ms. Robin Wilson	Principal	Doherty Middle School	(978) 247-9400
Mr. Timothy Corkery	Principal	West Middle School	(978) 247-5400
Mr. Patrick Bucco	Principal	Wood Hill Middle School	(978) 247-8800

HIGH SCHOOL

Ms. Caitlin Brown	Principal	Andover High School	(978) 247-5500
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DISTRICT OFFICE

Dr. Magda Parvey	Superintendent		(978) 247-7010
Dr. Julie Riley	Assistant Superintendent, Learning & Teaching		(978) 247-7025
Mr. Paul Szymanski	Interim Asst. Superintendent for Finance/Administration		(978) 247-7070
Dr. Sara Stetson	Assistant Superintendent, Student Services		(978) 247-7040
Ms. Jessica Porter	Director of Human Resources		(978) 623-8500
Mr. Stephen Chinosi	Director of Strategic Innovation		(978) 247-7034
Ms. Cindy Button	Transportation Coordinator		(978) 247-7065

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ATTENDANCE, ABSENCES, AND TARDINESS

The education of children is a responsibility shared equally by home and school. Teachers and parents work together to develop traits that are important for the educational growth of children. It is essential that our children develop proper work habits, such as punctuality and regular attendance.

- Absences for non-medical or non-emergency reasons are discouraged. In the event of medical or emergency absences, the teachers will work with the parents to provide assistance to minimize the educational loss to the student.
- Parents should make appointments with physicians, dentists, or for any special lesson, **AFTER** school hours.

Uninterrupted classroom instruction makes for the most effective learning situation. Absences for non-medical or non-emergency reasons are not looked upon with approval from the school system. It has been shown that any circumstance that takes children out of their classroom has an adverse effect upon their educational programs. In the event of medical or emergency absences the teachers will work with the parents to provide assistance to minimize the educational loss to the student.

A note is required when:

- There is a deviation from the child's normal way of returning home after school.
- A child is to be dismissed for any period of time.
- A child requires a temporary excuse from physical education or outdoor recess

School Hours

- Full day Preschool** -9:00 a.m.-2:00 p.m.
- Full Day Kindergarten through Grade 5**
 - o 9:00 a.m.-3:30 p.m.
 - o Children arriving after 9:00 a.m. must come to the school office to sign in with an adult. School personnel will escort them to their classrooms.
 - o Breakfast: 8:45 a.m.-9:00 a.m.
 - o Lunch is not served on early release days
- Half-day Preschool:**
 - o 9:00 a.m.-11:30 a.m.
 - o 12:30 p.m.-3:00 p.m.

Children are not allowed on the playground before 8:45 a.m. There is no adult supervision before that time.

Early Release and In-Service Days

- Half-day Preschool – dismiss at 11:30 a.m.; Full Day Preschool – dismiss at 11:30 a.m.
- Full Day Kindergarten – Grade 5 - dismissal begins at 12:15 p.m.
- Check website and school calendar for listing of in-service release days.

The attendance policy requires parents to call the school between 8:15 a.m. and 9:00 a.m. to report a child's absence.

Please leave your child's name, grade and teacher or leave a message on the absence alert line.

Parents need to notify the school only once if they know their child will be out for a definite period of time. We will call you to confirm your child's absence if we do not hear from you.

Absence Notification Line

Sanborn Elementary	978-247-9701
Bancroft Elementary	978-247-9501
High Plain Elementary	978-247-8601
Shawsheen Pre School	978-247-8201
South Elementary	978-247-9801
West Elementary	978-247-5301

Excessive Absences

In accordance with Section 315.1 (c) of 603 CMR 28.00: "Any child who is absent without medical excuse for more than fifteen (15) days in any term will be referred by the principal to the 603 CMR 28.00 Chairperson for evaluation." The school administration will also notify parents of student absences in accordance with M.G.L. c. 76, s. 1B. Additionally, please see the section below regarding absences created by family vacations. *Massachusetts General Law 76:1-2 defines truancy as unexcused absences totaling more than 7 full days in a 6 month period. After 7 days, parent excused absences are no longer classified as excused. In addition, a tardy or dismissal could be considered a ½ day absence by the state.*

Family Vacations

The School Committee policy discourages family or student vacations while school is in session. Parents should consult the school calendar prior to making vacation plans. Absences due to vacation trips are considered unexcused, therefore, parents are strongly discouraged from taking their children out of school for family vacations because valuable classroom instruction time can never be replaced by make-up assignments.

When parents decide to take their children out of school for vacations, they must notify the school of their intentions. While your teachers may let you make up missed assignments, tests, and quizzes, because such extended absences are not excused, teachers are neither expected nor required to provide make-up work or special assignments prior to these vacations. Teachers are not expected or required to provide special tutoring for those students whose parents take them on vacation during school time.

Family vacations that result in a cumulative student absence (without medical excuse) of more than fifteen days in any term, are prohibited. In the event a family vacation(s) results in a cumulative student absence (without medical excuse) of more than fifteen days in any term, that student shall be presumed to have been un-enrolled from school, resulting in a grade of "incomplete" in all classes for that term.

Tardiness

Punctuality is an important work habit that must be learned from the time a child begins school. Generally, good habits developed in school are carried over into adult life. In all cases of tardiness, children are required to bring in a note signed by a parent or guardian. **Children need to be accompanied to the office and sign in if they arrive at school after 9:00 a.m.** If this happens repeatedly, parents will be notified.

BUS SAFETY

All bus-riding students are expected to exhibit good conduct and courtesy on the bus and bus stop in compliance with the *Andover School Committee Student Conduct on School Buses* ([Policy JICC](#)) and the APS Bus Code.

While riding on the bus, students are under the jurisdiction of the school administration. Buses may be equipped with video cameras to enhance the safety of all passengers. All students may be subject to video surveillance for this purpose while riding a school bus.

***To insure everyone's safety, students are prohibited from riding on buses other than their own.**

They may, however, get off at stops other than their own. A note requesting this change must be given to the bus driver.

Riding on the bus is a privilege that can be revoked if any student misbehaves, is not courteous, or endangers the health or safety of others. All bus drivers have preprinted forms to report violations to the administration.

DISMISSAL

Dismissal begins at 3:30 p.m. To insure the safety of all students, we ask that you make every effort not to dismiss your children between 3:15 p.m. and 3:30 p.m. For the safety of our students, if there is a deviation from a child's regular dismissal schedule a note is required.

Early Dismissal

Students should not be dismissed from class except in cases of illness or injury. Doctor and dentist appointments should be scheduled after school hours. If a child must be dismissed during the school day, please send in a note on the morning of the dismissal specifying the time that the student will be picked up, the reason for the dismissal and by whom. The person picking up the child will meet the child at the school office and sign out in the log provided. The secretary may ask that person to show some identification. If the child returns to school that day, he/she must sign the log indicating his/her return.

Half-day Pre Kindergarten Procedures for a Delayed Opening (took out Kindergarten, no half day anymore)

- Two-hour delay: No half-day A.M. Preschool classes.

Procedures for an Early Dismissal

The Superintendent will announce an early release by (1) notifying all the schools, (2) notifying parents through Connect 5).

DRESS CODE

Students are expected to be well-groomed and appropriately attired for school activities. The style of dress or appearance is generally determined by the student and parents. However, clothing that is disruptive or distracting to the educational process or a danger to the health or safety of a student is not permitted. **Sneakers are required for physical education.**

ELECTRONIC EQUIPMENT

Children may not bring electronic games, I-pods, or other electronic equipment to school without prior approval. If, for safety reasons, your child has a cell phone, it must be turned off and left in the backpack during the school day. The school is not responsible for the loss of any electronic equipment.

EMERGENCY SCHOOL DISMISSAL and "NO SCHOOL" ANNOUNCEMENTS

It is the policy of the School Department to close or delay the opening of school only in case of extreme weather or travel conditions; otherwise school will be held. The widely varying conditions in the several areas of Andover make it difficult to reach a decision equally fair to all. Therefore, when schools are open on stormy days, parents are urged to exercise personal judgment as to the wisdom of sending their children to school.

During inclement weather, the Superintendent will use Connect 5 to inform parents and staff that schools will be closed, delayed, or an early release. The service will not be used to tell people that there will be school.

In the event that the school will be closed because of bad weather or other emergencies, an announcement will be made via the telephone messaging system, the APS website and following radio stations and television channels.

Direct Notification: Connect 5© (formerly Alert Now) is the telephone messaging and email service utilized throughout the Andover Public Schools. *Is Connect 5 the system we use now?

The Connect 5 service enables us to personally communicate with parents about emergency situations, school events, and important issues impacting your child. It allows us to send personalized emails or voice messages to your family's home, work or cell phones. Essentially, a school principal or superintendent can make one phone call that reaches all students' families within minutes.

If you miss a Connect 5 message: The 1-855-4replay number is a dial-in number that recipients can use to call and hear past messages sent to a recipient's phone. When you call this number from a phone that has received Connect 5 messages, the system will automatically detect the recipient's phone number and will prompt them with the last five messages that were sent to their number. 1-855-4replay 1-855-473-7529

Based on the system’s proven track record, we know this message service facilitates and improves school and district-wide communications with parents and school system employees. It is important that your school has all of your current telephone numbers so that you will not miss any important communications.

Website: Check the “Spotlight” Section on APS website at www.aps1.net for information regarding delayed openings or school cancelation announcements.

Television: CHANNELS 4, 5, and 7, Andover Cable Education Channel

FIELD TRIPS

Field trips support the curriculum to promote learning. Classroom teachers and other chaperones accompany students on field trips. You must sign a permission form before your child can attend a field trip. If your child requires medication on a field trip you must discuss this with the nurse prior to the day of the trip.

A **CORI** form must be in place before you are allowed to chaperone a field trip. **CORI** forms are available in the office and take about 6 weeks to process. It is strongly suggested that you complete the form in September. If you have completed a form in a prior year, please verify that the form remains current with the Main Office in September of each year. **CORI** information will be updated at least every three years.

HEALTH SERVICES

The School clinic is open during normal school hours for the students and generally staffed by a nurse.

Accident and Illness

In case of accident or illness, the nurse will administer first aid and the parents will be notified as necessary.

A form listing emergency information for each child must be completed each September. The form asks for the name of an adult to be contacted in the event that parents cannot be reached. It is the responsibility of the parent to keep this information current.

Criteria for sending to a student home:

Fever
Vomiting or diarrhea
Contagious diseases

Criteria for a student to return school following an illness:

Fever free for 24 hours
Vomiting or diarrhea free for 24 hours
Consult School Nurse

Immunizations

Under Massachusetts State Law a child shall be admitted to school upon certification by a physician confirming that the child has been “successfully immunized,” or exempt.

Exemptions:

1. Medical: a physician submits documentation that an immunization is medically contraindicated.
2. Religious: a parent or guardian submits a written statement that immunizations conflict with the family’s sincere religious belief.

Philosophical exemptions are **NOT** allowed by law in Massachusetts, even if signed by a physician. Only medical and religious exemptions are acceptable. These exemptions must be kept in the students’ file at school (105CMR220.00 and M.G.L.c.76, ss 15 and 15C).

Your child will not be allowed to attend school unless documentation of immunizations and lead screening (for kindergarten) has been provided to the school.

Medications

To better serve and protect school children, the Massachusetts Department of Public Health has detailed regulations covering the dispensing of medication by school personnel. The following policies were adopted by the Andover Public Schools to comply with the regulations pertaining to the dispensing of ANY medication, both prescription and over-the-counter, during school hours.

1. **All medications, including over-the-counter medications, require an order from a licensed prescriber which includes your child's name, diagnosis, name of the medication, routine and frequency of administration, date and duration of the order, any specific directions for administration, and prescriber's name and signature.**
2. You must sign a parent medication permission form.
3. **All medications must be delivered to the clinic by a parent in the original pharmacy or manufacturer-labeled container.**
4. Prescription containers must be labeled by the pharmacy with your child's name, date, prescription number, name and dosage of the medication, the licensed prescriber's name and full instructions for administration.
5. Except under very specific circumstances, all medication must be kept in the school clinic. No more than a thirty (30) day supply of medication will be stored in the clinic at any time.
6. Any of your child's unused medication will be disposed of on the last day of school unless you pick it up.
7. All medication orders and permission forms must be renewed every school year.
8. No student will be allowed to take his/her own medication or carry medication without specific orders stating this fact from the licensed prescriber and the school nurse.
9. Students who bring medication to school without following the procedures previously listed are subject to discipline, including suspension.

*Narcotic Medications: Any medications classified as narcotic in the Physician's Desk Reference will not be administered in the school setting.

Physical Examinations

Massachusetts state law requires documentation of a current physical examination for all new students. Forms are available on line. An updated physical is required for all students in kindergarten and third grade. This report form MUST be completed by a physician (or physician equivalent of form) and returned to the school clinic as soon as possible.

School Insurance

Insurance is available for purchase at the beginning of the school year. The school does not realize any profit and does not endorse the plan, but requests that you read the application form carefully when it is sent home.

