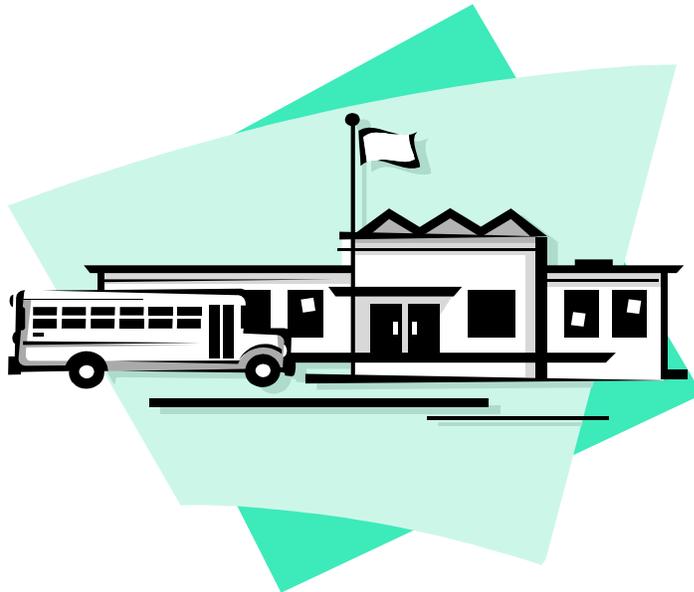




# **PreK - Grade 8 Student Handbook**



**2022-2023**

This handbook contains important policies for the students. More school policies can be found on our website at <https://www.mps-edu.org/domain/39>. Please check with the school for specific procedures and protocols related to your child's school. Thank you.

## TABLE OF CONTENTS

<u>Section</u>	<u>Page Number</u>
District Calendar	3
School Directory	4
Policy 1.100: Non-Discrimination Policy	5
Policy 8.100: Attendance Policy	5-7
Policy 4.200: School Cancellation Policy	8
Safety Protocols	8
Policy 9.100: School Visitors Policy	9
School Council	9
Parent Teacher Organization (PTO)	9
Student Progress Conferences	9
Policy 8.120: Student Records Policy	9-11
Food Services	11
Health	11-12
Health Wellness	13
Policy 8.014: Students with Life Threatening Conditions or other Medical Concerns	13-14
Policy 7.700: Homework Policy	14
Expectations for Students	14
Bullying Intervention & Prevention	14-17
Hazing	17
Title IX	18
Student Conduct and Discipline	19-29
Disciplinary Sanctions for Harassment, Bullying, Discrimination and Hate Crimes	29-31
Transportation Regulations	31-32
Memorandum of Understanding (MOU)	32
Internet Access Network Use Social Media	32-33
Student Services	33-34

Approved by School Committee  
March 22, 2022



2022-2023 SCHOOL CALENDAR

JUNE/JULY

S	M	T	W	Th	F	Sa
26	27	28	29	30	1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18*	19*	20*	21*	22*	23
24	25*	26*	27*	28*	29*	30
31						

AUGUST

S	M	T	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			
1 day						

SEPTEMBER

S	M	T	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	
20 days/21 days						

OCTOBER

S	M	T	W	Th	F	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					
20 days/41 days						

NOVEMBER

S	M	T	W	Th	F	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			
17 days/58 days						

DECEMBER

S	M	T	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31
17 days/75 days						

Calendar Key

NO SCHOOL

Professional Development Day-NO SCHOOL

Early Release Day – Prof Dev for staff

\*180<sup>th</sup> Day-Early Release-if no weather cancellation

\*Make-up Days-weather related

- July 4 Independence Day
- July 5-Aug 4 Summer School-All Offices Open
- July 18-29 Camp Invention\* (3<sup>rd</sup>-5<sup>th</sup> grade)
- August 23 School Committee Meeting
- August 29 Staff Opening Day
- August 30 Building Based PD Activities-Staff Only
- August 31 First Day for Grades 1-12
- Aug 31-Sept 1 Kindergarten Screening
- September 2 No School-Office Open
- September 5 Labor Day-No School
- September 6 Early Childhood Center Orientation
- September 7 Kindergarten Orientation
- September 8 First Day for PreK & K
- September 13 School Committee Meeting
- September 21 Early Release Day-Prof Dev for staff
- September 27 School Committee Meeting
- October 10 Columbus Day- No School
- October 11 School Committee Meeting
- October 19 Early Release Day – Prof Dev for staff
- October 25 School Committee Meeting
- November 8 Professional Development Day-Staff Only
- November 8 School Committee Meeting
- November 11 Veteran's Day-No School
- November 22 School Committee Meeting
- November 23-25 Thanksgiving Recess
- December 7 Early Release Day-Prof Dev for Staff
- December 13 School Committee Meeting
- December 23 Early Release Day Students & Staff
- December 26-30 Holiday Recess
- January 2 New Year's Day Observance
- January 3 School Resumes
- January 10 School Committee Meeting
- January 16 Martin Luther King, Jr. Day-No School
- January 17 Professional Development Day-Staff Only
- January 24 School Committee Meeting
- February 8 Early Release Day-Prof Dev for Staff
- February 14 School Committee Meeting
- February 20-24 President's Day/Winter Recess-No School
- February 28 School Committee Meeting
- March 14 School Committee Meeting
- March 22 Early Release Day – Prof Dev for staff
- March 28 School Committee Meeting
- April 11 School Committee Meeting
- April 17-21 Patriots Day/Spring Recess-No School
- April 25 School Committee Meeting
- May 9 School Committee Meeting
- May 10 Early Release Day – Prof Dev for Staff
- May 23 School Committee Meeting
- May 29 Memorial Day-No School
- June 4 MHS Graduation
- June 13 School Committee Meeting
- June 15 180<sup>th</sup> Day of School\* ½ day-Students
- June 19 Juneteenth observance
- June 16-23 Weather Related Make-up Days
- June 27 School Committee Meeting

JANUARY

S	M	T	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				
19 days/84 days						

FEBRUARY

S	M	T	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				
15 days/109 days						

MARCH

S	M	T	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	
23 days/132 days						

APRIL

S	M	T	W	Th	F	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						
15 days/147 days						

MAY

S	M	T	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			
22 days/169 days						

JUNE

S	M	T	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15*	16*	17
18	19	20*	21*	22*	23*	24
25	26	27	28	29	30	
11 days/180 days						

SCHOOL COMMITTEE MEETINGS  
17 Washington Street ~ 7:30 PM  
Comcast 98 ~ Verizon 34

## **SCHOOL DIRECTORY**

<b>Marlborough Early Childhood Center (Preschool) 17 Washington Street</b>	<b>508-460-3503</b>
<b>Charles J. Jaworek Elementary School (Grades K-5) 444 Hosmer Street</b>	<b>508-460-3506</b>
<b>Goodnow Brothers Elementary School (Grades K-5) 441 Bolton Street</b>	<b>508-460-3508</b>
<b>Francis J. Kane Elementary School (Grades K-5) 520 Farm Road</b>	<b>508-460-3507</b>
<b>Raymond C. Richer Elementary School (Grades K-5) 80 Foley Road</b>	<b>508-460-3504</b>
<b>1LT Charles W. Whitcomb School (Grades 6-8) 25 Union Street</b>	<b>508-460-3502</b>
<b>DISTRICT EDUCATION CENTER 25 Union Street</b>	<b>508-460-3509</b>
<b>Superintendent of Schools</b>	<b>extension 13801</b>
<b>Assistant Superintendent of Teaching and Learning</b>	<b>extension 13804</b>
<b>Assistant Superintendent of Student Services and Equity</b>	<b>extension 13820</b>

