

STUDENT POLICIES GOALS

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

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

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

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

LEGAL REF.: 603 CMR 26:00

EQUAL EDUCATIONAL OPPORTUNITIES

In recognition of the diversified characteristics and needs of our students and with the keen desire to be responsive to them, the School Committee will make every effort to protect the dignity of the students as individuals. It also will offer careful consideration and sympathetic understanding of their personal feelings, particularly with reference to their race, color, sex, gender identity, religion, national origin, immigration status, sexual orientation, physical and intellectual differences, pregnancy or pregnancy related condition.

To accomplish this, the Committee and its staff will make every effort to comply with the letter and the spirit of the Massachusetts equal educational opportunities law which prohibits discrimination in public school admissions and programs. The law reads as follows:

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

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

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

LEGAL REFS.: Title VI, Civil Rights Act of 1964
Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972
Executive Order 11246, as amended by E.O. 11375
Title IX, Education Amendments of 1972
M.G.L. 76:5; 76:16 (Chapter 622 of the Acts of 1971)
BESE regulations 603 CMR 26:00
BESE regulations 603 CMR 28.00

CROSS REF.: AC, Nondiscrimination

ATTENDANCE AREAS

Attendance areas for the various schools of the town will be drawn up by the Superintendent and approved by the School Committee. The primary considerations that govern the establishment of a school attendance area are school capacity and transportation considerations. Generally, students will attend the school in the attendance area in which they live.

In establishing an attendance area, the following general guidelines will also be applied:

1. Use of safe walking conditions consistent with the Committee's transportation policies; where possible, major traffic thoroughfares and natural barriers will be used for boundaries.
2. Honoring community of interest; where possible, school attendance zones will incorporate community patterns.

From time to time an overcrowded condition in an existing school, the development of new residential areas, or the opening of a new school may require the establishment or change of previously established school attendance areas.

The Committee will confer with community representatives prior to setting new attendance lines. However, the Committee's primary basis for judgment must be equality of educational opportunity for all students rather than the personal desires of any one group.

The Superintendent is authorized to make exceptions to attendance lines for individual children in the best interests of the student and/or the school.

LEGAL REFS.: M.G.L. 71:37C; 71:37D; 71:37I; 71:37J
603 CMR 17.00
603 CMR 26.00

CROSS REF.: JCA, Assignment of Students to Schools

ASSIGNMENT OF STUDENTS TO SCHOOLS

Generally, students will be required to attend school in the attendance area in which they reside, unless the Superintendent has granted special permission.

Special permission may be granted for the following reasons:

1. If the change involves a hardship case or if there are medical considerations.
2. If the change appears to be in the interests of the student(s), of the schools, or for disciplinary or administrative reasons.
3. If the legal residence of a child changes from one attendance area to another during the school year and the parent/guardians wish the child to remain in his former school; permission will not extend beyond the current school year.
4. To permit secondary school students to take courses not offered in their assigned schools.

If there is over enrollment in a grade level at any of the elementary schools, the elementary school principals will assign any student who registers for kindergarten through Grade 5 on or after June 1 to a school that has not reached maximum class size per policy.

School bus transportation will not be provided for students attending schools outside their attendance area unless they can be accommodated on existing bus routes and schedules or a hardship is involved; or unless specific permission is granted by the Superintendent.

LEGAL REFS.: M.G.L. 71:37C; 71:37D; 71:37I; 71:37J
603 CMR 17.00
603 CMR 26.00

CROSS REF.: IIB, Classroom Staffing
JC, Attendance Areas

RESIDENCY, SCHOOL ADMISSIONS AND ENTRANCE AGE

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

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

In circumstances where the child’s parent/guardians do not live together the child’s “actual residence” shall be that of the parent/guardian with sole physical custody. In a case of shared physical custody, the child’s place of “actual residence” shall include the Town of Andover if at least one of the parent/guardians has “actual residence” in the Town of Andover. The terms “sole physical custody” and “shared physical custody” shall have the definitions set forth in law. The School District is entitled to documented legal proof of shared physical custody.