Screenings

Hearing, vision, height, weight and postural screening are performed in various grades according to the regulations set by the Department of Public Health <http://www.mass.gov/dph/regs105cmr200.pdf>

Hearing K, 1, 2, 3 Vision K, 1, 2, 3, 4, 5 Height and weight (BMI) 1, 4 Postural 5

Health and Wellness

Andover Public School respects individual medical needs and encourages healthy practices. In response a wellness policy and protocol has been created to guide parents and are available on the school website. All parents are expected to adhere to these guidelines.

HOMEWORK

The purposes of homework are to improve the learning processes, to aid in the mastery of skills, and to create and stimulate interest on the part of the student.

Homework is a learning activity that should increase in complexity with the maturity of the student. The information for any homework assignment should be clear and specific so that students can complete the assignment. With increased maturity, learning should become an independent activity. This should be established through consistent assignments that encourage students to investigate for themselves and to work independently as well as with others.

Homework assignments should take into consideration individual differences of students such as health, ability, conditions at home, and educational resources at home. It should not require the use of reference materials not readily available in most homes, school libraries, or the public library, and should require the use of those materials only when the student has had instruction in the use of them. There are many other learning activities in the life of a student besides homework. Such things as participating in school activities, pursuing cultural interests, participating in family living, and exploring personal interests should be considered by teachers when planning consistent assignments. Homework is not to be used as a form of punishment under any circumstances. (Source: MASC)

Home and Hospital Tutoring

The Andover Public Schools provides home/hospital tutoring "to any child who, in the judgment of the child's physician, will have to remain at home or in a hospital for a period of not less than fourteen school days..." To receive tutoring services, the parent or guardian should present a physician's note to the school nurse who will notify the Director of Student Services' office. A tutor will be sent to the home or hospital.

Late Work and Make-up Work

Make-up work or extra help will be provided if your child is sick. Teachers are not bound to provide homework in advance for students leaving on vacation. The school will indicate material covered and assignments missed during the absence whenever you request this information.

LINES OF COMMUNICATION

We recognize the importance of an active and effective partnership with the home and encourage regular communication, active involvement, and shared decision-making and problem-solving related to your child. We invite you to contact the appropriate people in our school whenever you have a question or concern. Your child's teacher is usually the best person to answer your question, and you should always start with him or her. Other people who may be helpful:

- The Principal or Assistant Principal can be helpful regarding issues related to your child and the school.
- The School Adjustment Counselor can help you with a range of developmental and emotional issues. The counselor is also knowledgeable about services in the school and in the community and can help you access these resources.
- The Learning Specialist (High Plain & West Elementary Schools only) provides support to teachers and principals related to curricular and instructional issues. The learning specialist can also help answer parents' questions about curriculum and system-wide elementary procedures and testing. He/she acts as a liaison between regular and special education programs.

STUDENT RECORDS

Description: A student's student record consists of all information kept by the school and organized in a manner such that he/she may be individually identified. The student record includes both the Permanent Record (the transcript) and the Temporary Record (the remaining documents). The transcript shall contain the minimum data necessary to reflect the student's educational progress. This data shall be limited to the student's name, address and phone number; birth date; the name, address, and phone number of parent/guardian; course titles, grades (or the equivalent when grades are not applicable), course credit, grade level completed, and the year completed.

The Temporary Record contains the majority of student information about the student maintained by the school. This record may include information such as standardized test results, MCAS scores, extracurricular activities, and evaluations by teachers, counselors or other school staff.

Student Record: Destruction of Records

Following a student's withdrawal, transfer, or graduation from the Andover Public Schools, the only document that will be kept on file by Andover Public Schools will be the Transcript/ Permanent Record, which must be kept by the school system for at least sixty (60) years after the student leaves the system. While the student remains enrolled in the Andover Public Schools, his/her Permanent Record and Temporary Record will be maintained by the school in which he/she is currently enrolled. The student record will follow the student if he/she transfers to or advances to another school in the district.

Upon the student's withdrawal, transfer, or graduation from Andover Public Schools he/she will be given notice at that time of the right to obtain the Temporary Record and that, should he/she not obtain it, it will be destroyed by a specified date (which by law must be within seven (7) years of withdrawal, transfer, or graduation). Since there may be some information contained within the folder, such as the student's Health Record, which may be of value in the future, it is suggested that the student obtain the Temporary Record at that time and that the student make and keep duplicate copies. If the student received any special education services while enrolled in the Andover Public Schools, the student may obtain those parts of the Temporary Record from the Student Services Office.

Student Records: Access by Parents

A parent with physical custody of the student has the right to inspect and/or copy all portions of the student record upon request. The record must be made available to the parent no later than ten days after the request, unless the parent consents to a delay or unless the request is made by a non-custodial parent. A reasonable fee may be charged for the cost of copying the record. The parent also has the right to amend the student record or to request deletion of certain information. Instruction on how to do this may be obtained from the Principal's office.

The parent may also request to have parts of the record interpreted by a qualified school personnel or 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 parent prior to gaining access to the student record.

Student Records: Access Procedures for Non-custodial Parents

State law mandates standard procedures for making student records available to a non-custodial parent. Under MGL, Chapter 71, Section 34H, a non-custodial parent is one who does not have physical custody of his/her child. **Such parent must submit a written request to the school principal annually in order to obtain a copy and/or access to his/her child's record.**

For more information about making this type of request, contact the Principal's office.

Student Records: Access by Third Parties

With a few exceptions, information in a student's record will not be released to a third party without the written consent of the parent having physical custody of the student. These exceptions are set forth in the federal statute "FERPA", 20 U.S.C., § 1232g and 34 CFR Part 99, and in the Massachusetts regulations, 603 CMR 23.00 (School Committee Policy JRA-R at www.aps1.net). In addition, the following information will be released as a routine matter unless the parent follows the objection process set forth at the end of this section.

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.

If a parent does not want Directory Information released, he/she must so notify the Principal's office in writing no later than September 15 of each year in which the student is enrolled in the school. Otherwise, said information will be released.

LOST AND FOUND

Please label lunch boxes, wallets, sneakers, and all clothing to prevent loss. Parents and students are encouraged to check the lost and found area regularly. Unclaimed articles are donated to charity twice a year: mid December and end of June.

MEALS

For the 2021-2022 school year, there will be no charge for school lunch. Lunch is not served on half days. For those children who bring their own lunches, milk and water are available at school. School menus are published weekly on the school's website. Many of our students have food allergies and it is not possible to avoid allergens in our schools. As parents, we ask that you speak with the nurse if you have any questions about allergy management. You can also review the allergy protocol on the nursing page of the school website and/or speak to the food services department for an updated ingredient list. Physician documentation of food allergies is required for any special meal preparations.

MEDIA CENTER

The library is a great resource for all members of the school community. It is available for use by students, parents and teachers. Please encourage your children to ask for help if they cannot find the books or information they need. We hope you share your children's enthusiasm for books and reading and to help them care for library materials properly. All schools have Media Specialists to provide a comprehensive library program.

PLAYGROUND AND RECESS

Students arriving at school between 8:45 a.m. and 9:00 a.m. play outdoors when weather permits and are supervised by adults. Outdoor recess is held whenever possible. During inclement weather, recess is held inside.

Playground Supervision

The playground is supervised; however, the responsibility for appropriate behavior rests with the students. The playground and indoor recess rules, as outlined in the *Code of Behavior*, are discussed in school and should be reviewed at home. Students are expected to treat the playground with respect and to behave with consideration for other children. Supervisors are on playground duty from every morning.

There is no supervision of children on the playground prior to 8:45 a.m. Please do not drop off your child/children before this time.

It is our policy that if a child is well enough to go to school, he or she is well enough to participate in all school activities, including recess.

PROGRESS REPORTS/CONFERENCE

A progress report is issued in grades K-5 three times a year: early December, mid-March, and on the last day of school. Parents can access progress reports including grading through the Aspen Family/Student Portal. More information can be found on the APS website (www.aps1.net) under Parents/Family Portal.

Effective dialogue is an important part of any reporting system. Therefore, parent/teacher conferences are scheduled for early November. Additional conferences may be requested by the parent or teacher

RESPECTFUL BEHAVIOR AND DISCIPLINE

We believe that children who have self-respect, respect for others, and respect for the environment will become responsible community role models. Our students learn that self-respect includes working hard, making good choices, and self-advocating. They learn that respecting others means treating others as they would expect to be treated, and respect for the environment means taking the necessary steps to keep the environment clean, safe, and a source of community pride. Parents will be invited to support us as we teach our children how they can be respectful and respected

individuals.

The Andover Public School's *Code of Behavior* for elementary school students is in this handbook. Please refer to it if you have any questions concerning the standards of behavior. We ask that parents read over the *Code of Behavior* with your child and discuss the importance of the rules, as well as your expectations of school, bus, and recess behavior.

SCHOOL COUNCIL

The Massachusetts School Reform Act of 1993 calls for the establishment of a school council at each elementary, secondary and independent vocational school in the Commonwealth. Councils are to assist principals in:

- adopting educational goals for the schools
- identifying the educational needs of students attending the school
- reviewing the school's annual budget
- formulating a school improvement plan

Membership is made up of school administrators, teachers, parents and community members. Parents are selected through a vote of the parent community. The election process is set up through the PTO.

PARENT INVOLVEMENT

We urge you to become involved in your child's school. Research indicates that children's educational experiences are more effective when parents are active participants in the process. There are a number of ways to actively participate in your children's education:

- Discuss your children's school day, perhaps asking them about one thing they enjoyed.
- Read to your children; it is always beneficial.
- Attend school presentations, parent teacher meetings, classroom presentations, special events, performances and other activities. Connect 5 and school newsletters will inform you of these opportunities.
- Maintain open communication with your children's teachers by informing them of any events outside of the school day that might affect school performance and by working with your children's teachers to make sure that education goals are clearly articulated and mutually agreed upon. Many teachers use parent help in the classrooms. All volunteers must have a **CORI** check.
- The Andover Public Schools will consider the participation of parent volunteers on a case-by-case basis. All prospective parent volunteers should familiarize themselves with the School Committee Policies regarding fingerprinting and background checks (including criminal history checks) which may be found on the School Committee's website. The Andover Public Schools may exercise its judgment in determining whether to conduct discretionary fingerprint-based background checks (i.e., for volunteers and subcontractors or laborers who might have direct and unmonitored contact with children). Factors considered would include likelihood of direct and unmonitored contact, duration of potential contact (including but not limited to chaperones on overnight field trips) and/or the ability of the representatives of the Andover Public Schools to limit potential for unmonitored contact (including but not limited to by means of escorting, physical separation, and/or restrictions on hours of access to school facility). For specific information about Andover's adaptation to this law, please visit the School Committee Policy ADE entitled "Background Checks" ([Policy ADDA](#)) at www.aps1.net.

SCHOOL SECURITY

Visitors will be required to ring the doorbell to identify themselves and the purpose of their visit in order to be buzzed in by office personnel.

All walkers are dismissed together with an adult. They exit the building in an orderly manner and walk in a group on walkways, using caution when crossing roadways and being aware and alert to existing hazards and traffic. Children **must** stay with the assigned adult until they reach the crossing guard. They are reminded to go directly home immediately after dismissal.

FIRE/EMERGENCY/LOCKDOWN/SHELTER-IN-PLACE DRILLS

Fire and emergency drills are conducted three times each year to prepare us to evacuate the building quickly and safely should this ever become necessary. A fire or emergency drill is a serious matter; when the alarm rings; neither you nor your teacher knows whether it is ringing for "just a drill" or for a real emergency. These rules and exit routes regarding drills are posted in each room.

The most important rule to remember and observe is **WALK SINGLE FILE WITHOUT TALKING**. When you leave the building for a fire/emergency drill, move off the walkways and onto the grassed areas. It is important that the fire and emergency equipment have free access to the roads and walkways. Once you are outside, you should remain with your teacher and your class.

Lockdown and Shelter-In-Place drills may also be conducted periodically to practice what to do if an intruder is in the school building. During lockdown or shelter-in –place drills, students remain in (or return to) classrooms and follow teachers' instructions.

VISITORS

Visitors are always welcome. Upon arrival, it is requested that visitors go to the main office to receive a visitor badge and to sign in. We welcome visitors and hope that you feel as comfortable about visiting us as we do about having you in our building. If you need to bring something for your child at school, please bring it to the school office and it will be delivered to your child's classroom.

Parents who are picking up their children need to report to the school office. Your child will be called to the office to be dismissed. As we strive to maintain a secure building, we ask that parents **DO NOT GO** to the classroom or playground to pick up their child.

VOLUNTEERS and PTO

All elementary schools offer opportunities to become involved in the learning process of children through the volunteer program. The time commitment is a flexible arrangement that accommodates both the faculty and the volunteer. Parents are recruited through the PTO and teaching staff at the beginning of the school year. All parent volunteers must undergo a **CORI** check.

Room Parents

Room Parents help the teachers organize classroom activities during the school year. They also solicit other parents' help for different events. Notices are sent home at the beginning of the year asking for Room Parents volunteers.