<p><b>POLICY 1.100</b>  <b>NON DISCRIMINATION</b>  <b>POLICY</b>  (Foundations and Basic Commitments)</p>	<p><b><u>POLICY OF NON DISCRIMINATION</u></b>  The Marlborough Public Schools ("District") does not discriminate against students, parents, employees or the general public on the basis of race, color, national origin, genetic information, ancestry, sex, sexual orientation, gender identity or expression, disability, religion, veteran status or age. Additionally, the Marlborough Public Schools does not discriminate against individuals on the basis of homelessness consistent with the McKinney-Vento Act.</p> <p>The positions identified below have been designated to handle inquiries regarding the District's non-discrimination policies in education-related activities, including but not limited to inquiries related to Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Age Act.</p> <p>Should you wish to file a complaint alleging discrimination of student or an employee based on disability, age, race, color, gender, national origin, religion, gender, sexual orientation, or gender identity, contact the building principal or the civil rights coordinator identified in the school's student handbook.</p> <p>District Contacts:  Jody O'Brien  Assistant Superintendent of Student Services and Equity  (508) 460-3509 ext. 13820  25 Union St. Marlborough, MA</p> <p>Patricia Brown  Director of Human Resources  (508) 460-3509 ext. 13809  25 Union St. Marlborough, MA</p> <p>Doug Dias  Director of Finance &amp; Operations  (508) 460-3509 ext. 13810  25 Union St. Marlborough, MA</p>
<p><b>POLICY 8.100</b>  <b>ATTENDANCE POLICY</b>  (Students)</p>	<p><b><u>ATTENDANCE POLICY</u></b>  Massachusetts has a Compulsory Attendance Law. It is the responsibility of a parent or guardian to ensure his/her child attends school regularly in order to obtain the maximum benefits from the educational program. There is an expectation by the District for attendance in both in person and remote learning situations.</p> <p>A parent or guardian (Pre-School through Grade 12) is to telephone the school office within 30 minutes from the start of school to report a student's absence. Parents/Guardians who do not telephone the school will be contacted automatically regarding the child's whereabouts. For parents/guardians of students in grades 9-12 who do not telephone, the school will be contacted within 3 school days (Chapter 222 of Acts of 2012).</p> <p>When a student is absent, he/she will not be allowed to participate in any athletic or other extra-curricular activity on that day.</p> <p><b>TYPES of ABSENCES</b></p> <ol style="list-style-type: none"> <li>1. An <b>Excused Absence</b> includes: <ol style="list-style-type: none"> <li>a. Student illness or medical appointment (documented by parent, guardian and/or doctor note)</li> </ol> </li> </ol>

- b. Bereavement / Family funeral
  - c. Family Emergencies
  - d. Observance of religious holy days
  - e. Registry of Motor Vehicles' appointment
2. An **Exempt Absence** includes:
- a. School-sponsored field trips Class meetings approved by the administration
  - b. Court subpoenas
  - c. School imposed suspensions (out-of-school, in-school, short –term or long-term)
  - d. College visitation and job interviews which have received prior approval from the administration and are supported by verification by the college, on college letterhead (see College Visitation below)
  - e. Technical / Electronic Issues reported within 48 hours to school or district administrator may be considered.
3. An **Unexcused Absence** is an absence that is not covered by the aforementioned definitions of "Excused Absence" or "Exempt Absence." Examples of an unexcused absence may include, but not limited to:
- a. Undocumented or Unverified Absence (lack of communication or absence with no reason)
  - b. Repetitive or chronic absence due to illness not documented by a doctor or medical professional. Chronic absences due to COVID-19 are not considered unexcused.
  - c. Cutting class
  - d. Truancy
  - e. Frivolous excuses for being out of school
  - f. Family vacations or other non-emergency family situations

**PLANNED EXTENDED ABSENCES / FAMILY TRIPS / FAMILY VACATIONS:**

Parents/Guardians are strongly discouraged to take extended absences outside the District's planned vacation times. Generally, planned family vacations and trips, either domestic or foreign, are considered unexcused absences unless they fall into the above categories of excused or exempt absences. In addition to compromising the Compulsory Attendance Law, extended absences interrupt the educational process for the student and the class. Make-up coursework cannot replace or reverse time on learning that is lost when a student is not in class. If a planned absence is necessary and unavoidable, a written request for the extended absence must be submitted to the Principal or Assistant Principal at least two weeks prior to the absence. It is the responsibility of the student and the parent/guardian to ensure that the student makes up the work he/she has missed as a result of the extended absence.

As described below under the Excessive Absenteeism / Truancy section, the District reserves its right to impose consequences for extended unexcused absences, including but not limited to, bringing excessive absenteeism to the Juvenile Court's attention by filing a Child Requiring Assistance (CRA) petition or to the attention of the Department of Children and Families' (DCF) attention by filing a 51A under appropriate circumstances.

**DISMISSALS**

Students are expected to be in school each day. There are times, however, that emergencies and unavoidable appointments will require a student to be dismissed from school. Parents should attempt to schedule appointments outside of the school day or on other "non-school" days as outlined each year in the published district calendar. If a student is to be dismissed from school, they must bring a note from home specifying the date, the time, and the reason for dismissal. This note must have a phone number so that the parent(s) / guardian(s) may be contacted. The note should be brought directly to the appropriate school office as soon as the student arrives to school. Students will be dismissed directly from the office. A student will not be allowed to leave the building

without checking out from the office first.

Each school is also staffed with a school nurse to address health concerns during the school day. Illness related dismissals during the school day will be coordinated by the nursing office. We encourage students to access the nursing office in the event they are not feeling well. We encourage parents to do the same before dismissing their child.

### **COLLEGE VISITS**

College visits are encouraged for our high school students. However, every effort should be made to schedule visits when school is not in session. In the event that visits conflict with the school calendar, Juniors and seniors will be allowed three (3) excused college visitations per school year. A College Visitation Request Form with parental/guardian and administrative approval must be completed at least two (2) school days prior to the visitation. Verification of attendance at this appointment must be submitted to the Assistant Principal on the next school day following the absence. Failure to comply with the above regulation will result in an unexcused absence.

### **EXCESSIVE ABSENTEEISM / TRUANCY**

Parents/Guardians will be notified if their child has five (5) or more unexcused absences in a year or if the child has missed two (2) or more classes due to absence for five (5) days or more. The Principal or designee will make a reasonable effort to meet with the parents/guardians of a child who has five (5) or more unexcused absences for the purposes of developing action steps to improve the child's attendance (Ch. 222 of Acts of 2012). A child who is chronically and habitually absent, truant, dismissed or tardy **with or without** valid cause (excused or unexcused) from school will be subject to the following non-exclusive list of consequences:

1. Parent or guardian conference
2. All future absences must be verified by a physician
3. Restriction or prohibition on the participation of extracurricular or intramural activities, field trips or other activities
4. School based consequences (e.g. detention, loss of course credit, grade retention, etc.)
5. Filing of a "Failure to send your child to school" with the court
6. Filing of a "Child Requiring Assistance" (CRA) with the court
7. Department of Children and Families (DCF) filing
8. The student and parent/guardian may be reported to the MPS Truancy Officer who may file with the local District Court

### **DISENROLLMENT**

An Administrator from the school the student has last attended will need to send notice within a period of 5 school days from the students' 10<sup>th</sup> consecutive absence to the student and his or her parent/guardian (M.G.L. c.76, sec.18).

### **MCAS APPEAL**

Additionally, the Massachusetts Department of Elementary and Secondary Education has set 95% attendance as the minimum standard for students to appeal a failing grade on an MCAS.