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

ENTRANCE AGE

1. Kindergarten: To be admitted to kindergarten, a child must be five years old on or before August 31 of the current year.
2. A physical examination by a physician before admission is required of all students.
3. A copy of the student’s birth certificate is required before admission.
4. First Grade. To be admitted to the first grade, a child must be six years of age on or before August 31 of the current school year.
5. At the time of registration, parent or guardian must complete a “Affidavit of Residency” form for each student registered.
6. A child who moves to the Town of Andover from another community during his/her public school kindergarten year, will be allowed to continue in kindergarten and will be allowed to enter grade 1 of the following year, if the kindergarten year is successfully completed.
7. A child who moves to the Town of Andover during the summer following successful completion of public school kindergarten in another community will be allowed to enter Grade 1 in the coming year.

Exceptions:

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

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

The Superintendent shall receive applications from international students and may, at his/her discretion, require formal papers attesting to the health, character, motives, ability to communicate in English, and other criteria which he/she may deem pertinent.

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

LEGAL REFS: M.G.L. c. 76:5; 76:6; 208:31

CROSS REFS.: JFABD, Homeless Students: Enrollment Rights and Services
JFBB, School Choice
JLCA, Physical Examination of Students
JLCB, Immunization of Students

ADMISSION PROCEDURES / RESIDENCY REQUIREMENTS

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

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

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

Enforcement

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

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

Penalties

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

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

ADMISSION OF POTENTIAL RESIDENTS

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

1. A student whose parents or legal guardian are planning to move into an existing dwelling in the district during the first or second grading period of a school year may be granted provisional permission to enroll in the district schools at the beginning of that grading period, provided that the anticipated date of residence is within 60 calendar days of the beginning of the grading period. The parents or legal guardian must provide the anticipated date of residence and in support must produce an executed lease or an executed purchase and sale agreement with documentation of financing consistent with that anticipated date, as well as an executed affidavit in a form satisfactory to the Superintendent verifying the information.
2. A student whose parents or legal guardian are planning to establish residence in a newly-constructed dwelling in the district during the school year may be granted provisional permission to enroll in the district schools at the beginning of a grading period, provided that the anticipated date of residence is within 60 calendar days of the beginning of the grading period. The parents or legal guardian must provide the anticipated date of residence and in support must produce a certificate of occupancy consistent with that anticipated date, as well as an executed affidavit in a form satisfactory to the Superintendent verifying the information.
3. If a student is allowed to enroll in accordance with either of paragraphs 1 or 2, above, the parents or legal guardian shall be responsible for the student's transportation to and from school until actual residence is established.
4. In either of the circumstances described in paragraphs 1 or 2, above, in which actual residence is not established by the last date of the grading period, there shall be no entitlement to enrollment for the next grading period; continued enrollment shall be denied; and the student shall be required to transfer to the district of actual residence. The foregoing shall be subject to the discretion of the Superintendent in cases of extraordinary circumstances or undue hardship, based on the Superintendent's assessment of the facts consistent with the residency standards set forth in this Policy Manual.
5. A copy of this Policy shall be given to the parents or legal guardian at the time of enrollment and they shall be required to sign a form acknowledging that they have read this Policy, that they fully understand all of its terms and requirements, and that they agree to be bound by such terms and requirements.

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

ADMISSION OF TRANSFER STUDENTS FROM CHARTER SCHOOLS

The school district will enroll and place students who have left Commonwealth charter schools by adhering to the same policies and procedures in place for any other student enrolling in the school district including, but not limited to, examination of the course of study and level of academic attainment of the student when determining the student's appropriate grade placement or eligibility for high school graduation.

To the same extent provided for other students enrolling in the school district, students who enroll in the school district from a Commonwealth charter school shall be subject to the graduation requirements of the school district, may have certain graduation requirements waived, and may make-up certain graduation requirements.