PTO

The PTO (Parent-Teacher Organization) is one of the many links between parents and the school. The mission of the PTO is to enhance the educational experience of the children by sponsoring educational programs, community events, teacher continuing education programs, and school improvement projects. Nearly half of the PTO's annual budget goes to educational programs. The PTO's Cultural Arts Committee meets with grade level teams to identify and bring programs into the school that enhance the curriculum. Additionally, the PTO assists with field trips, Outdoor Ed scholarships, and provides teachers with money to help defray classroom expenses. In addition, The PTO provides several events during the year to build a sense of community.

APPENDIX A

ANDOVER PUBLIC SCHOOLS CODE OF BEHAVIOR

General

1. Be considerate and helpful to each other.
2. Respect your property and that of others. Be certain not to chew gum unless approved in a student's plan.
3. Keep your school clean. Keep your things in order; pick up your area every day.
4. Obey all school rules; and by your good example, influence the behavior of others. Be certain you do not take things that do not belong to you. Be certain you do not sell things at school.
5. Walk quietly everywhere in the building.
6. Keep our building and grounds clean.
7. Use polite language at all times.
8. If the weather is bad, wait quietly and behave properly in your inside designated area.
9. Pick up papers and throw them in the trash container.

Audience Behavior

1. Listen! Behave properly and be courteous to other members of the audience and the performers or speakers.
2. Applaud to show your approval.
3. Remember that the only acceptable response is clapping your hands.

Cafeteria

1. Wait quietly in lunch line.
2. Eat in assigned areas only; leave your area clean and neat
3. Use good table manners. Be certain not to throw food or take food belonging to others.
4. Empty your tray in designated area.
5. Talk quietly with your table partners.
6. Walk to your table and trash areas.
7. Eat all your food and snacks in the Cafeteria.
8. Show respect to the instructional assistants and Cafeteria employees.
9. Wait to be dismissed by in the instructional assistant.
10. Use polite language.

Playground

1. Play safely in designated areas.
2. Use polite language.
3. Use good sportsmanship.
4. Wait your turn to use equipment. Bring soft handballs only to use on playground.
5. Walk to lines when playground activity is completed.
6. Use playground and athletic equipment in the proper areas.
7. Label the play items you bring to school.

Bullying Prevention

You can help prevent bullying from happening if you follow this code of behavior.

1. Be kind to each other.
2. Do not use words that would cause a classmate to feel sad, upset, or ashamed.
3. Keep your hands to yourself. Do not hit, kick, punch, pinch, or touch another student. Never touch another student in a way that might hurt them.
4. Consider other people's feelings at all times before you speak. Try your best not to hurt others' feelings.
5. Do not say or do anything to threaten another student.
6. Do not do or say anything that would make another student scared.
7. Do not tease, taunt, mock, embarrass, or humiliate your classmates.
8. If you are being bullied, tell an adult right away.
9. If you know another student is being bullied, tell your teacher, principal, parents, or another adult right away.

10. Review and follow our anti-bullying policy at Appendix K.
11. If you bully another student, you will be disciplined, up to and including a long-term suspension from school.

Cyber-bullying Prevention

You can help prevent cyber-bullying from happening if you follow this code of behavior.

1. Do not write anything in an email, text, tweet, Facebook post, or in any other electronic forum that you would not say out loud for everyone to hear. Remember, these written messages are out of your control once you send or post them, and they may continue to exist long after you have deleted your copy.
2. Follow the rules above under “bullying” and apply them to electronic communications.
3. Remember that only one text, tweet, email, Facebook post, etc. may be cyber-bullying. We encourage parents and students to read Appendix K together to ensure that they both understand that various definitions of cyber-bullying.
4. If you are being cyber-bullied, tell an adult right away.
5. If you know another student is being cyber-bullied, tell your teacher, principal, parents, or another adult right away.
6. Review and follow our anti-bullying policy at Appendix K (it includes cyber-bullying).
7. If you engage in cyber-bullying, you will be disciplined, up to and including long-term suspension from school.

Hazing

1. Do not make your classmates do anything harmful or humiliating in order for them to be able to join a team, group, or club.
2. Seek to include others in activities whenever possible without asking them to first pass a “test” or perform a task.
3. Review and follow our anti-hazing policy at Appendix N.
4. If you are being hazed, or know that another student is being hazed, tell an adult right away.
5. If you participate in hazing or fail to tell an adult that another student is being hazed, you will be disciplined in accordance with the anti-hazing policy (Appendix N).

Vandalism

1. Take care of your property and that of others.
2. Return all items you find to the office.
3. Be certain that you do not mar or deface property.
4. Notify teachers, supervisors, or the Principal when you see someone destroying or defacing property.
5. Bring no knives or sharp things that could cut or mark desks, clothing, or anything inside or outside.
6. Do not write on walls or on any surface of the building.

Walkers

1. Walk only on sidewalks. Be certain not to walk in streets or on private property.
2. Look both ways before you cross the street.

Bus Students

1. Only authorized students may ride the bus.
2. Obey the driver in all matters at all times.
3. Be courteous to others while loading, riding, and leaving the bus.
4. Arrive at the bus stop on time and wait for the bus on the curb or shoulder of the road.
5. Cross highways and streets only in front of the bus. Move away from the front bumper of the bus approximately 6-8 feet so the bus driver can observe your crossing. Do not run or dash into the street or road without looking both ways even though the bus driver has traffic stopped.
6. Avoid trespassing on private property and being noisy.
7. Board the bus in an orderly manner only after the bus has come to a full stop and the driver has opened the door.
8. Take your seat promptly; and if you must stand, grasp a seat bar firmly.
9. Remain seated until the bus comes to a full stop; then leave in an orderly fashion.
10. Allow students who are standing to get off first once the bus has come to a full stop.
11. Avoid actions that might distract the driver and result in an accident.
12. Keep your voice low; be certain there is no shouting, whistling, rough-housing, pushing, fighting, or throwing of objects.
13. Be certain not to extend your arms or any other parts of your body out of the bus windows. Never throw any objects.

14. Ask the driver's permission before opening the windows.
15. Help keep the bus clean and report any damage in the bus to the driver. Be certain not to eat or chew gum on the bus.
16. Keep books and bundles out of the aisles and do not carry heavy objects on the bus that might cause injury to other students. If you carry small animals on the bus for school projects, you are responsible for their containment while going to and from school.
17. Ride your assigned bus and do not ask the driver to make unauthorized stops unless written permission is received from your parent and agreement is reached between the Principal and the bus driver.
18. Report any violation of these rules to the bus driver, or your teacher.

Indoor Recess

1. Play quiet games at your seat.
2. Talk quietly with your friends.

Smoking

In accordance with the Educational Reform Act of 1993, smoking is prohibited in all schools, on school grounds, and at all school-sponsored activities whether held on or off school property.

Memorandum of Understanding

The Andover Public Schools, the Andover Police Department, and the Essex County District Attorney's Office agree to coordinate their response to violent, delinquent, or criminal acts by students and to alcohol and other drug abuse, which occur on school premises or at school-related events. To ensure a safe educational environment, this collaborative effort between school administration and law enforcement supports "zero tolerance" for drugs, alcohol, weapons, and violence. Non-students involved in such acts on school premises or at school events are to be reported as students are. The full agreement is available in the principal's office.

Disciplinary consequences for violations of the Code of Behavior will be administered per the Discipline Process below.

APPENDIX B

ANDOVER PUBLIC SCHOOLS DISCIPLINE PROCESS

INTRODUCTION

This section of the Handbook provides a summary of rights and procedures which govern how and when a student may be disciplined. Attached in the Appendix to this Handbook are the text of M.G.L. c. 71, sections 37H, 37H1/2, and 37H3/4, as well as the relevant text of 603 CMR 53.00. This text should be consulted for specific details about a student's rights and the various applicable procedures.

Examples of Disciplinary Consequences for Specific Behavior

The following are disciplinary consequences that may flow from inappropriate behavior in specific contexts. The types of consequences listed are not intended to be all-inclusive. All levels of discipline are available as consequences for any type of misconduct. The level of discipline imposed for any particular instance of misconduct is left to the discretion of teachers and administrators. Teachers and administrators may consider the severity of the conduct, the disciplinary record of the student, the nature of the conduct, the reaction of the student, and other factors in imposing discipline.

DETENTION

Detention. Detention, or keeping a student after school, is sometimes a necessary consequence for inappropriate actions. There are two kinds of detention: teacher and school/office.

(1) A teacher detention is given for unacceptable behavior within the classroom. The individual teacher will determine the procedure to follow for this kind of detention.

(2) A school/office detention is given for disruptive behavior in the corridor, on the playground, in the cafeteria, at assemblies, or other school areas outside of the regular classroom before, during or after school. School detention can also be assigned to students who have repeatedly created disturbances in classrooms.

Students will be given 24 hours' notice for both teacher and school detentions. In some cases, detentions will be assigned during a student's lunch period and these detentions do not require 24 hours' advance notice. Teachers and administrators can assign one detention or multiple detentions for a single violation. A student's due process rights are not triggered by the imposition of detentions.

Behaviors that may result in detention. The following are only examples of behaviors that may result in a student being assigned a detention (this list is not intended to include all behaviors that may result in detention):

- habitual tardiness
- cutting class
- habitual classroom misbehavior
- throwing items (including ice or snow)
- possession or use of electronic equipment between 9:00 a.m. and 3:30 p.m.
- use of skateboards on school grounds
- failure to report after school for a teacher detention

- use of profanity and/or obscene language or gestures
- disruptive behavior in and around the school
- possession of toys which disrupt the educational process
- unauthorized use of a cell phone in the school building

Appeal of Detention. If the detention was imposed by the Assistant Principal, the student may appeal the detention in writing to the Principal. The appeal must be made within one (1) school day of the student's receipt of notice of the detention. If the detention was imposed by a teacher, the student may appeal the detention in writing to the Assistant Principal. The appeal must be made within one (1) school day of the student's receipt of notice of the detention. An appeal of a detention does not stay the discipline, but may result only in the expunging of it from the student's record in the event the discipline is overturned. Students have no appeal rights with respect to detentions other than those described in this section.

SUSPENSION

In-School Suspension. In-School Suspension is a temporary exclusion from the activities of the regular classroom when deemed appropriate by the administrator. School work is obtained for the student and the student completes his or her daily assignment in the main office. All completed assignments are handed back to the respective teachers for grading.

A student who receives in in-school suspension for a disciplinary offense is entitled to the following process:

1. The Principal or designee shall inform the student of the disciplinary offense charged and the basis for the charge.
2. The student shall be permitted an opportunity to dispute the charges and to explain the circumstances surrounding the alleged incident.
3. If the Principal or designee determines that the infractions occurred, the Principal or designee shall inform the student of the length of the in-school suspension (not to exceed 10 days).
4. On the same day as the in-school suspension decision, the Principal or designee shall make reasonable efforts to notify the parent/guardian orally of the offense, the reasons for his/her conclusion, and the length of the in-school suspension.
5. The Principal or designee shall also invite the parent/guardian to a meeting to discuss the incident and the student as soon as possible.
6. The Principal or designee shall send written notice of the in-school suspension to the student and parent/guardian on the day the suspension is issued.

Suspension (out of school). Suspension is a temporary exclusion from the activities of the regular classroom, accompanied by a temporary exclusion from school when deemed appropriate by the administrator. Under *Goss vs. Lopez*, 419 U.S. 565 (1975), students facing a suspension of ten days or less have interests in their education that qualify them for procedural protections against the unjust deprivation of those interests under the Due Process Clause of the United States

Constitution. Students facing a suspension of greater than 10 days have enhanced procedural rights. Massachusetts law authorizes the suspension/removal from school for a maximum of 90 days, with the exception of conduct covered by M.G.L. c. 71, §§ 37H and 37H1/2.

Behaviors that may result in suspension. The following are only examples of behaviors that may result in a student being suspended (this list is not intended to include all behaviors that can result in detention). These behaviors may result

in in-school suspension, out-of-school suspension, long-term suspension, short-term suspension or, where noted, indefinite suspension:

- Possession, use or distribution of alcohol.
- Defacing of lockers, walls, or other objects on school property, both inside and outside the building or grounds, by writing names, messages, or drawing on them or use of graffiti.
- Unauthorized leaving of school grounds.
- Assault (i.e. threatening assault, hitting, kicking, slapping, pushing) against fellow students or other members of the school community.
- Damaging, destroying, or stealing personal or school property or attempting to do so.
- Using or possessing tobacco products or e-cigarettes.
- Possessing combustible materials such as matches or lighters.
- Committing sexual, racial, or any form of harassment or intimidation or retaliation.
- Using abusive, vulgar or profane language.
- Making verbal or physical threats, empty or otherwise.
- Setting off false alarms.
- Defiant behavior towards any school personnel or policy.
- Discharging or attempting to discharge fire safety equipment.
- Fighting.
- Serious misbehavior on a field trip.
- Behavior that endangers others or substantially disrupts the educational process.
- Behavior that encourages another student to substantially disrupt the educational process.
- Possession of or use of firecrackers, fireworks or stink bombs.
- Persistent or excessive truancy and/or tardiness to class and class cutting.
- Habitual misbehavior that has not been resolved after the assignment of school detentions.
- Bullying, bullying participant, including bystander and/or retaliator.
- Cyber-bullying, cyber-bullying participant, including bystander and/or retaliator (remember, a single electronic communication (email, text, post, etc.) may constitute cyber-bullying if it is sent to or may be viewed by more than one person).
- Harassment, harassment participant, including bystander and/or retaliator.
- Hazing, violence, extortion or the threat of hazing, violence or extortion directed towards another student or school personnel, including bystander and/or retaliator.