<p><b>POLICY 4.200</b>  <b>SCHOOL</b>  <b>CANCELLATION</b>  (Support Services)</p>	<p><b><u>SCHOOL CANCELLATION</u></b></p> <p>It is the general policy of the Marlborough School Committee that schools shall be kept open in accordance with the established school calendar. The Superintendent shall, however, have the authority to close any school or schools whenever conditions in his/her judgment are such as to endanger the health and/or welfare of the pupils.</p> <p>In case of inclement weather, the Superintendent shall exercise his/her best judgment as to whether or not the schools shall be kept open. The Superintendent will consider a delayed opening as a response to inclement weather or other emergency conditions. A decision to open with a delay will be communicated to the public and to the staff in the same manner as a no-school announcement.</p> <p>Legal Reference: <span style="float: right;">Approved: Prior to 1/1/90</span>  <span style="float: right;">Revised: 12/11/01</span>  <span style="float: right;">Approved: 5/26/20</span></p> <p>SOURCE: MASC</p> <p>LEGAL REFS.: M.G.L. <a href="#">71:4</a>; <a href="#">71:4A</a></p>
<p><b>SAFETY</b>  <b>PROTOCOLS</b></p>	<p><b>Physical Restraint</b></p> <p>The Marlborough Public Schools complies with the provisions of 603 CMR sec. 46.00 dealing with restraint of students in the public schools. It is the policy of Marlborough Public Schools that every student has the right to be educated in a safe environment that is free from the unreasonable use of physical restraint. A copy of this policy (<a href="#">8.300</a>) is available in the main office of each school and in the office of Student Services. Additionally, the policy is posted in the health suites of each building.</p> <p><b>Emergency Evacuation</b></p> <p>Emergency protocols have been established for all Marlborough Public Schools. These protocols are contained in an emergency “go-bag” that is located in each teaching area in the Marlborough Public Schools. Principal or designee will ensure, on a yearly basis, that all staff has been trained to be familiar with the protocol and their responsibilities. It is the responsibility of the administrator to take command of any situation so as to guarantee the safety of students and staff. These procedures may be implemented during such incidents as evacuations, natural disasters, medical emergencies, bomb threats, or unauthorized intruders.</p> <p><b>Fire Drills</b></p> <p>The responsibility for the safety of each child in the room is the responsibility of the teacher. The safety of everyone in the building rests upon the principal or designee. Children will be trained to respond automatically to the fire drill alarm. In the event the teacher is absent, the class should follow the routine procedures under the direction of the substitute teacher.</p> <p>Fire exit procedures will be written in clear, precise directions and posted near a classroom exit with an alternate route designated. All staff members should know the location of the fire alarm box and how to use it. Driveways should always be kept clear for fire apparatus.</p>

<p><b>POLICY 9.100</b> SCHOOL VISITORS</p>	<p><b>VISITORS TO THE SCHOOLS</b> The following guidelines to classroom and school visits should be followed:</p> <ol style="list-style-type: none"> <li>1. Visitors to a school may be CORI'd or must be accompanied by school district staff.</li> <li>2. Parental or legal guardian requests for classroom visitations will be welcomed as long as the educational process is not disrupted. Such requests must be made at least 48 hours in advance to allow for proper arrangements to be made.</li> <li>3. The Building Principal has the authority to determine the number, times and dates of observations by visitors. This will be done in consultation with staff members, so as to give adequate notice to the staff members of impending visits.</li> <li>4. For security purposes, all visitors must report to the school's main office upon entering and leaving the building and sign a guest log showing arrival and departure times.</li> <li>5. Classroom observations will be strongly discouraged during the first three weeks of school in September and during the month of June.</li> </ol> <p>The superintendent may temporarily suspend or modify this policy subject to Federal, State, or Local emergency declarations.</p> <p style="text-align: right;">Approved: 2/10/15 Approved: 2/14/17 Approved: 4/26/22</p>
<p><b>SCHOOL COUNCIL</b></p>	<p><b>SCHOOL COUNCIL</b> The Massachusetts Education Reform Act, Chapter 71, adopted in June 1993, is one of the most far-reaching education reform acts in the nation. It provides for a comprehensive strengthening of local school system leadership for school improvement. School-based councils are a vehicle for involving more parents and teachers in school decision making and for strengthening the bonds between schools and the communities they serve. Our schools have developed comprehensive school improvement plans approved by the Superintendent of Schools and are on file in the school offices.</p>
<p><b>PARENT TEACHER ORGANIZATION</b></p>	<p><b>PARENT TEACHER ORGANIZATION</b> All parents and guardians are encouraged and invited to participate in the P.T.O. The organization supports school activities and links families to the school community. Parents interested in joining the P.T.O. may contact the school at any time.</p>
<p><b>STUDENT-PROGRESS CONFERENCES</b></p>	<p><b>STUDENT-PROGRESS CONFERENCES</b> Information regarding scheduled conferences will be sent home during the school year. Parents should see the teacher at least twice a year. Further information will be forthcoming regarding scheduled evening student-progress conferences. Parents may contact the classroom teacher at any time to schedule a conference if there are any concerns regarding their student's progress.</p>
<p><b>POLICY 8.120</b> STUDENT RECORDS POLICY (Students)</p>	<p><b>STUDENT RECORDS</b> The Marlborough Public Schools complies with applicable federal and state laws and regulations pertaining to Student Records. Those laws and regulations are designed to ensure a parent's and eligible student's rights to access, inspect, and to request amendment of the child's student record.</p> <p>The Massachusetts Student Record regulations and the Family Educational Rights and Privacy Act (FERPA) apply to educational records maintained by a school on a student in a manner such that he or she may be individually identified. The regulations divide the record into the transcript and the temporary record.</p> <p>The transcript includes only the minimum information necessary to reflect the student's educational progress. This information includes name, address, course titles, grades, credits, and grade level completed. The transcript is kept by the school system for at least sixty (60) years after the student leaves the system.</p>

The temporary record contains the majority of the information maintained by the school system about the student. This may include such things as standardized test results, class rank, school sponsored extra-curricular activities, and evaluations and comments by teachers, counselors, and other persons. The temporary record is destroyed no later than seven (7) years after the student leaves the school system.

The following is a summary of major parent, guardian and student rights regarding their student records:

***Inspection of Record*** - A parent, or a student who has entered the ninth grade or is at least fourteen (14) years old, has the right to inspect all portions of the student record upon request. The record must be made available to the parent or student within ten (10) days of the request, unless the parent or student consents to a delay. In the event the parent/student requests copies of a student record, the District may charge the parents/student for said copies at the District rate. The eligible student or parent shall have the right upon request to meet with professional qualified school personnel to have any of the contents of the student record interpreted.

***Confidentiality of Record*** - With a few exceptions, no individuals or organizations but the parent, student, and authorized school personnel are allowed to have access to information in the student record without specific, informed, written consent of the parent or the student.

***Amendment of Record*** - The parent and student have the right to add relevant comments, information, or other written materials to the student record. In addition, with limited exception under state and federal law, the parent and student have the right to request that information of the record be amended or deleted. The parent and student have a right to a conference with the school principal to make their objections known. Within a week after the conference, the principal must render a decision in writing. If the parent and student are not satisfied with the decision, the regulations contain provisions through which the decision may be appealed to higher authorities in the school system.

***Directory Information*** - Federal law requires that the District release the names, addresses and telephone listings of students to military recruiters and institutions of higher education upon request for recruitment and scholarship purposes without prior consent. In addition, the District may release the following directory information about a student without prior consent: a student's name, address, telephone listing, date and place of birth, major fields 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, post-high school plans and directory information such as homeroom assignments. However, in all instances, parents may request that such directory information not be released without prior consent by notifying their school building office in writing by the end of September of each school year.