LEGAL REFS.: Chapter 12, Section 11 of the Acts of 2010

HOMELESS STUDENTS: ENROLLMENT RIGHTS AND SERVICES

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

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

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

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

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

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

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

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

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

LEGAL REFS.: The McKinney-Vento Act and Title I Part A, as Amended by the Every Student Succeeds Act of 2015

EDUCATIONAL OPPORTUNITIES FOR MILITARY CHILDREN

In an effort to facilitate the placement, enrollment, graduation, data collection and provision of special services for students transferring into or out of the District because of their parent/guardians being on active duty in the U.S. Armed Services, the District supports and will implement its responsibilities as outlined in the Interstate Compact on Educational Opportunity for Military Children. The School Committee believes it is appropriate to remove barriers to educational success imposed on children of military families because of their parent/guardians' frequent moves and deployment.

Definitions

Children of military families means school aged children, enrolled in kindergarten through 12th grade, in the household of an active duty member of the uniformed service of the United States, including members of the National Guard and Reserve serving on active duty.

Deployment means the period one month before the service members' departure from their home station on military orders through six months after return to their home station.

Education(al) records means official records, files, and data directly related to a student and maintained by the school including, but not limited to, records encompassing all the material kept in the student's cumulative folder.

The requirements, applicable to eligible students, which must be fulfilled, are listed below. Eligible students are those who are children of active duty personnel, active duty personnel or veterans who have been severely injured and medically discharged, and active duty personnel who die on active duty within one year of service. Students are not eligible for the provisions of the Compact if they are children of inactive Guard or Reserves, retired personnel, veterans not included above or U.S. Department of Defense personnel and other federal civil service employees and contract employees.

The District's responsibilities to eligible children include the following:

- Sending schools must send either official or unofficial records with the moving students and District receiving schools must use those records for immediate enrollment and educational placement.
- Simultaneously, the receiving school must request official records and the sending schools shall respond within 10 days with the records.
- Immunization requirements of the District may be met within 30 days from the date of enrollment (or be in progress).

- Receiving schools must initially honor placement of students in all courses from the sending school. These include, but are not limited to, Honors, International Baccalaureate, Advanced Placement, vocational-technical, and career pathway courses if those courses are offered in the receiving school and space is available. The receiving schools must also initially honor placement of like programs to those of the student in the sending state, including, but not limited to, Gifted and Talented programs, and English as a Second Language programs. Receiving schools are not precluded from performing subsequent evaluation to ensure the appropriate placement and continued enrollment of the student in courses and programs.
- In compliance with federal law, special education students must be placed by the existing IEP with reasonable accommodations in the receiving school.
- The District will exercise, as deemed appropriate, the right to waive prerequisites for all courses and programs, while also maintaining its right to re-evaluate the student to ensure continued enrollment, as deemed appropriate.
- Students of active duty personnel shall have additional excused absences at the discretion of the District for visitations relative to leave or deployment.
- An eligible student living with a noncustodial parent/guardian or other person standing in loco parentis shall be permitted to attend the school in which he or she was enrolled while living without the custodial parent/guardian without any tuition fee imposed.
- The District high school will accept exit or end-of-year exams required from the sending state, national norm-referenced tests, or alternate testing instead of testing requirements for graduation in the District (receiving state.) If this is not possible, the alternative provision of the Interstate Compact shall be followed in order to facilitate the on-time graduation of the student in accordance with Compact provisions.

LEGAL REFS: M.G. L. 15E;
Interstate Compact on Educational Opportunity for Military Children

EDUCATION OPPORTUNITIES FOR CHILDREN IN FOSTER CARE

The purpose of this policy is to ensure the educational stability of students in foster care and their equal access to the same free and appropriate public education through high school graduation as provided to other students as required by law. Educational stability has a lasting impact on students' academic achievement and wellbeing, and the School Committee is committed to supporting district and community efforts to ensure that students in foster care have access to high-quality, stable educational experiences.

The law requires that foster care students continue to attend their school of origin, unless after a collaborative decision-making process it is determined to be in the student's best interest to enroll in and attend school in the district in which a foster care provider or facility is located (if different). The law also requires that when it is not in the student's best interest to remain in the school of origin, the student is immediately enrolled and attending in a new school district, even if records normally required for enrollment cannot be quickly produced. Additionally, the law requires the Department of Children and Families (DCF), The Department of Elementary and Secondary Education (DESE), and the school district to designate points of contact; and also that the district collaborate with DCF to ensure that students will receive transportation to the school of origin if needed.