- Failure to report acts of bullying, cyber-bullying, or hazing, to adult at school.
- Assaulting educational personnel (see M.G.L. c. 71, §37H1/2 in Appendix)(note: this behavior may result in an indefinite suspension or one longer than 90 days).
- Being charged with a felony (see M.G.L. c. 71, §37H1/2 in Appendix)(note: this behavior may result in an indefinite suspension or one longer than 90 days).
- Possessing a dangerous weapon including but not limited to a knife or a gun (see M.G.L. c. 71, §37H in Appendix)(note: this behavior may result in an indefinite suspension or one longer than 90 days).
- Possessing a controlled substance as defined in M.G.L. c. 94C including but not limited to illegal drugs and prescription medication (see M.G.L. c. 71, §37H in Appendix)(note: this behavior may result in an indefinite suspension or one longer than 90 days).

In addition to any of these infractions, any breaches of Federal law, Massachusetts State law, or bylaws of the Town of Andover, may be handled in cooperation with the local police department and may result in suspension or expulsion where authorized by law (see M.G.L. c. 71, §37H1/2 in Appendix). Consistent with its Memorandum of Understanding, the Andover Public Schools, the Andover Police Department, and the Essex County District Attorney's Office agree to coordinate their response to violent, delinquent, or criminal acts by students and to alcohol and other drug use, which occur on school premises or at school-related events.

Short Term Suspension (10 days or less). Before a suspension of ten days or less takes place, the school owes a student: notice, explanation and a meeting/hearing.

Notice of the charge: The principal or designee shall provide written notice to the parent/guardian, offering an opportunity to meet and to discuss the violation as charged, prior to the suspension taking place.

Meeting with the Principal or designee: The student shall meet with the principal or designee regarding the alleged offense. The principal or designee shall make a good faith effort to include the student's parent/guardian in this meeting. The parent/guardian, if present, shall have an opportunity to discuss the student's conduct and to offering additional information or mitigating facts.

Explanation of the evidence: At the meeting, the student shall be told the basis of the accusation, the nature of the disciplinary offense, and any other pertinent information. The student, and his/her parent/guardian if present, shall have the opportunity to present additional information and to offer mitigating facts. However, the student will not have the opportunity to secure counsel, to confront and cross-examine witnesses or to call his/her own witness to verify his/her version of the incident. The Principal or designee, in his/her sole discretion, may permit the student to question his/her accuser or present his/her own witnesses.

Written determination: The principal or designee will issue a written determination of the suspension to both the student and the parent/guardian, including the key facts and conclusions reached, and length and effective date of the suspension, and a date of return to school, and the opportunity to make up assignments and other needed school work.

Appeal of Short-Term Suspensions (10 days or less): If the suspension was imposed by the Assistant Principal, the student may appeal the suspension in writing to the Principal. The appeal must be made within one (1) school day of the student's receipt of the notice of the suspension. An appeal of a suspension does not stay the discipline, but may result only in the expunging of a student's record. There is no right of appeal beyond the Principal. Additionally, there is no right of appeal if the Principal, rather than the Assistant Principal, imposes the suspension.

Applicability to Students with Disabilities: This provision shall apply to students with disabilities who are suspended for ten (10) or fewer cumulative days in one academic year. Suspensions of students with disabilities exceeding ten (10) cumulative days in one academic year shall be governed by applicable state and federal law.

Long Term Suspension (more than 10 days): Students facing a suspension of more than ten days (cumulatively within a school year or consecutively) and up to ninety days have the right to a more formal process. These rights include the following in addition to those described for short-term suspensions:

- to review the student's own record and any documents on which the principal may rely, in making his/her decision regarding suspension;
- to be represented by counsel (at the student's expense);
- to present the student's own explanation of the alleged incident;
- to produce witnesses on his/her own behalf;
- to cross-examine witnesses presented by the school or district;
- to request a recording of the meeting;
- notice of the student's opportunities to make academic progress during suspension, with information about the school's education service plan; and
- notice of the right to appeal the suspension, with instructions about the process for doing so.

Appeal of Long-Term Suspension (more than 10 days): If a student receiving a long-term suspension (more than 10 school days for a single infraction or for more than ten 10 school days cumulatively for multiple disciplinary offenses in any school year) wishes to appeal that decision to the Superintendent, he/she must do so in writing no later than 5 calendar days following the effective date of the suspension. The student or parent/guardian may request an extension of up to 7 calendar days to submit this request for an appeal. The Superintendent or designee shall hold a hearing within 3 school days of receiving the student's request for an appeal. The student or parent/guardian may request an extension of up to 7 calendar days for this hearing to be held. The Superintendent or designee must include the parent/guardian in this hearing, or else must show a good faith effort to include him/her. At the hearing, the student has the same rights afforded him/her at the principal's meeting prior to issuing the long-term suspension. The Superintendent or designee will arrange for an audio recording of the hearing, a copy of which will be provided to the student or parent/guardian upon request. The Superintendent will issue a written decision within 5 calendar days of the hearing, either upholding or lessening the suspension. This will be the school district's final decision on the matter.

Emergency removal. Emergency removal of a student is within the Principal's authority when, in his/her judgment, the student's continued presence poses a danger to persons or property and there is no adequate alternative to alleviate that danger.

However, the Principal or designee shall do the following:

- Make adequate provisions for the student's safety and transportation before removing him/her from school on an emergency basis.
- Make immediate reasonable efforts to orally notify the student and parent/guardian of the emergency removal and the reason for it.
- Provide written notice to the student and parent/guardian.

- Provide an opportunity for a hearing before the principal, with the parent/guardian in attendance, within two school days of the emergency removal (unless the parties agree to an extension of time).
- Render a decision orally on the same day as the hearing, and a written notice of the hearing no later than the following school day.

Students serving suspensions. Students who are suspended from school (other than an in-school suspension) are not allowed to be in school or on school property at any time during the period of suspension and are not allowed to attend any school-sponsored activities. When the period of suspension includes a weekend or vacation period, the student is ineligible to participate in or attend any activities throughout the entire period. Students who do not fulfill outstanding disciplinary obligations by the last day of school must make arrangements with the Principal or Assistant Principal to serve detentions and work details during the summer. A student serving a suspension will be required to complete these obligations at the beginning of the next school year. If a school-sponsored activity begins prior to the start of the school year, that time will be included as part of the suspension.

Applicability of Suspension Policy to Students with Disabilities. This provision shall apply to students with disabilities who are suspended for ten (10) or fewer cumulative days in one academic year. Suspensions of students with disabilities exceeding ten (10) cumulative days in one academic year shall be governed by applicable state and federal law.

EXPULSION/INDEFINITE SUSPENSION

Expulsion/Indefinite Suspension. Expulsion is a permanent removal from school. Indefinite suspension is a removal from school for an indefinite period. These consequences may be imposed for a narrow range of conduct, as defined in M.G.L. c. 71, sections H and H1/2.

Basis for Expulsion/Indefinite Suspension. M.G.L., c. 71, section 37H provides the Principal the authority to expel a student who is found on school premises or at a school-sponsored event, including athletic games and fieldtrips, possessing a dangerous weapon, or possessing a controlled substance, or who assaults a principal, assistant principal, teacher, teacher's aide, or other educational staff on school premises or at a school-sponsored or school-related event, including athletic games and field trips. Expulsion proceedings pursuant to this section shall be in accordance with the statutory language, which may be found in the Appendices to this Handbook.

M.G.L., c. 71, section 37H1/2 provides the Principal the authority to indefinitely suspend a student who is charged criminally with a felony and to expel a student who is convicted or admits guilt in court with respect to a felony or felony delinquency. Expulsion and indefinite suspension proceedings pursuant to this section shall be in accordance with the statutory language, which may be found in the Appendices to this Handbook.

Expulsion Procedure. A student facing expulsion has the following procedural rights:

1. Written notice in the student's/home's primary language that a hearing will be held to determine whether or not to impose an expulsion. Notice shall include the following:
 - a) The date/time/place of the hearing;
 - b) A description of the nature of the allegation and the evidence supporting the allegation against the student;
 - c) A list of witnesses who will appear on behalf of the school;
 - d) A summary of the procedures to be followed and the rights afforded to the student at the hearing;
 - e) Notice of the right to an Alternate Education Plan if the student has an Individualized

- Education Plan;
- f) The telephone number of the Principal;
 2. The right to be represented by a lawyer or advocate (at the student's expense);
 3. Adequate time to prepare for the hearing;
 4. Access to documented evidence prior to the hearing;
 5. The right to request that witnesses attend the hearing, and to question them (unless the student's interest in cross-examining witnesses is outweighed by the need to protect witnesses from possible retaliation);
 6. The right to have the hearing transcribed;
 7. The right to have the hearing translated into the student's or his parents' or guardians' primary language; and
 8. A reasonably prompt written decision including specific grounds for the decision, the process for appeal, and the right of the student to access alternative educational services.

Appeal of Indefinite Suspension. A student may appeal a suspension imposed by the Principal pursuant to M.G.L. c. 71, section 37H1/2 (felony convictions, etc.) in writing to the Superintendent within five (5) calendar days following the effective date of the suspension.

Appeal of Expulsion. A student may appeal expulsion imposed by the Principal pursuant to M.G.L. c. 71, section 37H1/2 (felony convictions, etc.) in writing to the Superintendent within five (5) calendar days of the receipt of the written decision of the Principal to expel. A student may appeal expulsion imposed by the Principal pursuant to M.G.L. c. 71, section 37H (possession of dangerous weapon, controlled substances, assault of staff, etc.) in writing to the Superintendent within ten (10) days of the receipt of the written decision of the Principal to expel.

Applicability of Expulsion Policy to Students with Disabilities. To the extent that the application of the foregoing policy to students with disabilities conflicts with state or federal laws, such law(s) shall prevail.

Academic Progress of Suspended/Expelled Students. Any student who is serving a suspension or expulsion shall have the opportunity to receive education services and make academic progress during the period of removal. Andover Public Schools will establish and publish an education service plan specifying alternative educational services which will be made available.

Suspended or Expelled Students. Students who have been suspended or expelled from school shall not be eligible to participate in any school functions for the duration of such disciplinary action. Students who are suspended or expelled and return to school grounds or school sponsored events may be suspended an additional day and may be referred to the police or other proper authorities for trespassing. The period of suspension ends as of the beginning of the school day on which the student returns to school.

Discipline of Students with Disabilities

Students with disabilities are afforded certain procedural rights and protections in the context of student discipline. A brief overview of these rights is provided below.

For students who are eligible for special education, the Individualized Education Plan (IEP) must indicate whether the student can be expected to meet the regular discipline code of the school or whether the code should be modified due to the student's disability.

In general, students with disabilities may be excluded from their programs, just as any other student can be, for up to ten (10) school days per year. However, when an eligible student is excluded from his/her program for more than ten school days in the school year, the student's Special Education Team must develop a functional behavioral assessment plan. In many instances, the student's IEP or 504 Team also may be required to determine whether the student's behavior was a manifestation of his/her disability.

If the Team determines the behavior was not related to a manifestation of the student's disability, the school may discipline the student according to the school's code of student conduct, except that the district must continue to provide the student with educational services during the period of suspension or expulsion. However, if the Team determines that the behavior was a manifestation of the disability, the student generally may not be excluded from the current educational placement (except as otherwise provided under state or federal law) unless the parent(s) and District otherwise agree or by court order.

In the event, a student possesses, uses, sells or solicits a controlled substance or possesses a weapon at school or a school function, a school may place a student in an interim alternative education setting for up to 45 school days. Hearing officers may also order the placement of a student in an appropriate interim setting for up to 45 days upon determination that the current placement is substantially likely to result in injury to the student or others.

When a parent disagrees with the Team's "manifestation determination" or with a decision regarding placement, the parent has the right to request an expedited due process hearing from the Bureau of Special Education Appeals. Additional information regarding the procedural protections for special education students can be obtained from Angelique DeCoste, Special Education Program Head for Elementary Pre-K-5 (978/623-8542) and Heather Eigen, Special Education Intensive Programs Head K-8 (978/623-8900 Ext. 4114).

APPENDIX C

ANDOVER PUBLIC SCHOOLS BUS CODE

The school day begins when the student leaves home and ends when the student returns home. Each student is under the jurisdiction of the school administration during this entire period.