***Destruction of Records*** - The regulations require that certain parts of the student record, such as the temporary record, be destroyed a certain period of time after the student leaves the school system. School authorities are also allowed to destroy misleading, outdated, or irrelevant information in the record from time to time while the student is enrolled in the school system. Before any such information may be destroyed, the parent and student must be notified, and have an opportunity to receive a copy of any of the information before its destruction.

***Transfer of Records*** - In accordance with 603 CMR 23.07(4)(g), it is the practice of the Marlborough Public Schools to forward the student record of any student who seeks or intends to enroll, or already has enrolled in another public-school district, if the disclosure is for purposes of the student's enrollment or transfer. The parent or eligible student has the right to receive a copy of the school record that is forwarded to the new school.

	<p><b>Non-Custodial Parents</b> - Unless there is a court order to the contrary, a non-custodial parent (parent without physical custody of the student) of any public-school student has the right, subject to certain procedures, to receive information regarding the student's achievements, involvement, behavior, etc. A non-custodial parent who wishes to have this information shall submit a written request annually to the child's school principal. Upon receipt of such a request, the principal shall send written notification to the custodial parent by certified and first-class mail that the records and information will be provided to the non-custodial parent in twenty-one (21) calendar days unless the custodial parent provides documentation of the non-custodial parent's ineligibility to access such information. In all cases where school records are provided to a non-custodial parent, the electronic and postal address and other contact information for the custodial parent shall be removed from the records provided. Any such records provided to the non-custodial parent shall be marked to indicate that they may not be used to enroll the student in another school. Upon receipt of a court order that prohibits the distribution of information pursuant to M.G.L. c. 71, §34H, the school will notify the non-custodial parent that it shall cease to provide access to the student record to the non-custodial parent. M.G.L. c.71, §34H, 603 CMR 23.07.</p> <p><b>Third Party Access</b> - Authorized school personnel, to include: (a) school administrators, teachers, counselors and other professionals who are employed by the school committee or who are providing services to the student under an agreement between the school committee and a service provider, and who are working directly with the student in an administrative, teaching, counseling, and/or diagnostic capacity; (b) administrative office staff and clerical personnel, employed by the school committee or under a school committee service contract, and whose duties require them to have access to student records for purposes of processing information for the student record; and (c) the Evaluation Team which evaluates a student, shall have access to the student record of students to whom they are providing services, when such access is required in the performance of their official duties. The consent of the parent or eligible student shall not be necessary.</p> <p><b>Complaints</b> - A parent or eligible student has a right to file a complaint with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, D.C. 20202-5901, (202) 260-3887 or with the Massachusetts Department of Education, 350 Main Street, Malden, MA 02148, (781) 338-3300. If you have any questions regarding this notice or would like more information and/or a copy of the Massachusetts Department of Education Student Record Regulations, please contact the building principal.</p> <p style="text-align: right;">Approved: 4/26/22</p>
<b>FOOD SERVICES</b>	<p><b>FOOD SERVICES</b> Hot lunches and breakfast are available every day for students. Free lunch and breakfast are available for all. Students who bring their lunch from home will eat in the cafeteria with their class.</p>
<b>HEALTH</b>	<p><b>IMMUNIZATION OF STUDENTS:</b> Students entering school for the first time, whether at kindergarten or through transfer from another school district, will be required to present a physician's certificate attesting to immunization against communicable diseases as may be specified from time to time by the Department of Public Health. The only exception to these requirements will be made on receipt of a written statement from a doctor that immunization would not be in the best interests of the child, or by the student's parent or guardian stating that vaccination or immunization is contrary to the sincere religious beliefs of the student or parent/guardian. This policy shall not be read to conflict with the McKinney-Vento Act (42 U.S.C. §§11431- 11435) or the Every Student Succeeds Act. LEGAL REF.: M.G.L. 76:15 (Policy 8.170 IMMUNIZATION of STUDENTS POLICY (Students)).</p> <p><b>PHYSICAL EXAMINATIONS of STUDENTS:</b> Every student will be examined for screening in sight, hearing, BMI*, and for other physical problems as provided in the law and regulations. A record of the results will be kept by the school nurse. Every student will be required to provide proof of a general physical</p>

examination four times: upon entering school and upon admittance to the fourth, seventh, and tenth grades. The results of examinations will be a basis for determining what corrective measures or modifications of school activities, if any, should be recommended. A record of all examinations and recommendations will be kept. Every candidate for a school athletic team will present the signed consent of parent or guardian in order to participate on a squad and will, with the signed consent of parent or guardian, be thoroughly examined to determine physical fitness. A written report of a Physical Exam, stating the fitness of the student to participate signed by the physician will be sent to the Building Administrator, in rare exceptions, athletes may see a school physician if necessary. Whenever the school nurse finds a child suffering from any disease or medical problem, the situation will be reported to the parent or guardian in writing, or by personal visit if remedial treatment is recommended. A copy of the report will be filed at the school. The school nurse will provide data as requested to the Superintendent of the number of students examined; the number excluded; and the number recommended for treatment or special adjustment of work. In all cases of exclusion or recommendation, the causes will be included in the report. \* NOTE: Department of Health Regulations call for vision screenings annually in Grades 1-5, once between 6- 8, and once between 9-12; hearing screenings annually in grades 1-3, once between 6-8, and once between 9-12; BMI in grades 1, 4, 7, 10. SOURCE: MASC Updated July 2012 LEGAL REFS.: M.G.L. 71:53; 71:54; 71:56; 71:57 105 CMR 200 (Policy 8.002 PHYSICAL EXAMINATIONS of STUDENTS POLICY (Students)).

**ADMINISTERING MEDICINES to STUDENTS:**

Medication may not be administered to students while at school unless such medicine is given to them by the school nurse acting under specific written request of the parent or guardian and under the written directive of the student's personal physician (see below for exceptions). If a student has been approved for self-administration, a student who needs medication during the school day may be reminded to take the medicine by the school nurse or other individual designated by the school nurse in the student's medical administration plan. This provision only applies when the school nurse has a medical administration plan in place for the student. No one but the school nurse, and those who have been delegated by the school nurse or others listed in the medical administration plan acting within the above restriction, may give any medication to any student. Exceptions: The school district shall, through the school nurse, register with the Dept. of Public Health and train personnel in the use of epinephrine auto-injectors. The school district may, in conjunction with the School Physician and the School Nurse, stock nasal naloxone (Narcan) and trained medical personnel and first responders may administer nasal naloxone to individuals experiencing a life-threatening opiate overdose in a school setting. If the school district wishes medical personnel to train non-medical staff in the administration of nasal naloxone, the School Committee shall vote to approve such training and the Superintendent shall ensure that medical personnel have a written protocol which complies with medical directives and regulations from the Dept. of Public Health. Following consultation with the school nurse, students who fall into the following exceptions may self-administer medications: 1. Students with asthma or other respiratory diseases may possess and administer prescription inhalers. 2. Students with cystic fibrosis may possess and administer prescription enzyme supplements. 3. Students with diabetes may possess and administer glucose monitoring tests and insulin delivery systems. 4. Students with life threatening allergies may possess and administer epinephrine. SOURCE: MASC October 2016 LEGAL REF.: M.G.L. 71:54B Dept. of Public Health Regulations: 105 CMR 210.00; 244 CMR 3.00 (Policy 8.003 ADMINISTERING MEDICINES TO STUDENTS POLICY (Students)).