Best Interest Determination

Decisions about whether a student in foster care should continue to attend the school of origin should be made collaboratively by DCF, the student (as appropriate), the student's family and/or foster family (and if different, the person authorized to make educational decisions on behalf of the student), the school and district of origin, and (when different) the local district where the student is placed. Best interest determinations should focus on the needs of each individual student and take into account a variety of factors. Every effort should be made to reach agreement regarding the appropriate school placement of a student in foster care. However, if there is disagreement regarding school placement for a student in foster care, DCF will finalize the best interest determination.

The district can seek review of DCF's decision by utilizing a Foster Care School Selection Dispute Resolution Process established by DESE and DCF. Decisions made through this process are not subject to review. Under the law, to promote educational stability, students should continue to attend their schools of origin while best interest determinations are being made.

Transportation

The district of origin must collaborate with DCF on how transportation will be provided and arranged to ensure that students in foster care who need transportation to remain in their school of origin will receive such transportation while they are in foster care.

Transportation options may include using Title I funds, establishing regional collaborations among districts, coordinating with existing routes for transportation, seeking help from foster parent(s), etc. Absent other agreements between the district and DCF, the district of origin is responsible for providing transportation to and from the school of origin.

Immediate Enrollment

If it is in the best interest of a student in foster care to leave the school of origin, the student must be enrolled in school in the local school district immediately. To minimize disruption of the student's education, the law requires the district to enroll the student in a new school right away, without waiting to receive the typical student enrollment documentation (other than emergency contact information). The enrolling school must immediately contact the child's school and district of origin to obtain the relevant records and documentation, and the school and district of origin should immediately transfer those records.

To facilitate enrollment, DCF representatives will present the district with a form that indicates that the student is in foster care, along with their state-agency identification badge, when enrolling students.

LEGAL REFS: *Every Student Succeeds Act (ESSA)*;
 Fostering Connections to Success and Increasing Adoptions Act of 2008
 (*Fostering Connections Act*)

SCHOOL CHOICE

It is the policy of this School District to admit non-resident students under the terms and conditions of the Interdistrict School Choice Law and under the following local conditions:

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

LEGAL REFS.: M.G.L. 71:6; 71:6A; 76:6; 76:12; 76:12B
BESE Regulations 603 CMR 26.00

STUDENT ABSENCES AND EXCUSES

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

Therefore, students may be excused temporarily from school attendance for the following reasons: illness or quarantine; bereavement or serious illness in family; weather so inclement as to endanger the health of the child; and observance of major religious holidays.

A child may also be excused for other exceptional reasons with approval of the Principal or designee.

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

A student's understanding of the importance of day-to-day schoolwork is an important factor in the shaping of their character. Parent/guardians can help their children by not allowing them to miss school needlessly. Accordingly, parent/guardians will provide a written explanation for the absence or tardiness of a child. This will be required in advance for types of absences where advance notice is possible.

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

Student Absence Notification Program

Each Principal, by whatever title they may be known, will notify a student's parent/guardian within 3 days of the student's absence in the event the parent/guardian has not informed the school of the absence.

Each Principal, by whatever title they may be known, or designee shall make a reasonable effort to meet with any student, and that student's parent/guardian, who has missed five (5) or more unexcused school days (a school day shall be equal to two (2) or more class periods in the same day) in a school year. The meeting shall be to develop action steps to improve student attendance and shall be developed jointly by the Principal or designee, the student, and the student's parent/guardian. The parties may seek input from other relevant school staff and/or officials from relevant public safety, health and human service, housing, and nonprofit agencies.

Dropout Prevention

No student who has not graduated from high school shall be considered permanently removed from school unless the Principal has sent notice to a student, and that student's parent/guardian, who has been absent from school for ten (10) consecutive days of unexcused absence. The notice shall be sent within five (5) days of the tenth consecutive day of absence and shall offer at least 2 dates and times within the next ten (10) days for an exit interview with the Superintendent or designee, the student, and the student's parent/guardian. The notice shall be in both English and the primary language of the home, if

applicable. The notice shall include contact information for scheduling the exit interview and shall indicate the parties shall reach an agreement on the date/time of the interview within the ten (10) day timeframe. The timeframe may be extended at the request of the parent/guardian and no extension shall exceed 14 days.