Riding the school bus is a privilege. This privilege will be taken away from any student who is not well-behaved, courteous, or who endangers the health or safety of any student.

If a student does not follow the Rules and Regulations for Bus Students, the student will be reported to the school principal for necessary disciplinary action.

Any decision revoking the privilege of a student to ride the school bus will be made only by school authorities. Prior to such a decision, the matter will be discussed with the bus driver and the student and the parents of the student will be informed. Before a student can have the bus privilege reinstated, the student and the student's parents must meet with the School Committee to discuss the matter.

RESPONSIBILITIES - STUDENTS

1. Only authorized students may ride the bus.
2. Obey the driver in all matters pertaining to the operation of the school bus. The bus driver is the representative of parents and teachers and is directly responsible for the safety of each student on his/her bus.
3. Exercise courtesy towards others while loading, riding and leaving the bus. Application of this simple rule will result in a more enjoyable ride to school each day and will prevent many unpleasant situations from arising.
4. Arrive at the bus stop on time and wait for the bus on the curb or shoulder off the road.
5. Cross highways and streets only in front of the bus. Move away from the front bumper of the bus approximately 6-8 feet so the bus driver can observe r your crossing. Do not run or dash into streets or roads without looking both ways, even though the bus driver has traffic stopped.
6. Avoid trespassing on private property and being noisy.
7. Board the bus in an orderly manner when the bus has come to a full stop and the driver has opened the door.
8. Take your seat promptly and if you must stand, grab a seat bar firmly.
9. Assignment of seats is left to the discretion of the bus driver and/or school authorities. However, if seat assignments are made, compliance is mandatory.
10. Remain seated until the bus comes to a full stop, and then leave in an orderly manner.
11. Allow standees off first once the school bus has come to a full stop.
12. Do not talk to the driver while the bus is in motion.
13. Avoid actions that might distract the driver and result in a serious accident.
14. Keep your voice low, no shouting, whistling, rough housing, pushing, fighting, or throwing objects.
15. Do not extend arms or any other parts of your body out the window.
Do not throw any objects or spit out the bus windows.
16. Do not smoke on the bus.
17. Ask the driver's permission before opening the windows.
18. Help keep the bus clean and report anything damaged in the bus to the driver. Do not eat or chew gum on the bus.
19. Keep books/bundles out of the aisles and do carry heavy objects on the bus that might cause injury to other students. If you carry small animals on the bus for school projects, you are responsible for their containment while enroute to and from school.
20. Ride your assigned bus and do not ask the driver to make unauthorized stops unless written permission is received from your parents and agreement is reached between the principal and the bus driver.
21. Report any violation of these rules to the bus driver or your teacher.
22. Violation of the above rules may result in suspension of your bus riding privilege.

ACCIDENT PROCEDURE - RESPONSIBILITIES - STUDENTS

1. Keep calm and follow the directions of the bus driver.
2. Stay in your seat until the bus driver tells you what action to take.
3. Do not touch any emergency equipment until told by the driver;
4. In case of fire, leave the bus in an orderly manner and move to the nearest exit way from the fire.
5. If the driver is injured and unable to move, notify the nearest adult or contact the police or fire department on the nearest phone.
6. Report any injuries to yourself or other students to the driver.

BUS CODE - RESPONSIBILITIES - PARENTS

1. Instruct children on the content of the bus code
2. Support the bus driver in maintaining discipline on the bus.
3. Ensure children arrive at the bus stop on time. Supervise children when necessary.
4. Make suggestions in writing to the Business Office to improve the bus routes.
5. Report any concerns or violations to the Principal /Assistant Principal of the school the child attends.

APPENDIX D

ANDOVER PUBLIC SCHOOLS DISCIPLINE FOR VIOLATION OF BUS CODE

(Approved as Addendum to School Committee Bus Conduct - August 5, 1986)

Offense	Punishment	
1. Lighting match, cigarette lighter, lighter or other flammable year object, setting fire or burning any person or clothing.	Bus privilege shall be suspended for balance of school	
2. Defacing bus or destroying door without authorization	First Offense	Suspension* 1 month property; opening emergency
	Second Offense	Suspension 3 months
	Third Offense	Suspension for balance of school year with a minimum suspension of 5 months

Any time a student defaces a bus or any part thereof or destroys property, restitution must be made by his/her parents and student will not be allowed on bus after his/her punishment has been served - until restitution is made.

3. Smoking on the bus **ELEMENTARY** - Grades K-5:
Suspension 1 month with reinstatement of privilege only after conference between principal and guardian/parent

Smoking on the bus **MIDDLE SCHOOL** - Grades 6-8:
First Offense Suspension -1 month
Second Offense Suspension remainder of school year, with minimum suspension of 5 months

Smoking on the school bus **HIGH SCHOOL** - Grades 9-12:
First Offense Suspension 1 - month
Second Offense Suspension remainder of school year Minimum suspension of 5 months

4. Fighting, molesting others throwing objects other than paper or hats.	First Offense	Suspension 1 month
	Second Offense	Suspension 2 months
	Third Offense	Suspension remainder of school year, minimum suspension of 5 months.

5. Pushing, shoving, indecent or abusive language, failure to obey bus driver, throwing objects. i.e., paper, hats, scarves, other misconduct.	First Offense	Suspension 1 week
	Second Offense	Suspension 1 month
	Third Offense	Suspension remainder of school year, minimum suspension of 5 months

- “Suspension” used in this Appendix refers to the suspension of bus privileges only.

APPENDIX E

ANDOVER PUBLIC SCHOOLS **SAFE SCHOOL ENVIRONMENT**

The Andover Public Schools, the Andover Police Department, and the Essex County District Attorney's Office agree to coordinate their response to violent, delinquent, or criminal acts by students and to alcohol and other drug use, which occur on school premises or at school-sponsored or school-related events. To ensure a safe educational environment, this collaborative effort between school administration and law enforcement supports "zero tolerance" for drugs, alcohol, weapons and violence. Non-students involved in such acts on school premises or at school events are to be reported as students are. The full agreement is available in the Principal's Office.

- a. Any student who is found on school premises or at school-sponsored or school-related events, including athletics games, in possession of a dangerous weapon, including, but not limited to, a gun or a knife; or a controlled substance as defined in Chapter 94 C, including, but not limited to marijuana, cocaine, and heroin, may be subject to expulsion from the school or school district by the principal. See M.G.L. c. 71, s. 37H.
- b. Any student who assaults a Principal, Assistant Principal, teacher, teacher's aide or other educational staff on school premises or at school-sponsored or school-related events, including athletic games, may be subject to expulsion from the school or school district by the principal. See M.G.L. c. 71, s. 37H.
- c. Any student who is charged with a violation of either paragraph (a) or (b) shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the principal. After said hearing, a principal may, in his/her either paragraph (a) or (b).
- d. Any student who has been expelled from a school district pursuant to these provisions shall have the right to appeal to the superintendent. The expelled student shall have ten 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 a hearing before the superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provision of this section.
- e. When a student is expelled under the provisions of this section, the student shall have an opportunity to make academic progress via the school-wide education service program..

APPENDIX F

ANDOVER PUBLIC SCHOOLS HARASSMENT PREVENTION AND RESPONSE POLICY

Policy Preamble: The Andover School Committee is committed to the prevention of harassment based upon sex, race, color, national origin, religion, age, disability, gender identity or sexual orientation. This policy has been developed to ensure that the educational opportunities of all students, and the employment conditions of all employees, are not threatened or limited by such harassment, and to ensure that individuals are free to work, learn, and develop relationships without fear of intimidation, humiliation or degradation.

This policy defines unlawful and prohibited conduct; reporting and investigation procedures; and disciplinary sanctions.

It shall be a violation of this policy for any employee or student of the Andover Public Schools to harass another employee, adult member of the school community, student, applicant for employment, or other person with business to conduct with the Andover Public Schools, through conduct and communications as defined below. It shall also be a violation of this policy for students to harass other students or staff through conduct or communications of a harassing nature as defined below.

Unlawful and Prohibited Conduct Defined: Unlawful and prohibited conduct includes, but is not limited to, actions which are related to a person's sex/gender, race, color, national origin, religion, age, disability, gender identity, or sexual orientation when such actions are unwelcome and unsolicited by the recipient. Harassment based on a person's race, color, national origin, religion, age, disability, gender identity or sexual orientation consists of conduct that:

1. Has the purpose or effect of creating an intimidating, hostile, humiliating, or offensive work or education environment;
2. Has the purpose of substantially or unreasonably interfering with a person's work or academic performance;
3. Or otherwise adversely affects a person's academic standing or opportunities.

Sexual/Gender Harassment

Unlawful and prohibited conduct, consisting of unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal or physical conduct, or communication of a sexual nature when:

1. Submission to, or rejection of, such conduct or communication is made explicitly or implicitly a term or condition of employment, or education or academic achievement;
2. Or, submission to, or rejection of, such behavior is used as a basis for employment or academic decisions;
3. Or, such behavior unreasonably interferes with an individual's work or academic performance, or creates an intimidating hostile, humiliating, or offensive work or educational environment.

Examples of prohibited behaviors shall include, but not be limited to, the following:

- Verbal conduct: name calling, teasing, jokes or other derogatory or dehumanizing remarks, by an individual or group as in verbal bullying;
- Physical contact: unwelcome touching of a person or person's clothing or any other act of physical intimidation or bullying;
- Drawings, computer terminal messages of an offensive nature, or designs on clothing meant to offend another on the basis of gender, race, color, national origin, age, disability or other identifying characteristics;
- Visual conduct: suggestive looks, leering, gesturing of a suggestive nature;
- Blackmail: as in behavior with the intention to control another individual's scholastic achievement or employment status.

The foregoing list was to provide some concrete examples but is not meant to be all-inclusive.

Responsibilities

All students, teachers, administrators, and other personnel of the Andover Public Schools are responsible for creating and maintaining an environment that is free of harassment and other offensive behaviors and for conducting themselves in a manner consistent with the spirit and intent of this policy and in cooperating with any investigation of alleged harassment.

The Andover Public Schools is responsible for the dissemination of this policy and training. The school district responsibilities will ensure:

1. That this policy shall be conspicuously posted throughout each school building in areas accessible to students and staff;
2. This policy shall appear in the student handbook;
3. The school district will develop a method of discussing this policy with students and employees;
4. The district will appropriately train administrators and others who are assigned and responsible to implement the procedures of this policy;
5. What one person might consider as acceptable behavior may be viewed by another as harassment. It is, therefore, suggested that a person make clear to the harasser that the behavior is offensive and must cease.
6. The subject of harassment should report alleged violations of this policy to the appropriate personnel in accordance with the guidelines and procedures that accompany this policy.
7. This policy will be reviewed for compliance with state and federal law.

Reporting Sexual Harassment Students

Students who believe that they are victims of harassment should report such occurrences to a teacher, counselor, or administrator who will in turn notify a complaint manager, or students may report directly to complaint managers. Notice of each school's complaint managers, whose role is defined below, will be posted in a prominent location in each school.

Employees

All Andover School System employees must respond to student's complaints of harassment by notifying the building principal or appointed complaint managers. They must always take every complaint of sexual harassment seriously.

Employees who believe that they are victims of harassment should report such occurrences to their immediate supervisor, the building principal, the Superintendent of Schools, the Personnel Director or his/her designee.

Investigation and Corrective Action

The Andover Public Schools will investigate all complaints of harassment. Such investigation may include discussions with all involved parties, identification and questioning of witnesses, and other appropriate actions. Reports of sexual harassment and related information will be kept confidential to the extent consistent with the school's obligations under law.

Each building principal will appoint two or more complaint managers, at least one of each gender. (Principals may also serve as complaint managers themselves). The complaint managers shall be responsible for investigating complaints of harassment, communicating with the principal, recommending discipline as a consequence of harassment, and filing reports to the Superintendent of Schools or his/her designee.

Complaint managers will attend training sessions and workshops as directed. Notice of each school's complaint managers will be posted in a prominent location in each school. If the Andover Public Schools determine that harassment has occurred, it will take appropriate action to end the harassment. Steps which may be taken include, among others, an apology, direction to stop the offensive behavior, counseling or training, warnings, suspensions, exclusion from school-related activities, transfer, remediation, and long-term suspension from school or termination from employment.

Disciplinary action will be consistent with the requirements of applicable collective bargaining agreements, Massachusetts and federal laws, and other district policies. Any staff member or student who is dissatisfied with the results of progress of the school's investigation may discuss his/her dissatisfaction directly with the building principal or the Superintendent of Schools at the School Administration Building, 36 Bartlett Street, Andover, MA 01810, (978-247-7010) or the Personnel Director, at the same location, (978-623-8500), or his/her designee.

Retaliation

The school administration will discipline or take appropriate action against any student, teacher, administrator, or school personnel who retaliates in any form against a person who makes a complaint or reports or participates in an investigation of a harassment complaint. Acts of retaliation may result in immediate disciplinary action up to and including a long-term suspension, even if underlying harassment is not proven. Retaliation is an independent, prohibited and unlawful act.