**Strict compliance to this procedure will be followed by the school nurse.**

<p><b>HEALTH WELLNESS</b></p>	<p><b>NUTRITIONAL GUIDELINES</b></p> <p>a. It is the policy of the Marlborough Public Schools that all foods and beverages made available on the campuses during the school day are consistent with School Lunch Program and Massachusetts state nutrition guidelines.</p> <p>b. Only A La Carte/vending machine snack items or beverages that are in compliance with the John C Stalker A-List will be sold in all school cafeterias.</p> <p><b>FUNDRAISING ACTIVITIES</b></p> <p>a. Organizations are encouraged to sell non-food products.</p> <p>b. Foods not in compliance with the John C Stalker Institute A-List will not be permitted to be sold one-half hour before, during and one-half hour after the school day.</p> <p>c. Building administrators will provide information for coaches, club and activity advisors regarding healthy choices for fundraising.</p>
<p><b>POLICY 8.014</b>  <b>STUDENTS WITH LIFE THREATENING CONDITIONS OR OTHER MEDICAL CONCERNS</b>  <b>(Students)</b></p>	<p>The following guidelines assume that managing a potentially life-threatening condition or other medical concern of students while in school is a shared responsibility among the students, parents, principal, teachers, custodians, food services and health care professionals. These guidelines are intended to:</p> <ol style="list-style-type: none"> <li>1. Minimize the risk of allergic reaction and or medical concern of the students while in school.</li> <li>2. Ensure that all information be provided by the parents and shared with the appropriate school staff.</li> <li>3. Foster cooperation and communication between parents and school staff in determining effective strategies to minimize an allergic reaction or medical concern while in school.</li> </ol> <p><b>PARENT/GUARDIAN (S) RESPONSIBILITIES</b></p> <ol style="list-style-type: none"> <li>1. Notify the School Nurse of the child's life-threatening condition, or other medical concern.</li> <li>2. Provide medical documentation to the school of the life-threatening condition, or other medical concern.</li> <li>3. Develop an Emergency Health Care Plan, an Individual Health Care Plan, or 504 Plan with the school nurse and appropriate school personnel.</li> <li>4. Provide Medication Administration Form and/or Specialized Health Care Form signed by the student's licensed prescriber (i.e. physician, dentist, nurse practitioner, etc.) and the parent(s) or guardian and to the school nurse.</li> <li>5. Provide a current picture of the child to the school nurse.</li> <li>6. Notify the pre or post school activity teacher or coach of the life-threatening condition or other medical concern and the appropriate treatment.</li> <li>7. Provide the school nurse any prescribed medication, equipment, and supplies necessary for the care of the student prior to the first day the student attends school.</li> <li>8. Introduce their child with a life-threatening condition or medical concern to the bus/cab driver.</li> </ol> <p><b>STUDENTS RESPONSIBILITIES</b></p> <ol style="list-style-type: none"> <li>1. Should not trade food with others.</li> <li>2. Should not eat anything with unknown ingredients or known to contain the allergen.</li> <li>3. Should be proactive in the care and management of their allergies or medical condition based on their developmental level.</li> <li>4. Should identify an adult immediately if they come in contact with something they believe may contain the substance to which they are allergic or are in need or treatment for their medical condition.</li> </ol> <p><b>Regulations</b></p> <ol style="list-style-type: none"> <li>A. Latex balloons are prohibited in the Marlborough Public Schools.</li> <li>B. Food in the Classrooms</li> </ol>

	<p>a. Food will not be brought into the classroom to commemorate a holiday or a birthday.</p> <p>b. Teachers who use foods in their classrooms as part of the curricula will be able to do so with prior knowledge and permission of the parents and building principal.</p> <p>c. Food will not be used as a reward unless stated in an IEP. Substitute staff - Provide proper notification and protocol for students with chronic life-threatening allergies, or medical concerns.</p> <p>C. Cafeteria-Students are encouraged <b>NOT</b> to share food.</p> <p>D. Field Trips – Students will only consume food their parents have provided.</p> <p>E. Transportation – Students are not allowed to consume food or beverages on any school bus or van provided to transport them to or from school or on a field trip. (Exception: students with a documented medical condition that requires food as part of the treatment).</p>
<p><b>POLICY 7.700</b>  <b>HOMEWORK</b>  <b>POLICY</b>  (Instruction)</p>	<p><b>HOMEWORK</b></p> <p>MPS is committed to a rigorous educational program for all students, with high standards for teaching and learning. Thoughtfully designed lessons may not always be able to be accomplished fully in the classroom environment, and teachers may assign classwork to be finished out of class. MPS believes that classwork beyond the school day will support classroom lessons and may be necessary to complete the curriculum. Assignments may be required to be finished outside of class but will not be a standalone grade. Rigorous learning in the classroom does not mean that classwork must be assigned every night. Extensions of class work is not to be used to teach new content or as a form of punishment. There are many other learning activities in the life of a student. Participation in school based co-curricular activities, pursuing cultural interests, participating in clubs, sports, parttime employment, and family life are also valued by our community.</p> <p style="text-align: right;">Approved 10/12/21</p>
<p><b>EXPECTATIONS FOR</b>  <b>STUDENTS</b></p>	<p><b>EXPECTATIONS FOR STUDENTS</b></p> <p>Students are expected to observe the following:</p> <ul style="list-style-type: none"> <li>Students treat each other and school staff with respect.</li> <li>Students use safe hands and feet and kind words.</li> <li>Fighting, rough playing, or swearing are not appropriate for school.</li> </ul>
<p><b>BULLYING</b></p>	<p><b>BULLYING POLICY &amp; PROCEDURES</b></p> <p>To support efforts to respond promptly and effectively to bullying and retaliation, the Marlborough Public Schools has policies and procedures in place for receiving and responding to reports of bullying or retaliation against students. These policies and procedures ensure that members of the school community – students, parents, and staff – know what will happen when incidents of bullying occur. The district’s complete Bullying Prevention &amp; Intervention Plan can be found on the district website <a href="#">here</a>.</p> <p>The Marlborough Public Schools will not tolerate any unlawful or disruptive behavior, including any form of bullying, or retaliation, in our school buildings, on school grounds, on school buses and at school bus stops or in school-related activities. Schools will investigate promptly all reports and complaints of bullying, and retaliation, and take prompt action to end that behavior and restore the target’s sense of safety. The Marlborough Public Schools will support this commitment in all aspects of our school community, including curricula, instructional programs, staff development, extracurricular activities, and parent or guardian involvement.</p> <p><b>Definitions</b></p> <p>Bullying may take a variety of forms and is unacceptable in a school environment. Consistent with M.G.L. c. 71, § 370, the terms used in this policy are defined as follows:</p> <ol style="list-style-type: none"> <li>1. <b>“Bullying”</b> means the repeated use by one or more students or by a member of 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</li> </ol>

or any combination thereof, directed at a target that: (i) causes physical or emotional harm to the target or damage the target's property; (ii) places the target in reasonable fear of harm to himself or of damage to his property; (iii) creates a hostile environment at school for the target; (iv) infringes on the rights of the target at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school. Bullying shall include cyberbullying.

2. **"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, photoelectric or photo optical system, including but not limited to, electronic mail, internet communications, instant messages or facsimile communication. Cyber-bullying shall also include, but not limited to (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 creator 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 persons, if the distribution or posting creates any of the conditions enumerated in clause (i) to (v), inclusive, of the definition of bullying.

a. Cyber-bullying may occur through the use of data, telephone or computer software that is accessed through a computer, computer system, or computer network or any public education institute.

b. As used in this Section, "electronic communication" also means any communication through an electronic device including, but not limited to a telephone, cellular phone, computer or pager.

3. **"Aggressor"** means an individual who engages in bullying, or retaliation as defined herein.