The Superintendent or designee may proceed with any interview without a parent/guardian present, provided the Superintendent has documented a good faith effort to include the parent/guardian.

The Superintendent or designee shall convene a team of school staff to participate in the exit interview and shall provide information to the student and, if applicable, the student's parent/guardian on the detrimental effects of early withdrawal from school and the alternative education programs and services available to the student.

LEGAL REFS.: M.G.L. [76:1](#); 76:1B; [76:16](#); 76:18; [76:20](#)

EXCLUSIONS AND EXEMPTIONS FROM SCHOOL ATTENDANCE

Denial of Admission

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

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

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

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

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

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

CROSS REFS: JLCB Immunization of Students

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

STUDENT RIGHTS AND RESPONSIBILITIES

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

Among these rights and responsibilities are the following:

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

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

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

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

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

STUDENT INVOLVEMENT IN DECISION-MAKING

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

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

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

Student Advisory Committee

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

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

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

STUDENT DISCIPLINE

The School Committee believes that all students deserve every opportunity to achieve academic success in a safe, secure learning environment. Good citizenship in schools is based on respect and consideration for the rights of others. Students will be expected to conduct themselves in a way that the rights and privileges of others are not violated. They will be required to respect constituted authority, to conform to school rules and to those provisions of law that apply to their conduct.

Each Principal shall include prohibited actions in the student handbook or other publication to be made available to students and parent/guardians.

Principals and staff shall not use academic punishment of any form as a consequence to inappropriate behaviors/actions by students.

The Principal may, as a disciplinary measure, 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 remainder of this policy, law, or regulation.

The Superintendent shall provide each Principal with a copy of the regulations promulgated by DESE and shall have each Principal sign a document acknowledging receipt thereof, which shall be placed in their personnel file.

Suspension

In every case of student misconduct for which suspension may be imposed (except for offenses referenced in the note at the end of this policy), a Principal shall consider ways to re-engage the student in learning; and avoid using long-term suspension from school as a consequence until alternatives have been tried. Alternatives may include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and positive behavioral interventions and supports.

Notice of Suspension:

Except for emergency removal or an in-school suspension of less than 10 days, a Principal must provide the student and the parent/guardian oral and written notice, and provide the student an opportunity for a hearing and the parent/guardian an opportunity to participate in such hearing before imposing suspension as a consequence for misconduct. The Principal shall provide both oral and written notice to student and parent/guardian in English and in the primary language of the home if other than English. The notice shall include the rights enumerated in law and regulation. To conduct a hearing without a parent/guardian present, the Principal must be able to document reasonable efforts to include the parent/guardian.

Emergency Removal

A Principal may remove 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 including a description of 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: Make immediate and reasonable efforts to orally notify the student and the student's parent/guardian of the emergency removal, the reason for the need for emergency removal, and the other matters required in the notice as referenced in the applicable regulation; Provide written notice to the student and parent/guardian as required above; Provide the student an opportunity for a hearing with the Principal that complies with applicable regulations, and the parent/guardian 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/guardian; 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 applicable law and regulation.

A Principal shall also ensure adequate provisions have been made for the student's safety and transportation prior to removal.

In School Suspension – not more than 10 days consecutively or cumulatively

The Principal may use in-school suspension as an alternative to short-term suspension for disciplinary offenses.

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 regulation and the student has the opportunity to make academic progress as required by law and regulation.

Principal's Hearing – Short Term Suspension of up to 10 days

The hearing with the Principal shall be 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 law and regulation.

The Principal shall provide the parent/guardian, 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.

The Principal shall, based on the available information, including mitigating circumstances, determine whether the student committed the disciplinary offense, and, if so, what remedy or consequence will be imposed.

The Principal shall notify the student and parent/guardian 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 required by law and regulation. The determination shall be in writing and may be in the form of an update to the original written notice.

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.

Principal's Hearing – Long Term Suspension of more than 10 days but not more than 90 days (consecutive or cumulative)

The hearing with the Principal shall be 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, in addition to the rights afforded a student in a short-term suspension hearing, the student shall have the following rights: 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; The right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense; 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; The right to cross-examine witnesses presented by the school district; 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/guardian 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/guardian upon request.