Investigation of Child Abuse

Under certain circumstances, harassment of a student may constitute child abuse under Massachusetts Law, M.G.L. Ch.119, and Section 51A. The Andover Public Schools will comply with Massachusetts Law in reporting suspected cases of child abuse. The Andover Public Schools will report suspected criminal activity to the local police.

Right to Alternative Complaint Procedures

These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Massachusetts Department of Education, 350 Main Street, Malden, MA 02148, (617-338-3300); Massachusetts Commission Against Discrimination, Boston Office, One Ashburton Place, Boston, MA 02188; (617-727-3990); Equal Employment Opportunity Commission, 10 Congress Street, Boston, MA 02114, (615-565-3200); and the Office of Civil Rights of the U. S. Department of Education, J. F. K. Federal Building, Room 1875, Boston, MA 02203 (617-565-1340); initiating civil action or seeking redress under criminal statutes and/or federal law.

Legal References

1. Title VII of the Civil Rights Act of 1964
2. Title IX of the Education Amendments of 1972
3. Massachusetts General Laws: c.151B (prohibiting employment discrimination based on gender); c.214 s.i (right to be free from sexual harassment); c.76 s.5 prohibiting educational discrimination in public schools); c.265 s.43 (prohibiting stalking); c.269 s.17 (prohibiting hazing); c.119 s.51A (reporting of suspected child abuse); c. 71, s. 37H3/4..
4. Other relevant statutes and case law.

APPENDIX G

NON-DISCRIMINATION STATEMENT

The Andover Public Schools is committed to equal education opportunity for all students. It is the goal of the Andover Public Schools to maintain a school environment free of harassment and/or discrimination based on race, color, religious creed, national origin, sex, sexual orientation, age, ancestry, disability, gender identity, veteran status, genetic information, homelessness or any other class protected by state or federal law.

The Andover Public Schools will not tolerate discrimination or harassment in any of its schools, including any school programs, services or activities. The Andover Public Schools is committed to equal opportunity in school admission, admissions to courses, course content, guidance, and extracurricular and athletic activities. The Andover Public Schools does not discriminate in admission to its schools, access or treatment in its services, programs and activities for any student.

To file a complaint alleging discrimination or harassment by the Andover Public Schools on the basis of any protected class, please contact:

Dr. Julie Riley, Assistant Superintendent of Schools 978/247-7025
Andover Public Schools, 30 Whittier Court, Andover, MA 01810

or

Jessica Porter, Director of Human Resources 978/623-8500
Andover Public School, 30 Whittier Court, Andover, MA 01810

Inquiries concerning the applicability of the law to the Andover Public Schools may also be referred to the U.S. Department of Education, Office for Civil Rights (OCR), JW McCormack POCH, Boston, MA 02109-4557, telephone 617/223-9662, TTY 617/223-9695. Concerns relating to the implementation of the Massachusetts Equal Educational Opportunity Law (M.G.L. c.76 s.5) may be directed to the Massachusetts Department of Education, Program Quality Assurance, 350 Main Street, Malden, MA 02148, 781/338-3700.

Instead of filing a complaint with the Andover Public Schools, a complaint may be filed directly with OCR within 180 days of the alleged discrimination or harassment. In addition, a complaint may be filed with OCR within 60 days of receiving notice of final disposition of the complaint by the Andover Public Schools, or in certain instances, within 60 days of receiving a final decision from the Bureau of Special Education Appeals (BSEA). Please note that a complaint filed with OCR is limited to issues of discrimination and harassment. OCR has no jurisdiction over compliance with state and federal special education laws.

APPENDIX H

ANDOVER PUBLIC SCHOOLS **GRIEVANCES PROCEDURES FOR DISCRIMINATION VIOLATIONS**

Any student or school employee who feels that he or she has been discriminated against because of race, color, religious creed, national origin, sex, sexual orientation, age, ancestry, disability, gender identity, veteran status, genetic information, homelessness or membership in any other class protected by state or federal law with regard to admission to, access to, treatment in or employment in its services, programs and activities should utilize the following procedure to register a grievance:

1. Students or employees should submit any allegations of discrimination in writing to their building principal for consideration. The complaint should specify the nature of the complaint in detail.
2. The principal or his/her designee will investigate the allegations and respond to the complaint in writing within fifteen (15) school days of the receipt of the written complaint.
3. If the matter is not resolved, the complainant may appeal in writing to Grievance Coordinators, the Assistant Superintendent of Schools, or with respect to employment-related issues, the Director of Human Resources. The coordinator will meet with the complainant and respond within fifteen (15) school days of receipt of the written complaint.
3. If at the end of ten (10) school days following the written response from the coordinator the matter remains unresolved, the complainant has the right to appeal to the superintendent of schools in writing.
4. The superintendent will investigate the complaint and respond in writing to the complainant within fifteen (15) school days after having received the complaint.
5. If the matter remains unresolved, the complainant may appeal in writing to the school committee within ten (10) school days of the receipt of the superintendent's response. The School Committee will meet within fifteen (15) school days to review and consider the matter. The committee will respond to the complainant in writing within five (5) school days following the meeting.

Since it is important that grievances be processed as rapidly as possible, the number of days indicated at each level should be considered a maximum, and every effort should be made to expedite the process.

APPENDIX I

ANDOVER PUBLIC SCHOOLS – SPECIAL EDUCATION

1. Kindergarten Screening (28.03 (1) (d))

In the **fall**, as part of the process of getting to know our new kindergarten students, a developmental screening is conducted. Your child will be scheduled for a 30-minute appointment to complete the screening activities with school staff. The screening consists of a brief check of the child's language, vision, hearing, cognitive development and motor coordination. Most children develop in these areas at a rate that is within the typical range for their age. For some children, however, the screening may indicate that more information about your child's abilities would be helpful. The earlier we know of any areas of concern, the sooner we are able to bring appropriate help and support to a child. Parents will be informed of the results of their child's screening and any recommendations for follow-up by. Screening is a required activity under the special education regulations.

2. Instructional Support (28.03 (3)(a))

The Principal in each school is responsible for promoting instructional practices that are responsive to students with diverse learning styles and a wide range of academic and social skills. This instructional support can include remedial services, accommodations and individual intervention plans for students as well as consultative and professional development services to the staff. Each schoolhouse provides a forum for child study teams and/or staff support teams that meet on a regular basis to brainstorm and problem solve possible methods to assist students who are experiencing some difficulty in the general education program. Such efforts, supports and accommodations are provided and documented before a student is referred for a special education evaluation. If, however, despite various interventions, the schoolhouse team is unable to resolve the concerns for a student satisfactorily, and suspects the presence of a disability, the student is referred for evaluation.

2. Referral and Evaluation Process

If a parent is concerned about their child's progress in school, they should bring their concern to the attention of their child's teacher, the learning specialist or directly to the principal so that staff are aware of the concerns and can implement some instructional support strategies. If attempts have been made to address the concerns and the child continues to experience difficulties, then a referral for a special education evaluation may be made. Such evaluations are made in order to determine whether the child's lack of progress is related to a specific educational disability. Parents will be asked to provide their written consent for the evaluation.

When the evaluation/testing is complete, a team meeting will be held to review the results and to make recommendations as to whether the child is eligible for special education services. If the child is eligible, an Individual Education Program (IEP) will be developed and describe the services the child will receive. Special education services, in addition to classroom accommodations, can include, for example, specialized reading or math instruction, speech/language therapy, occupational or physical therapy, adaptive physical education, school adjustment counseling, specialized consultation, etc. The principal with the help of the special education program head or liaison is responsible for the special education program and is always available to answer questions about special education or to provide additional information.

3. Important Terms

FAPE: Free and Appropriate Public Education: All sped students are entitled to FAPE. *Appropriate* is defined by whether the program is reasonable designed to provide educational benefit.

LRE: Least restrictive Environment: This is also the right of special needs students to be educated to the maximum extent appropriate with their non-disabled peers in the general education program. Inclusion is the practice of implementing LRE.

Access: All disabled students (special education and 504) have the right to services, supports, accommodations, etc. that allow them to *access* the general curriculum and the activities of the school community as a whole.

APPENDIX J

ANDOVER PUBLIC SCHOOLS **INFORMATION ON THE REQUEST FOR** **CRIMINAL OFFENDER RECORD**

The State of Massachusetts law regarding criminal record checks (effective February 25, 2003) is as follows: Under Chapter 385 of the Acts of 2002, an act further protecting children, all schools are required to conduct criminal background checks on current and prospective employees, volunteers, school transportation providers and others who may have direct and unmonitored contact with children. A copy of the law is available for your reference at <http://www.state.ma.us/legis/laws/selaw02/s1020385.htm>.

Therefore, as a volunteer or potential volunteer in your child's classroom you will need to complete a Request for Criminal Offender Record Information or CORI Request Form. If you have any questions please feel free to contact your building principal or Human Resources Department. **CORI** Forms can be downloaded from the www.aspl.net website. Click on PARENTS, then FORMS to access. Forms are also available in the main office.

A PHOTO ID MUST BE SHOWN TO THE SCHOOL EMPLOYEE WITH A CHECK MARK ON THE CORI FORM FOR PROCESSING

APPENDIX K

ANDOVER PUBLIC SCHOOLS **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.

Definition:

“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. More information regarding APS's policies and procedures regarding bullying and cyber-bullying may be found in APS's Bullying Prevention and Intervention Plan, a copy of which is on the APS website.

Anti-Bullying Age-Appropriate Summary and Instruction

At the elementary level, the APS provides age-appropriate instruction regarding bullying and cyber-bullying to K-5 students primarily through the Open Circle program (www.open-circle.org). As indicated in the Plan, the Open Circle program is a "comprehensive, grade-differentiated social and emotional learning program for grades K-5 children that promotes problem-solving and conflict resolution skills." Students are taught to identify "Double D: *Dangerous and Destructive*" behaviors.

Dangerous behaviors are those that could cause someone to get hurt. These include, but are not limited to: fighting, tripping, hitting, pushing, kicking, throwing objects, biting and any physical acts that hurt another student, including repeated physical behaviors that might meet the definition of bullying.

Destructive behaviors are those that could cause something to get broken, damaged, or destroyed. Hurtful words also fall into this category, including use of language that constitutes bullying. If students witness a "Double-D" behavior, they are taught to immediately tell a responsible adult. "Dangerous and Destructive" behaviors will not be tolerated in any school-related setting/function including, but not limited to, bus transportation, field trips, and school events.

Student and parents should be aware that the definition of bullying and of cyber-bullying are quite broad and include the following:

Bullying is the repeated use by a student 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 written, verbal, or electronic expressions or physical acts or gestures which are directed at a target and which: (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.

Cyber-bullying, may take many forms, including:

1. the use of electronic technology, such as emails, social media, the internet, cell phones/cameras, and texting, in a way which constitutes bullying;
2. the creation of a web page or blog in which the creator assumes the identity of another person if the creation or impersonation creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying above;
3. 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 above;
4. 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 above. Note that this type of cyber-bullying requires only **one communication** sent to multiple people or posted where multiple people can access it. Students should be aware of the dangers of group texts and group emails, as well as posts on social media sites. A single post, text, “tweet”, email, etc. may, under certain conditions described in this section, constitute cyber-bullying.

Students should understand that teasing, taunting, mocking, and other behaviors that are intended to humiliate, ostracize, embarrass or degrade other students will not be tolerated. If any student or parent would like additional information regarding the *Open Circle* curriculum or the details of APS’s anti-bullying policy or its Plan, they should contact the main office at their school.

APPENDIX L

TITLE I PROGRAM

Targeted Assistance Schools:

Eligible students are identified in targeted assistance schools through a student selection process each school year. First, classroom teachers in conjunction with Title 1 teachers complete a Student Eligibility form for each student that is most in need of Title 1 English Language Arts support.

The completion of the student eligibility forms will generate a level score. From the level scores a rank ordered list of eligible students will result. The student eligibility process will be completed by June of each year in preparation for the next school year. At the beginning of each school year, Title 1 teachers confer with classroom teachers to assure that the eligibility information is accurate, and that the neediest students will be serviced. Also, since each classroom teacher administered English Language Arts assessments at the beginning of each school year, these test results are also referred to by the assessment team.

APPENDIX M

Hazing

File: JICFA-E - 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.

APPENDIX N

File: IJNDB - EMPOWERED DIGITAL USE POLICY

Purpose

The School Committee recognizes the need for students to be prepared to contribute to and excel in a connected, global community. To that end, the district provides ongoing student instruction that develops digital citizenship skill sets for using technology as a tool. Information and communication technology are an integrated part of our curriculum across subjects and grades in developmentally appropriate ways and are aligned with the Massachusetts Curriculum Frameworks and standards, including seeking knowledge and understanding; thinking critically and solving problems; listening, communicating, and interacting effectively; and engaging and competing in a global environment.

Availability

The Superintendent or designee shall implement, monitor, and evaluate the district's system/network for instructional and administrative purposes.

All users shall acknowledge that they understand that using digital devices, whether personal or school owned, and the school district network is a privilege and when using them in accordance with School District guidelines they will retain that privilege.