4. **"Target"** means a student against whom bullying, or retaliation has been perpetrated.

5. **"Retaliation"** means any form of intimidation, reprisal or harassment directed against a person who reports bullying, provides information during an investigation about bullying, or witnesses or has reliable information about bullying.

Bullying and retaliation are prohibited:

- On school grounds;
- On property immediately adjacent to school grounds;
- At school-sponsored or school-related activities;
- At 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 Marlborough Public Schools.

Bullying and retaliation are also 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 Marlborough Public Schools if the acts in question:

- creates a hostile environment at school for the target;
- infringes on the rights of the target at school; and/or
- materially and substantially disrupts the education process or the orderly operation of a school.

As stated in M.G.L. c. 71, § 37O, nothing in this policy or in the Marlborough Public Schools Bullying Prevention and Intervention Plan requires the district or school to staff any non-school

related activities, functions, or programs.

The following procedures are based on the requirements of M.G.L. c. 71, § 37O. In addition to the requirements of M.G.L. c. 71, § 37O, where the alleged conduct is on the basis of race, color, national origin, genetic information, ancestry, sex, sexual orientation, gender identity or expression, disability, religion, veteran status, age or homelessness, the district should also consider whether the conduct constitutes discrimination and/or harassment based on those protected classes.

### **Reporting Bullying or Retaliation**

Reports of bullying or retaliation may be made by staff, students, parents or guardians, or others, and may be oral or written. Oral reports made by or to a staff member must be recorded in writing. All employees are required to report immediately to the Principal or their designee any instance of bullying or retaliation that the staff member becomes aware of or witnesses. Reports made by students, parents/ or guardians, or other non-employees may be made anonymously. The schools will make reporting resources available to the school community including, but not limited to, the Marlborough Bullying Prevention and Intervention Incident Reporting Form, available on the Marlborough Public Schools' website.

### **Reporting by Students, Parents or Guardians, and Others**

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

### **Safety**

Before fully investigating the allegations of bullying or retaliation, the Principal or their designee will take steps to assess the need to restore a sense of safety to the alleged target and/or to protect the alleged target from possible further incidents. There may be circumstances in which the Principal or designee contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.

Responses to promote safety may include, but are not necessarily limited to, creating a personal safety plan; predetermining seating arrangements for the target and/or the aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a "safe person" for the target; and/or altering the aggressor's schedule and access to the target. The Principal or their designee will take additional steps to promote safety during the course of and after the investigation, as necessary.

The Principal or their designee will implement appropriate strategies for protecting from bullying or retaliation a student who has reported bullying or retaliation, a student who has witnessed bullying or retaliation, a student who provides information during an investigation, or a student who has reliable information about a reported act of bullying or retaliation. The confidentiality of students and witnesses reporting alleged acts of bullying will be maintained to the extent possible given the school's obligation to investigate the matter.

### **Notice to Parents/Guardians**

Upon determining that bullying or retaliation has occurred, the Principal or their designee will promptly notify the parents or guardians of the target and the aggressor of the allegation(s), and of the procedures for responding to it.

### **Notice to Law Enforcement**

At any point after receiving a report of bullying or retaliation, including after an investigation, if

the Principal or their designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the Principal or designee will notify the local law enforcement agency. Notice will be consistent with the requirements of 603 CMR 49.00 and locally established agreements with the local law enforcement agency. Also, if an incident occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in school, the Principal or designee shall contact the local law enforcement agency if they have a reasonable basis to believe that criminal charges may be pursued against the aggressor. In making this determination, the Principal or designee will, consistent with this policy, the Marlborough Public Schools Bullying Prevention and Intervention Plan and any other applicable school or district policies and procedures, consult with local law enforcement/school resource officers and other individuals the Principal or their designee deems appropriate.

**Determinations**

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

The notice to the parents or guardians of the victim shall include information about the Massachusetts Department of Elementary and Secondary Education's ("DESE") problem resolution system and the process for seeking assistance or filing a claim through the problem resolution system. The parents of the victim should be provided the following contact information: Program Quality Assurance Services, Massachusetts Department of Elementary and Secondary Education, 75 Pleasant Street, Malden, MA 02148-4906, Telephone: 781-338-3700; TTY: N.E.T. Relay: 1-800-439- 2370.

**Taking Disciplinary Action**

If the Principal or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the Principal or designee, including the nature of the conduct, the age of the student(s) involved, and the need to balance accountability with the teaching of appropriate behavior. Discipline will be consistent with this policy, the Marlborough Public Schools Bullying Prevention and Intervention Plan and the school's code of conduct/student handbook.

If the Principal or designee determines that a student knowingly made a false allegation of bullying or retaliation, that student may be subject to disciplinary action consistent with the school's code of conduct/student handbook. Possible consequences to serious incidents of bullying include suspension and expulsion from school.

Discipline procedures for students with disabilities are governed by the federal Individuals with Disabilities Education Improvement Act (IDEA), which should be read in cooperation with state laws regarding student discipline, aligning with the school's code of conduct/student handbook.

**HAZING**

**HAZING**

MGL C. 269, SEC. 17, et. seq. and 603 CMR 33.00 has made it a crime to participate in or organize hazing, or for a person at the scene of such a crime to fail to report the incident. Any student found to be in violation of this law may be suspended from school for a period up to ten school days, be reported to the police department for possible legal action and may be referred to the Superintendent of Schools for further action.

**TITLE IX****Title IX of the Education Amendments of 1972**

The Marlborough Public Schools does not tolerate discrimination against students, parents, employees or the general public on the basis of sex. The Marlborough Public Schools is also committed to maintaining a school environment free of harassment based on sex, including harassment based on gender, sexual orientation, gender identity, pregnancy or pregnancy status. The Marlborough Public Schools' policy of nondiscrimination extends to students, staff, the general public, and individuals with whom it does business; no person shall be excluded from or discriminated against in employment, admission to a public school of Marlborough Public Schools or in obtaining the advantages, privileges, and courses of study of such public school on account of sex.

How to Report Sexual Harassment: Individuals are encouraged to report allegations of sexual harassment to the Title IX Coordinator(s) identified below or the Principal. Any report of sexual harassment, as defined under Title IX of the Education Amendments of 1972, will be responded to promptly in accordance with the *District's Title IX Sexual Harassment Grievance Procedures*, available at: <https://www.mps-edu.org/cms/lib/MA02212715/Centricity/Domain/25/Title%20IX.pdf> . Reports of discriminatory harassment not constituting sexual harassment as defined under Title IX of the Education Amendments of 1972, will be initially addressed through the *District's Title IX Sexual Harassment Grievance Procedure* and may, if dismissed under that procedure, be investigated in accordance with the *District's Civil Rights Grievance Procedures*, available at: <https://www.mps-edu.org/cms/lib/MA02212715/Centricity/Domain/25/New%20Title%20IX%20Regulations%207.28.20%20%20slides%20PP.pdf>

Upon receipt of a report of sexual harassment, the Title IX Coordinator will: (1) promptly and confidentially contact the complainant to discuss the availability of supportive measures; (2) inform the complainant of the availability of supportive measures with or without the filing of a Title IX Formal Complaint; (3) consider the complainant's wishes with respect to supportive measures; (4) if the school district does not provide the complainant with supportive measures, document the reasons why such response was reasonable; and (5) explain to the complainant the process for filing a Title IX Formal Complaint.

Inquiries about the application of Title IX may be directed to the District's Title IX Coordinator and/or the Assistant Secretary of the U.S. Department of Education, Office for Civil Rights.