The Principal shall provide the parent/guardian, 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.

The Principal shall, based on the evidence, determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension as required by law and regulation, 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/guardian by hand-delivery, certified mail, first-class mail, email to an address provided by the parent/guardian for school communications, or any other method of delivery agreed to by the Principal and the parent/guardian.

If the Principal decides to suspend the student, the written determination shall: Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing; Set out the key facts and conclusions reached by the Principal; Identify the length and effective date of the suspension,

as well as a date of return to school; Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school as required by law and regulation; 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: The process for appealing the decision, including that the student or parent/guardian 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/guardian 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 the long-term suspension will remain in effect unless and until the Superintendent decides to reverse the Principal's determination on appeal.

If the student is in 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 suspension takes effect.

Superintendent's Hearing

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.

The student or parent/guardian shall file a notice of appeal with the Superintendent within the time period noted above (see Principal's hearing – Suspension of more than 10 days). 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.

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

The Superintendent shall make a good faith effort to include the parent/guardian 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/guardian and Superintendent to participate. The Superintendent shall send written notice to the parent/guardian of the date, time, and location of the hearing.

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/guardian 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/guardian upon request. The student shall have all the rights afforded the student at the Principal's hearing for long-term suspension.

The Superintendent shall issue a written decision within five (5) calendar days of the hearing which meets the requirements of law and regulation. 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. The decision of the Superintendent shall be the final decision of the school district with regard to the suspension.

Expulsion

Expulsion is defined as the removal of a student from school for more than ninety (90) school days indefinitely, or permanently as allowed by law for possession of a dangerous weapon; possession of a controlled substance; assault on a member of the educational staff; or a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a Principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

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

Any student expelled from school for such an offense shall be afforded due process rights to a hearing with the Principal and appeal to the Superintendent in accordance with this policy.

Academic Progress

Any student who is suspended or expelled shall have the opportunity to earn credits, 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/guardian of this opportunity in writing, in English and in the primary language of the home, when such suspension or expulsion is imposed.

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.

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 parent/guardians 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 the law.

The Principal shall notify the parent/guardian 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.

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 of Elementary and Secondary Education.

Reporting

The school district shall collect and annually report data to the DESE regarding in-school suspensions, short- and long-term suspensions, expulsions, emergency removals, access to education services, and such other information as may be required by the DESE.

The Principal of each school shall periodically review discipline data by selected student populations, including but not limited to race and ethnicity, gender, socioeconomic status, English language learner status, and student with a disability status in accordance with law and regulation.

LEGAL REF: M.G.L. [71:37H](#); [71:37H ½](#); 71:37H ¾; 76:17; 603 CMR 53.00

NOTE: The DESE regulations on student discipline and this policy, consistent with law, set forth the minimum procedural requirements applicable to the suspension of a student for a disciplinary offense other than: possession of a dangerous weapon; possession of a controlled substance; assault on a member of the educational staff; or a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a Principal determines that the student's continued presence in the school would have a substantial detrimental effect on the general welfare of the school, as provided in M.G.L. c. 71, S. 37H or 37H½. The Principal, pursuant to the previously referenced statute may remove a student who has committed any of the disciplinary offenses above referenced from school for more than 90 days in a school year. Except that the removal from school for such offenses is subject to the provision of continuing educational services needed to make academic progress and, the requirement that all school districts regardless of the type of offense shall report school discipline data and analysis to DESE. Also, the prohibited actions above referenced are subject to the provision that allows the Commissioner to investigate each school that has a significant number of students suspended and expelled for more than 10 cumulative days in a school year and to make recommendations thereon.

STUDENT DRESS CODE

The responsibility for the dress and appearance of the students will rest with individual students and parent/guardians.