The Superintendent or designee shall develop and implement administrative guidelines, procedures, and user agreements, consistent with law and policy, which shall include but not be limited to the following:

- Digital devices, software, and networks shall be used in school for educational purposes and activities.
- An individual's personal information (including home/mobile phone numbers, mailing addresses, and passwords) and that of others shall be kept private.
- Individuals will show respect for themselves and others when using technology including social media.
- Users shall give acknowledgement to others for their ideas and work
- Users shall report inappropriate use of technology immediately

These procedures shall be reviewed annually by district administration together with students and teachers and shall provide a springboard for teaching and learning around topics such as internet safety, digital citizenship, and ethical use of technology.

Andover Public School District

Agreement for Use of APS-Approved Web 2.0 Tools

Dear Parent/Guardian:

This year your child's teacher(s) may be using online Web 2.0 tools to extend instruction beyond the classroom. These APS-approved tools and their guidelines can be found online at need to create webpage). Any use of these tools will be part of an educational activity or project.

It will be the student's responsibility to follow the rules of acceptable Internet and computer use (See Policy IJNDB-S). It will be the teachers' responsibility to ensure compliance with the Terms of Service for each individual approved online tool

RULES FOR ACCEPTABLE USE

- At no time will a student give out his/her password.
- Students must understand the use of any approved online tools is for educational purposes only as identified by a teacher. This is NOT a personal account.
- Good online citizenship and netiquette are expectations when using any online tools.

UNACCEPTABLE USES

- Use of this account for any illegal purpose.
- Using another student's account
- Posting specific personal information without proper permission
- Downloading or using copyrighted information without proper permission
- Posting or accessing information that is offensive, abusive, obscene, harassing, threatening, damaging to another's reputation, sexually oriented, or illegal
- Gaining unauthorized access to restricted resources or information

RULES FOR ACCEPTABLE USE

- Restriction of account privileges
- Cancellation of account
- Other disciplinary or legal action in accordance with the Student Code of Conduct and/or laws.

This *Agreement for Use of APS-Approved Web 2.0 Tools* must be renewed each year. Students who use these online tools must also have Internet Permission from a parent and/or guardian.

Dear Parents/Guardians,

Andover Public Schools will be utilizing **Google Apps for Education** for students in **GRADES 3-12**, teachers, and staff within district. This permission form describes the tools and student responsibilities for using these services. As with any educational endeavor, a strong partnership with families is essential to a successful experience.

The following services are available to each student and hosted by Google as part of Andover Public Schools online presence in Google Apps for Education:

- **Drive** - word processing, spreadsheet, drawing, and presentation tools; 30 GB of cloud-based storage
- **Calendar** - a student calendar providing the ability to organize schedules, daily activities, and assignments
- **Sites** - an academic and collaborative website creation tool
- **Search** - a great source of instant knowledge, providing answers about real-world places, people and things
- **Mail** - an academic email account for school use managed by the Andover Public Schools
- **Contacts**--a way to store and organize teacher and student information
- **Groups** - a way to send messages to groups of teachers and students

Using these tools, students collaboratively create, edit and share files as well as websites for school related projects and communicate via email with other students and teachers. These services are entirely online and available 24/7 from any Internet connected device. Examples of student use include showcasing class projects, building an electronic portfolio of school learning experiences, and working in small groups on presentations to share with others.

Technology use in Andover Public Schools is governed by federal laws including:
Children's Online Privacy Protection Act (COPPA)

COPPA applies to commercial companies and limits their ability to collect personal information from children under 13. By default, advertising is turned off for Andover School District's presence in Google Apps for Education. No personal student information is collected for commercial purposes. This permission form allows the school to act as an agent for parents in the collection of information within the school context. The school's use of student information is solely for education purposes.

-COPPA – <http://www.ftc.gov/privacy/coppafaqs.shtm>

Family Educational Rights and Privacy Act (FERPA)

FERPA protects the privacy of student education records and gives parents the rights to review student records. Under FERPA, schools may disclose directory information but parents may request the school not disclose this information. Parents are provided the opportunity annually to opt out of disclosing their student's directory information on the District's Enrollment Form.

-FERPA – <http://www.ed.gov/policy/gen/guid/fpco/ferp>

Guidelines for the responsible use of Google Apps for Education by students:

1. Official Email Address - All students will be assigned a username@k12.andoverma.us email account. This account will be considered the student's official APS email address until such time as the student is no longer enrolled with Andover Public Schools.

2. Prohibited Conduct - Please refer to the Andover Public Schools Student Handbook. Access to and use of student email is considered a privilege accorded at the discretion of the Andover Public School District. Additional personal accounts may not be created with the student's email. Andover Public Schools maintains the right to immediately withdraw the access and use of these services including email when there is reason to believe that violations of law or policies have occurred. In such cases, the alleged violation will be referred to a building Administrator for further investigation and adjudication.

3. Access Restriction - Access to and use of student email is considered a privilege granted at the discretion of the Andover Public Schools. The District maintains the right to immediately withdraw the access and use of these services including email when there is reason to believe that violations of law or District policies have occurred. In such cases, the alleged violation will be referred to a building Administrator for further investigation and adjudication.

4. Security - Andover Public Schools cannot and does not guarantee the security of electronic files located on Google Systems. Although Google does have a powerful content filter in place for email, the school system cannot assure that users will not be exposed to unsolicited information.

5. Privacy - The general right of privacy will be granted to the fullest extent possible in the electronic environment. Andover Public Schools and all electronic users should treat electronically stored information in individuals' files as confidential and private. However, users of student email are strictly prohibited from accessing files and information other than their own. The school system reserves the right to access the student's Google Apps for Education Account including current and archival files when there is reasonable suspicion that unacceptable use has occurred.

APPENDIX O – STATUTES and REGULATIONS RELEVANT TO STUDENT DISCIPLINE

EXPULSION FOR ASSAULT ON STAFF, POSSESSION OF WEAPONS, OR POSSESSION OF CONTROLLED SUBSTANCE

Chapter 71: Section 37H Policies relative to conduct of teachers or students; student handbooks

Section 37H. The superintendent of every school district shall publish the district's policies pertaining to the conduct of teachers and students. Said policies shall prohibit the use of any tobacco products within the school buildings, the school facilities or on the school grounds or on school buses by any individual, including school personnel. Copies of these policies shall be provided to any person upon request and without cost by the principal of every school within the district.

Each school district's policies pertaining to the conduct of students shall include the following: disciplinary proceedings, including procedures assuring due process; standards and procedures for suspension and expulsion of students; procedures pertaining to discipline of students with special needs; standards and procedures to assure school building security and safety of students and school personnel; and the disciplinary measures to be taken in cases involving the possession or use of illegal substances or weapons, the use of force, vandalism, or violation of other student's civil rights. Codes of discipline, as well as procedures used to develop such codes shall be filed with the department of education for informational purposes only.

In each school building containing the grades nine to twelve, inclusive, the principal, in consultation with the school council, shall prepare and distribute to each student a student handbook setting forth the rules pertaining to the conduct of students. The school council shall review the student handbook each spring to consider changes in disciplinary policy to take effect in September of the following school year, but may consider policy changes at any time. The annual review shall cover all areas of student conduct, including but not limited to those outlined in this section.

Notwithstanding any general or special law to the contrary, all student handbooks shall contain the following provisions:

(a) Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or a knife; or a controlled substance as defined in chapter ninety-four C, including, but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from the school or school district by the principal.

(b) Any student who assaults a principal, assistant principal, teacher, teacher's aide or other educational staff on school premises or at school-sponsored or school-related events, including athletic games, may be subject to expulsion from the school or school district by the principal.

(c) Any student who is charged with a violation of either paragraph (a) or (b) shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the principal.

After said hearing, a principal may, in his discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraph (a) or (b).

(d) Any student who has been expelled from a school district pursuant to these provisions shall have the right to appeal to the superintendent. The expelled student shall have ten days from the date of the expulsion in which to notify the superintendent of his appeal. The student has the right to counsel at a hearing before the superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section.

(e) Any school district that suspends or expels a student under this section shall continue to provide educational services

to the student during the period of suspension or expulsion, under section 21 of chapter 76. If the student moves to another district during the period of suspension or expulsion, the new district of residence shall either admit the student to its schools or provide educational services to the student in an education service plan, under section 21 of chapter 76.

(f) Districts shall report to the department of elementary and secondary education the specific reasons for all suspensions and expulsions, regardless of duration or type, in a manner and form established by the commissioner. The department of elementary and secondary education shall use its existing data collection tools to obtain this information from districts and shall modify those tools, as necessary, to obtain the information. On an annual basis, the department of elementary and secondary education shall make district level de-identified data and analysis, including the total number of days each student is excluded during the school year, available to the public online in a machine readable format. This report shall include district level data disaggregated by student status and categories established by the commissioner.

(g) Under the regulations promulgated by the department, for each school that suspends or expels a significant number of students for more than 10 cumulative days in a school year, the commissioner shall investigate and, as appropriate, shall recommend models that incorporate intermediary steps prior to the use of suspension or expulsion. The results of the analysis shall be publicly reported at the school district level.

SUSPENSION/EXPULSION FOR A FELONY CHARGE OR CONVICTION

Chapter 71: Section 37H 1/2 Felony complaint or conviction of student; suspension; expulsion; right to appeal

Section 37H1/2. Notwithstanding the provisions of section eighty-four and sections sixteen and seventeen of chapter seventy-six:

(1) Upon the issuance of a criminal complaint charging a student with a felony or upon the issuance of a felony delinquency complaint against a student, the principal or headmaster of a school in which the student is enrolled may suspend such student for a period of time determined appropriate by said principal or headmaster if said principal or headmaster 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 the reasons for such suspension prior to such suspension taking effect. The student shall also receive written notification of his right to appeal and the process for appealing such suspension; provided, however, that such suspension shall remain in effect prior to any appeal hearing conducted by the superintendent.

The student shall have the right to appeal the suspension to the superintendent. The student shall notify the superintendent in writing of his request for an appeal no later than five calendar days following the effective date of the suspension. The superintendent shall hold a hearing with the student and the student's parent or guardian within three calendar days of the student's request for an appeal. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The superintendent shall have the authority to overturn or alter the decision of the principal or headmaster, including recommending an alternate educational program for the student. The superintendent shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the city, town or regional school district with regard to the suspension.

(2) Upon a student being convicted of a felony or upon an adjudication or admission in court of guilt with respect to such a felony or felony delinquency, the principal or headmaster of a school in which the student is enrolled may expel said student if such principal or headmaster 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 such expulsion prior to such expulsion taking effect. The student shall also receive written notification of his right to appeal and the process for appealing such expulsion; provided, however, that the expulsion shall remain in effect prior to any appeal hearing conducted by the superintendent.

The student shall have the right to appeal the expulsion to the superintendent. The student shall notify the superintendent, in writing, of his request for an appeal no later than five calendar days following the effective date of the expulsion. The superintendent shall hold a hearing with the student and the student's parent or guardian within three calendar days of the expulsion. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The superintendent shall have the authority to overturn or alter the decision of the principal or headmaster, including recommending an alternate educational program for the student. The superintendent shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the city, town or regional school district with regard to the expulsion.

Any school district that suspends or expels a student under this section shall continue to provide educational services to the student during the period of suspension or expulsion, under section 21 of chapter 76. If the student moves to another district during the period of suspension or expulsion, the new district of residence shall either admit the student to its schools or provide educational services to the student under an education service plan, under section 21 of chapter 76.

SUSPENSION OR EXPULSION ON GROUNDS OTHER THAN THOSE SET FORTH IN SECS. 37H OR 37H1/2

Chapter 71: Section 37H 3/4 Suspension or expulsion on grounds other than those set forth in secs. 37H or 37H1/2.

Section 37H3/4. (a) This section shall govern the suspension and expulsion of students enrolled in a public school in the commonwealth who are not charged with a violation of subsections (a) or (b) of section 37H or with a felony under section 37H1/2.

(b) Any principal, headmaster, superintendent or other person acting as a decision-maker at a student meeting or hearing, when deciding the consequences for the student, shall exercise discretion; consider ways to re-engage the student in the learning process; and avoid using expulsion as a consequence until other remedies and consequences have been employed.

(c) For any suspension or expulsion under this section, the principal or headmaster of a school in which the student is enrolled, or a designee, shall provide, to the student and to the parent or guardian of the student, notice of the charges and the reason for the suspension or expulsion in English and in the primary language spoken in the home of the student. The student shall receive the written notification and shall have the opportunity to meet with the principal or headmaster, or a designee, to discuss the charges and reasons for the suspension or expulsion prior to the suspension or expulsion taking effect. The principal or headmaster, or a designee, shall ensure that the parent or guardian of the student is included in the meeting, provided that such meeting may take place without the parent or guardian only if the principal or headmaster, or a designee, can document reasonable efforts to include the parent or guardian in that meeting. The department shall promulgate rules and regulations that address a principal's duties under this subsection and procedures for including parents in student exclusion meetings, hearings or interviews under this subsection.