The District's Title IX Coordinator(s) are:

Douglas Dias

Director of Finance and Operations, Title IX Coordinator

Marlborough Public Schools

25 Union Street, Marlborough, MA 01752

508-460-3509 x13810 or [ddias@mps-edu.org](mailto:ddias@mps-edu.org)

Patricia Brown

Director of Human Resources Marlborough Public Schools

25 Union Street, Marlborough, MA 01752

508-460-3509 x13806 or [patricia.brown@mps-edu.org](mailto:patricia.brown@mps-edu.org)

**STUDENT CONDUCT  
and DISCIPLINE**

**STUDENT CONDUCT and DISCIPLINE**

Conduct in the classroom is to be handled by the teacher using a variety of classroom management practices in accordance with the Building Curriculum Accommodation Plan (BCAP) and the Massachusetts state laws set forth in the due process section of this handbook. Disciplinary action is ultimately at the discretion of the principal or designee. The MPS follow federal guidelines under the Individuals with Disabilities Education Act (IDEA) when disciplining students with special needs.

**Progressive Discipline**

Discipline is part of the learning process, with a goal of eliminating the offending behavior. First offenses, depending on the severity of the offense, often result in a conversation and redirection. Repeated offenses of a similar nature will result in more serious consequences which are outlined below. Small infractions are often not reported to parents. When behavior reoccurs the appropriate faculty member or administrator will reach out to parents or guardians for assistance. Any behavior which results in an assigned consequence will be reported to and discussed with a parent or guardian. **Staff members are only allowed to discuss behavior and consequences with a legal guardian. Any consequences assigned to other students will not be reviewed.**

**Level 1:**

A student who fails to abide by the homeroom, classroom, or school-wide expectations will generally be warned on a first offense. A second offense will likely result in the assignment of a teacher or office detention. **Recurring offenses may result in an office detention or possibly a Saturday detention for students in grades 6-8 only.** Detention is held from 2:40 to 3:50 and parents will be given one day's notice before a detention is scheduled to be served.

**Level 2:**

A student who commits an infraction from the list below will be referred to the office, and the student may be **suspended from school for a period of time lasting between one (1) and three (3) school days.** Depending on the infraction, and at the discretion of the administration, Saturday Detention may be incorporated into the resulting discipline for students in grades 6-8.

1. Verbal abuse, insolence, or insubordination toward school staff.
2. Truancy. (see Attendance)
3. Forging, falsifying, or otherwise altering any school-related document or record.
4. Directing vulgar and/or abusive language or gestures at another student or a member of the faculty or staff.
5. Gambling or playing a game of chance for stakes.
6. Intimidating or threatening another student. (see Harassment)
7. Cutting class and/or leaving the school building without permission from an administrator.
8. Refusing to identify oneself upon request.
9. Misbehaving at a co-curricular activity or event, on a field trip, or at an interscholastic athletic contest.
10. Lying to a member of the faculty or staff or defying the authority of a member of the faculty or staff through willful non-compliance or insubordination.
11. Enabling unapproved access to the school building to non-school personnel, or to students who do not attend school.
12. Deliberate throwing of any object from the second or third floor balconies or stairwells.
13. Direct insubordination concerning penalties assigned by the Assistant Principal.
14. Refusing to report to the Assistant Principal when told to do so by a teacher.
15. Any unauthorized use/abuse of computer system or equipment.
16. Improper use of student ID.
17. Repeated and/or extreme violations of Level 1 infractions.

**Level 3:**

A student who commits an infraction from the list below may be suspended from school for a period of time lasting one **(1) to five (5) school days.** Depending on the nature and severity of the conduct in

question, a referral to the police department may also be made. Depending on the infraction, and at the discretion of the administration, Saturday Detention may be incorporated into the resulting discipline for students in grades 6-8.

1. Fighting.
2. Stealing or being found to be in possession of stolen personal or school property.
3. Participating in the practice of hazing. (see Hazing)
4. Participating in Bullying. (see Bullying)
5. Destroying, damaging, or defacing of school property, or any other deliberate act of vandalism. (Restitution of property and any associated clean-up costs will be required and police will be notified, if warranted.) Parents should know that under M.G.L. c. 231 §85G parents are liable in a civil action for any willful act committed by a minor child which results in damage to the property of another person or municipality up to \$5,000.
6. Repeated and/or extreme violations of Level 2 infractions

**Level 4:**

In the case of serious or flagrant disregard of school rules, the Assistant Principal may suspend the student for up to five (5) days and may refer the suspension to the Principal for further action. The Principal will provide an opportunity for the student to be heard and then render a decision. The Principal may extend the suspension for a specified number of days or suspend the student indefinitely. Expulsions may occur under M.G.L. c. 71 §37H, 37H 12 or 37H 34 The student will also be subject to an immediate referral to the police department. For students in grades 6-8, Saturday Detentions are not an option for the infractions listed below.

1. Disrupting school by creating or perpetrating a false fire alarm, bomb scare or other disruption of the extended school community.
2. Using, possessing, distributing, or selling controlled or banned substances, or items purported to be controlled or banned substances, including but not limited to: drugs, alcohol, dangerous weapons, and pyrotechnics.
3. Arson or starting a fire.
4. Violating another student's civil rights—including hate crimes.
5. Assaulting, and/or attempting or threatening bodily harm to a member of the faculty or staff.
6. Any attack or assault on another student that would appear to a neutral observer to be unprovoked.
7. Repeated and/or extreme violations of Level 3 infractions.

**\*\*\*The Principal/Assistant Principal may suspend for any other serious or continued offenses that are deemed necessary to maintain order in the school.**

**SUSPENSION/EXPULSION**

**Suspension/Expulsion Infractions Other Than Dangerous Weapons, Narcotics, Assaults on Staff or Felony Complaints - M.G.L. c . 71, § 37H 3/4**

**Definitions:**

**Expulsion:** the removal of a student from the school premises, regular classroom activities, and school activities for more than ninety (90) consecutive school days.

**In-School Suspension:** the removal of a student from regular classroom activities, but not from the school premises, for no more than (10) consecutive school days, or no more than ten (10) school days cumulatively for multiple infractions during the school year. \* *Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days.*

**Long-Term Suspension:** the removal of a student from the school premises and regular classroom activities for more than ten (10) consecutive school days, or for more than ten (10) school days cumulatively for multiple disciplinary offenses in any school year. Removal solely from participation

in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days.

Written Notice: Written correspondence sent 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.

Principal: The primary administrator of the school or the Principal's designee for disciplinary purposes.

**Due Process Under M.G.L. c. 71, Section 37H <sup>3</sup>/<sub>4</sub>**

In every case of student misconduct for which suspension may be imposed, a principal shall exercise discretion in deciding the consequence for the offense; 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.

Emergency Removals:

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. In such a case, 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: (1) Make immediate and reasonable efforts to orally notify the student and the student's parent of the emergency removal, (2) the reason for the need for emergency removal; (3) the disciplinary offense; (4) the basis for the charge; (5) the potential consequences, including the potential length of the student's suspension; (6) 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; (7) the date, time, and location of the hearing; and (8) the right of the student and the student's parent to interpreter services at the hearing if needed to participate.

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, the Principal must provide the student an opportunity for a hearing with the principal that complies with either the short-term due process or long-term due process set forth below, as applicable, and the parent an opportunity to attend the hearing.

Additionally, the Principal is required to 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 notice of the decision for short-term suspension or long-term suspension at set forth below, whichever is applicable.

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.