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

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

STUDENT CONDUCT ON SCHOOL BUSES

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

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

STUDENT PUBLICATIONS

Within the school setting, students enjoy the constitutional right of freedom of expression, including the right to express their views in student publications, provided such expression does not cause, or threaten to cause by reasonable forecast by school officials, any disruption or disorder in the school. Additionally, such constitutional right of freedom of expression does not include expression which is obscene, defamatory, or advocates violence or illegality where such advocacy is imminently likely to incite the commission of such acts to the detriment of school security, or which can reasonably be forecast to cause substantial disruption or material interference with school activities.

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

Student publications will be encouraged to comply with the rules for responsible journalism. Students shall affix their names to all articles or editorials written by or contributed to by them. The Superintendent will establish guidelines that are in keeping with this policy and provide for review of student publications prior to their distribution, to address matters that are not protected forms of expression.

Each student publication shall contain the following: "Pursuant to state law, no expression made by students in the exercise of such rights shall be deemed to be an expression of school policy and no school officials shall be held responsible in any civil or criminal action for any expression made or published by the students."

Distribution of Literature

The time, place and manner of distribution of literature will be reasonably regulated by the Principal.

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

GANG ACTIVITY/SECRET SOCIETIES

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

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

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

Symbols

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

Prevention Education

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

SECRET SOCIETIES

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

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

PROHIBITION OF HAZING

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

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

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

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

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

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

LEGAL REF.: M.G.L. 269:17, 18, 19

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.

BULLYING PREVENTION

The School Committee is committed to providing a safe, positive and productive educational environment where students can achieve the highest academic standards. No student shall be subjected to harassment, intimidation, bullying, or cyber-bullying.

“Bullying” is the repeated use by one or more students or school staff members of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, directed at a target that:

- causes physical or emotional harm to the target or damage to the target’s property;
- places the target in reasonable fear of harm to him/herself, or of damage to his/her property;
- creates a hostile environment at school for the target;
- infringes on the rights of the target at school; or
- materially and substantially disrupts the education process or the orderly operation of a school.

“Cyber-bullying” means 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 the creation of a web page or blog in which the creator assumes the identity of another person or knowingly impersonates another person as author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in 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 the definition of bullying.

Bullying and cyber-bullying may occur in and out of school, during and after school hours, at home and in locations outside of the home. When bullying and cyber-bullying are alleged, the full cooperation and assistance of parent/guardians and families are expected.

For the purpose of this policy, whenever the term bullying is used it is to denote either bullying, or cyber-bullying.

Bullying is prohibited:

- On school grounds;
- On property immediately adjacent to school grounds;
- At school-sponsored or school-related activities;
- At school functions or programs whether on or off school grounds
- At school bus stops;
- On school buses or other vehicles owned, leased or used by the school district; or,
- Through the use of technology or an electronic device owned, leased or used by the school district;

Bullying and cyber-bullying are prohibited 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 the school district if the act or acts in question:

- create a hostile environment at school for the target;
- infringe on the rights of the target at school; and/or
- materially and substantially disrupt the education process or the orderly operation of a school.

Prevention and Intervention Plan

The Superintendent and/or his/her designee shall oversee the development of a prevention and intervention plan, in consultation with all district stakeholders, which may include teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents and guardians, consistent with the requirements of this policy, as well as state and federal laws. The bullying prevention and intervention plan shall be reviewed and updated at least biennially. The plan shall comply with state and federal law and regulations.

The Principal is responsible for the implementation and oversight of the bullying prevention and implementation plan within his or her school.

Reporting

Students, who believe that they are a target of bullying, observe an act of bullying, or who have reasonable grounds to believe that these behaviors are taking place, are obligated to report incidents to a member of the school staff. The target shall, however, not be subject to discipline for failing to report bullying.

Each school shall have a means for anonymous reporting by students of incidents of bullying. No formal disciplinary action shall be taken solely on the basis of an anonymous report.

Any student who knowingly makes a false accusation of bullying shall be subject to disciplinary action.

Parents or guardians, or members of the community, are encouraged to report an incident of bullying as soon as possible.

A member of a school staff shall immediately report any instance of bullying the staff member has witnessed or become aware of to the school principal or their designee.

Investigation Procedures

The Principal or their designee, upon receipt of a viable report, shall promptly contact the parents or guardians of a student who has been the alleged target or alleged perpetrator of bullying. The actions being taken to prevent further acts of bullying shall be discussed.