(d) If a decision is made to suspend or expel the student after the meeting, the principal or headmaster, or a designee, shall update the notification for the suspension or expulsion to reflect the meeting with the student. If a student has been suspended or expelled for more than 10 school days for a single infraction or for more than 10 school days cumulatively for multiple infractions in any school year, the student and the parent or guardian of the student shall also receive, at the time of the suspension or expulsion decision, written notification of a right to appeal and the process for appealing the suspension or expulsion in English and in the primary language spoken in the home of the student; provided, however, that the suspension or expulsion shall remain in effect prior to any appeal hearing. The principal or headmaster or a designee shall notify the superintendent in writing, including, but not limited to, by electronic means, of any out-of-school suspension imposed on a student enrolled in kindergarten through grade 3 prior to such suspension taking effect. That

notification shall describe the student's alleged misconduct and the reasons for suspending the student out-of-school. For the purposes of this section, the term "out-of-school suspension" shall mean a disciplinary action imposed by school officials to remove a student from participation in school activities for 1 day or more.

(e) A student who has been suspended or expelled from school for more than 10 school days for a single infraction or for more than 10 school days cumulatively for multiple infractions in any school year shall have the right to appeal the suspension or expulsion to the superintendent. The student or a parent or guardian of the student shall notify the superintendent in writing of a request for an appeal not later than 5 calendar days following the effective date of the suspension or expulsion; provided, that a student and a parent or guardian of the student may request, and if so requested, shall be granted an extension of up to 7 calendar days. The superintendent or a designee shall hold a hearing with the student and the parent or guardian of the student within 3 school days of the student's request for an appeal; provided that a student or a parent or guardian of the student may request and, if so requested, shall be granted an extension of up to 7 calendar days; provided further, that the superintendent, or a designee, may proceed with a hearing without a parent or guardian of the student if the superintendent, or a designee, makes a good faith effort to include the parent or guardian. At the hearing, the student shall have the right to present oral and written testimony, cross-examine witnesses and shall have the right to counsel. The superintendent shall render a decision on the appeal in writing within 5 calendar days of the hearing. That decision shall be the final decision of the school district with regard to the suspension or expulsion.

(f) No student shall be suspended or expelled from a school or school district for a time period that exceeds 90 school days, beginning the first day the student is removed from an assigned school building.

DESE REGULATIONS REGARDING PROCEDURES FOR STUDENT DISCIPLINE UNDER SECTION 37H3/4 (SECTIONS RELEVANT TO RIGHTS OF STUDENTS AND PROCEDURES ONLY) 603 CMR 53.00 – Student Discipline, effective July 1, 2014

53.06: Notice of Suspension and Hearing under Section §37H³/₄

(1) Except as provided in 603 CMR 53.07 and 603 CMR 53.10, a principal may not impose a suspension as a consequence for a disciplinary offense without first providing the student and the parent oral and written notice, and providing the student an opportunity for a hearing on the charge and the parent an opportunity to participate in such hearing.

(2) The principal shall provide oral and written notice to the student and the parent in English and in the primary language of the home if other than English, or other means of communication where appropriate. The 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 to attend the hearing;

- (e) the date, time, and location of the hearing;
- (f) the right of the student and the student's parent to interpreter services at the hearing if needed to participate;
- (g) if the student may be placed on long-term suspension following the hearing with the principal:
 - 1. the rights set forth in 603 CMR 53.08 (3)(b); and
 - 2. the right to appeal the principal's decision to the superintendent.

(3) The principal shall make reasonable efforts to notify the parent orally of the opportunity to attend the hearing. To conduct a hearing without the parent present, the principal must be able to document reasonable efforts to include the parent. The principal is presumed to have made reasonable efforts if the principal has sent written notice and has documented at least two (2) attempts to contact the parent in the manner specified by the parent for emergency notification.

(4) Written notice to the parent may be made by hand delivery, first-class mail, certified mail, email to an address provided by the parent for school communications, or any other method of delivery agreed to by the principal and parent.

53.07: Emergency Removal under Section 37H³/₄

(1) Nothing in these regulations shall prevent a principal from removing a student from school temporarily 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 principal shall immediately notify the superintendent in writing of the removal and the reason for it, and describe the danger presented by the student. The temporary removal shall not exceed two (2) school days following the day of the emergency removal, during which time the principal shall:

- (a) Make immediate and reasonable efforts to orally notify the student and the student's parent of the emergency removal, the reason for the need for emergency removal, and the other matters set forth in 603 CMR 53.06(2);
- (b) Provide written notice to the student and parent as provided in 603 CMR 53.06(2);
- (c) Provide the student an opportunity for a hearing with the principal that complies with 603 CMR 53.08(2) or 53.08(3), as applicable, and the parent an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the principal, student, and parent.
- (d) Render a decision orally on the same day as the hearing, and in writing no later than the following school day, which meets the requirements of 603 CMR 53.08(2)(c) and 53.08(2)(d) or 603 CMR 53.08(3)(c) and 53.08(3)(d), as applicable.

(2) A principal may not remove a student from school on an emergency basis for a disciplinary offense until adequate provisions have been made for the student's safety and transportation.

53.08: Principal's Hearing under Section 37H³/₄

(1) The principal shall determine the extent of the rights to be afforded the student at a disciplinary hearing based on the anticipated consequences for the disciplinary offense. If the consequence may be long-term

suspension from school, the principal shall afford the student, at a minimum, all the rights set forth in 603 CMR 53.08(3) in addition to those rights afforded to students who may face a short-term suspension from school.

(2) Principal Hearing - Short-term Suspension

(a) 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 committed the disciplinary offense, and if so, the consequences for the infraction. At a minimum, the principal shall discuss the disciplinary offense, the basis for the charge, and any other pertinent information. The student also shall have an opportunity to present information, including mitigating facts, that the principal should consider in determining whether other remedies and consequences may be appropriate as set forth in 603 CMR 53.05. The principal shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the principal should consider in determining consequences for the student.

(b) Based on the available information, including mitigating circumstances, the principal shall determine whether the student committed the disciplinary offense, and, if so, what remedy or consequence will be imposed.

(c) The principal shall notify the student and parent of the determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal, as provided in 603 CMR 53.13(1). The determination shall be in writing and may be in the form of an update to the original written notice.

(d) If the student is in a public preschool program or in grades K through 3, the principal shall send a copy of the written determination to the superintendent and explain the reasons for imposing an out-of-school suspension, before the short-term suspension takes effect.

(3) Principal Hearing - Long-term Suspension

(a) The purpose of the hearing is the same as the purpose of a short-term suspension hearing.

(b) At a minimum, in addition to the rights afforded a student in a short-term suspension hearing, the student shall have the following rights:

1. 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;
2. the right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense;
3. 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;
4. the right to cross-examine witnesses presented by the school district;
5. the right to request that the hearing be recorded by the principal, and to receive a copy of the audio recording upon request. If the student or parent requests an audio recording, the principal shall inform all participants before the hearing that an audio record will be made and a copy will be provided to the student and parent upon request.

(c) The principal shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the principal should consider in determining consequences for the student.

(d) Based on the evidence, the principal shall determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension as set forth in 603 CMR 53.05, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension. The principal shall send the written determination to the student and parent by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or any other method of delivery agreed to by the principal and the parent. If the principal decides to suspend the student, the written determination shall:

1. Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing;
2. Set out the key facts and conclusions reached by the principal;
3. Identify the length and effective date of the suspension, as well as a date of return to school;
4. Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school as provided in 603 CMR 53.13(4)(a);
5. Inform the student of the right to appeal the principal's decision to the superintendent or designee, but only if the principal has imposed a long-term suspension. Notice of the right of appeal shall be in English and the primary language of the home if other than English, or other means of communication where appropriate, and shall include the following information stated in plain language:
 - a) the process for appealing the decision, including that the student or parent must file a written notice of appeal with the superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent may request and receive from the superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days; and that
 - b) the long-term suspension will remain in effect unless and until the superintendent decides to reverse the principal's determination on appeal.

(e) If the student is in a public preschool program or in grades K through 3, the principal shall send a copy of the written determination to the superintendent and explain the reasons for imposing an out-of-school suspension, whether short-term or long-term, before the suspension takes effect.

53.09: Superintendent's Hearing under Section 37H^{3/4}

(1) A student who is placed on long-term suspension following a hearing with the principal shall have the right to appeal the principal's decision to the superintendent.

(2) The student or parent shall file a notice of appeal with the superintendent within the time period set forth 603 CMR 53.08 (3) (c) 5.a). If the appeal is not timely filed, the superintendent may deny the appeal, or may allow the appeal in his or her discretion, for good cause.

(3) The superintendent shall hold the hearing within three (3) school days of the student's request, unless the student or parent requests an extension of up to seven (7) additional calendar days, in which case the superintendent shall grant the extension.

(4) The superintendent shall make a good faith effort to include the parent in the hearing. The superintendent shall be presumed to have made a good faith effort if he or she has made efforts to find a day and time for the hearing that would allow the parent and superintendent to participate. The superintendent shall send written notice to the parent of the date, time, and location of the hearing.

(5) The superintendent shall conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence shall be. The superintendent shall arrange for an audio recording of the hearing, a copy of which shall be provided to the student or parent upon request. The superintendent shall inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent upon request.

(6) The student shall have all the rights afforded the student at the principal's hearing for long-term suspension under 603 CMR 53.08(3)(b).

(7) The superintendent shall issue a written decision within five (5) calendar days of the hearing which meets the requirements of 603 CMR 53.08(3)(c)1 through 5. If the superintendent determines that the student committed the disciplinary offense, the superintendent may impose the same or a lesser consequence than the principal, but shall not impose a suspension greater than that imposed by the principal's decision.

(8) The decision of the superintendent shall be the final decision of the school district, charter school, or virtual school, with regard to the suspension.

53.10: In-School Suspension under Section 37H³/₄

(1) The principal may use in-school suspension as an alternative to short-term suspension for disciplinary offenses.

(2) The principal may impose an in-school suspension for a disciplinary offense under this provision, provided that the principal follows the process set forth in 603 CMR 53.10(3) through 603 CMR 53.10(5) and the student has the opportunity to make academic progress as set forth in 603 CMR 53.13(1).

(3) 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 10 days, cumulatively or consecutively, in a school year.

(4) 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 (2) attempts to do so, such attempts shall constitute reasonable efforts for purposes of orally informing the parent of the in-school suspension.

(5) 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 in 603 CMR 53.10(4), 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.

53.11: Emergency Removal [from privileges] under Section 37H^{3/4}

The principal may remove a student from privileges, such as extracurricular activities and attendance at school-sponsored events, based on the student's misconduct. Such a removal is not subject to the procedures in G.L. c. 71, § 37H^{3/4} or 603 CMR 53.00.

53.12: Disciplinary Offenses under Section 37H or 37H^{1/2}

(1) School districts shall adopt disciplinary policies and procedures applicable to a student who is accused of a disciplinary offense under G.L. c. 71, §§37H or 37H- ¹/₂. Such policies and procedures shall be consistent with the applicable statute and provide due process of law.

(2) The principal may remove a student who has committed a disciplinary offense under G.L. c. 71, §§37H or 37H^{1/2} from school for more than ninety (90) days in a school year.

(3) Any student who is removed from school for a disciplinary offense under G.L. c. 71, §37H or §37H^{1/2} shall have an opportunity to receive education services and make academic progress during the period of removal, as provided in 603 CMR 53.13.

53.13: Education Services and Academic Progress under Sections 37H, 37H^{1/2}, and 37H^{3/4}

(1) Any student who is serving an in-school suspension, short-term suspension, long-term suspension, or expulsion shall have the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal from the classroom or school. The principal shall inform the student and parent of this opportunity in writing when such suspension or expulsion is imposed.

(2) Any student who is expelled or suspended from school for more than ten (10) consecutive days, whether in school or out of school, shall have an opportunity to receive education services and make academic progress toward meeting state and local requirements, through the school-wide education service plan.

(3) The principal shall develop a school-wide education service plan describing the education services that the school district will make available to students who are expelled or suspended from school for more than ten (10) consecutive days. The plan shall include the process for notifying such students and their parents of the services and arranging such services. Education services shall be based on, and be provided in a manner consistent with, the academic standards and curriculum frameworks established for all students under G.L. c 69, §§ 1D and 1F.

(4) Notice of Education Services for Students in Long-Term Suspension and Expulsion; Enrollment Reporting.

(a) The principal shall notify the parent and student of the opportunity to receive education services at the time the student is expelled or placed on long-term suspension. Notice shall be provided in English and in the primary language spoken in the student's home if other than English, or other means of communication where appropriate. The notice shall include a list of the specific education services that

are available to the student and contact information for a school district staff member who can provide more detailed information.

(b) For each student expelled or suspended from school for more than ten (10) consecutive days, whether in-school or out-of-school, the school district shall document the student's enrollment in education services. For data reporting purposes, the school shall track and report attendance, academic progress, and such other data as directed by the Department.