The school Principal or a designee shall promptly investigate the report of bullying, using a Bullying/Cyber-bullying Report Form which may include interviewing the alleged target, alleged perpetrator, staff members, students and/or witnesses.

Support staff shall assess an alleged target's needs for protection and create and implement a safety plan that shall restore a sense of safety for that student.

Confidentiality shall be used to protect a person who reports bullying, provides information during an investigation of bullying, or is witness to or has reliable information about an act of bullying.

If the school Principal or a designee determines that bullying has occurred he/she shall take appropriate disciplinary action and if it is believed that criminal charges may be pursued against the perpetrator, the principal shall consult with the school's resource officer and the Superintendent to determine if criminal charges are warranted. If it is determined that criminal charges are warranted, the local law enforcement agency shall be notified.

The investigation shall be completed within fourteen school days from the date of the report. The parents or guardians shall be contacted upon completion of the investigation and informed of the results, including whether the allegations were found to be factual, whether a violation of this policy was found, and whether disciplinary action has or shall be taken. At a minimum the Principal or his/her designee shall contact the parents or guardians as to the status of the investigation on a weekly basis.

Disciplinary actions for students who have committed an act of bullying or retaliation shall be in accordance with district disciplinary policies.

Each school shall document any incident of bullying that is reported per this policy and a file shall be maintained by the Principal or designee. A report shall be provided to the Superintendent.

Confidentiality shall be maintained to the extent consistent with the school's obligations under law.

Retaliation

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.

Target Assistance

The school district shall provide counseling or referral to appropriate services, including guidance, academic intervention, and protection to students, both targets and perpetrators, affected by bullying, as necessary.

Training and Assessment

Annual training shall be provided for school employees and volunteers who have significant contact with students in preventing, identifying, responding to, and reporting incidents of bullying.

Age-appropriate, evidence-based instruction on bullying prevention shall be incorporated into the curriculum for all K to 12 students.

Publication and Notice

Annual written notice of the relevant sections of the bullying prevention and intervention plan shall be provided to students and their parents or guardians, in age-appropriate terms.

Annual written notice of the bullying prevention and intervention plan shall be provided to all school staff. The faculty and staff at each school shall be trained annually on the bullying prevention and intervention plan applicable to the school.

Relevant sections of the bullying prevention and intervention plan relating to the duties of faculty and staff shall be included in the school employee handbook.

The bullying prevention and intervention plan shall be posted on the school district website.

LEGAL REFS.: Title VII, Section 703, Civil Rights Act of 1964 as amended
Federal Regulation 74676 issued by EEO Commission
Title IX of the Education Amendments of 1972
603 CMR 26.00
M.G.L. 71:37O; 265:43, 43A; 268:13B; 269:14A

REFERENCES: Massachusetts Department of Elementary and Secondary Education's Model
Bullying Prevention and Intervention Plan

CROSS REFS.: AC, Nondiscrimination
 ACAB, Sexual Harassment
 JBA, Student-to-Student Harassment
 JIC, Student Discipline
 JICFA, Prohibition of Hazing

ALCOHOL, TOBACCO, AND DRUG USE BY STUDENTS PROHIBITED

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

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

The school district shall utilize, in accordance with law, a verbal screening tool approved by the Department of Elementary and Secondary Education to screen students for substance abuse disorders. The tool shall be administered by trained staff on an annual basis at grades 7 and 9.

Parents/guardians shall be notified of the screening prior to the opening of school each year. Parents/guardians shall have the right to opt out of the screening by written notice prior to or during the screening.

All statements made by a student during a screening are confidential and shall not be disclosed except in the event of immediate medical emergency or in accordance with law. De-identified results shall be reported to the Department of Public Health within 90 days of the completion of the screening process.

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

LEGAL REFS.: M.G.L.71:2A; 71:96; 71:97; 272:40A

CROSS REFS.: ADC, Tobacco Products on School Premises Prohibited
IHAMB, Teaching About Drugs, Alcohol, and Tobacco
GBEC, Drug-Free and Alcohol-Free Workplace Policy
GBED, Tobacco Use on School Property By Staff Members Prohibited