In-School Suspension:

In-School Suspension: means removal of a student from regular classroom activities, but not from the school premises, for no more than (10) consecutive school days, or no more than ten (10) school days cumulatively for multiple infractions during the school year. Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days. In-school suspension for ten (10) days or less, consecutively or cumulatively during a school year, shall not be considered a short-term suspension under these regulations. If a student is placed in in-school suspension for more than ten (10) days, consecutively or cumulatively during a school year, such suspension shall be deemed a long-term suspension for due process, appeal, and reporting purposes under 603 CMR 53.00.

Due Process for In-School Suspension: Prior to the imposition of an In-School Suspension, the student will be informed of the disciplinary offense and provided with an opportunity to respond. If the principal determines that the student committed the disciplinary offense, the principal will provide oral notice to the student and parent of the length of the In-School Suspension and will make reasonable efforts to meet with the parent.

Principal's Decision – In-School Suspension – On or before the day of suspension, the principal shall send written notice to the student and parent about the In-School Suspension, including the reason and the length of the In-School Suspension, and inviting the parent to a meeting with the principal for the purpose set forth 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. Students have the right to appeal an In-School Suspension that will result in their In-School Suspension for more than ten (10) school days in a school year.

Short-Term Suspension:

Short-term suspension: means the removal of a student from the school premises and regular classroom activities for ten (10) consecutive school days or less. A principal may, in his or her discretion, allow a student to serve a short-term suspension in school. Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days.

Due Process for Short-Term Suspension: In the case of disciplinary offenses not involving: a) possession of a dangerous weapon; b) possession of a controlled substance; c) assault on a member of the educational staff; or d) a felony charge or felony delinquency complaint or conviction, the student and parents will be given oral and written notice of the disciplinary offense with which the student is charged and the opportunity to participate in a hearing prior to the imposition of an out-of-school suspension.

Notice – Short-Term Suspension: Except as provided in cases of In-School Suspension or Emergency Removal, 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.

Notice of Principal's Hearing - 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: the disciplinary offense; the basis for the charge; the potential consequences, including the potential length of the student's suspension; 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; the date, time, and location of the hearing; the right of the student and the student's parent to interpreter services at the hearing if needed to participate; if the student may be placed on long-term suspension following the hearing with the principal; the rights set forth in 603 CMR 53.08 (3)(b); and the right to appeal the principal's decision to the superintendent.

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.

Principal's Hearing - Short-Term Suspension: At the Principal's hearing, the student and parents (if participating) may dispute the charge(s) against the student and present information, including mitigating facts, for the principal's consideration in determining consequences for the student.

Principal's Decision – Short-Term Suspension: 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 M.G.L. c. 76, 21. 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.

Long-Term Suspension:

Long-term suspension: means the removal of a student from the school premises and regular classroom activities for more than ten (10) consecutive school days, or for more than ten (10) school days cumulatively for multiple disciplinary offenses in any school year. A principal may, in his or her discretion, allow a student to serve a long-term suspension in school. Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days. Except for students who are charged with a disciplinary offense set forth in subsections (a) or (b) of G.L. c. 71, § 37H, or in section 37H ½ of G.L. c. 71, no student may be placed on long-term suspension for one or more disciplinary offenses for more than ninety (90) school days in a school year beginning with the first day that the student is removed from school. No long-term suspension shall extend beyond the end of the school year in which such suspension is imposed.

Due Process for Long-Term Suspension: In the case of disciplinary offenses not involving: a) possession of a dangerous weapon; b) possession of a controlled substance; c) assault on a member of the educational staff; or d) a felony charge or felony delinquency complaint or conviction, the student and parents will be given oral and written notice of the disciplinary offense with which the student is charged and the opportunity to participate in a hearing prior to the imposition of an out-of-school suspension.

Notice Long-Term Suspension: Written notice of the date and time for the hearing will be provided in English and in the primary language of the student's home and will identify the disciplinary offense with which the student has been charged, the basis for the charge, the potential length of the

student's suspension, and inform the parent and student of the right to interpreter services if necessary to participate in the hearing.

Where a student may be subject to a Long-Term Suspension, the Principal will also notify the student and parent of 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; and (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.

Principal's Hearing - Long-Term Suspension: The student will have the rights identified in the written notice and 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.

Principal's Decision – Long-Term Suspension: M.G.L. c. 71, 37H 3/4

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, 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 M.G.L. c. 76, § 21; (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.

Superintendent Appeals – Long-Term Suspension:

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 shall file a 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. 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.

Superintendent Appeal Hearing: 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. 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.

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. The student shall have all the rights afforded the student at the principal's hearing for long-term suspension as identified above.

Superintendent's Decision: The superintendent shall issue a written decision within five (5) calendar days of the hearing which: (1) identifies the disciplinary offense and the date on which the hearing took place, and the participants at the hearing; (2) sets out the key facts and conclusions reached by the Superintendent; (3) identifies the length and effective date of the suspension, as well as a date of return to school; (4) includes notice of the student's opportunity to receive education services to make academic progress during the period of removal from school as provided in M.G.L. c. 76, § 21; and (5) 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. 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.

Opportunity to Make Academic Progress:

Less Than 10 Consecutive Days - 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 schoolwork as needed to make academic progress during the period of his or her removal from the classroom or school.

More than 10 Consecutive Days - 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, in accordance with the school's education service plan.

M.G.L. c. 71, §§ 37H and 37H 1/2 Offenses (Dangerous Weapons, Drugs, Assaults on Staff and Criminal Felony Matters)

Short-Term Suspension - For disciplinary offenses involving a) possession of a dangerous weapon; b) possession of a controlled substance; c) assault on a member of the educational staff; or d) a felony charge or felony delinquency complaint or conviction, the student will be given oral

notice of the violation with which the student is charged and an opportunity to respond thereto, prior to the Principal's imposition of a short-term suspension or an interim suspension of less than ten (10) consecutive days pending formal proceedings. Upon imposition of a short term or interim suspension of ten (10) consecutive days or less pending further disciplinary proceedings, the student and parents will be provided with written notice of the suspension and the date and time of the formal disciplinary hearing.

Long-Term Exclusion/Expulsion - Unlike M.G.L. c. 71, § 37H 3/4, for offenses that fall within M.G.L. c. 71, §§ 37H and 37H 1/2, a principal may long-term suspend a student for more than ninety (90) days or permanently expel a student for means the removal of a student from the school premises, regular classroom activities, and school activities for (1) possession of a dangerous weapon; (2) possession of a controlled substance; (3) assault on a member of the educational staff; or (4) 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, as provided in G.L. c. 71, §§37H or 37H½. The Principal's Hearing and appeals process identified below apply to suspensions under M.G.L. c. §§ 37H and 37H 1/2 in cases of suspension for more than ten (10) consecutive days.

*Dangerous Weapons, Drugs and Assaults on Staff - M.G.L. c, 71, §37H*

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.

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

Principal's Hearing, Long-Term Exclusion – 37H - Any student who is charged with a violation of either paragraphs 1 or 2 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, the Principal may, in his discretion, decide to suspend rather than expel a student who has been determined by the Principal to have violated either paragraphs 1 or 2.

Appeal to the Superintendent – Long-Term Exclusion – 37H - 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.

Opportunity to Make Academic Progress - 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 in a manner consistent with M.G.L. c. 76, § 21. 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 M.G.L. c. 76, § 21.

Suspensions or expulsions are decisions which are part of student's due process rights. Building Principals or designees are required to report to the police department the presence of any weapon on school premises.

*Felony Complaints - M.G.L. c. 71, § 37H 1/2*

Issuance of a Felony Criminal Complaint

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.

Notice of Principal's Hearing – Long-Term Exclusion – 37H 1/2 - 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.

Appeal to the Superintendent- Long-Term Exclusion - 37H 1/2 - The student shall have the right to appeal the suspension to 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.

Adjudication of Delinquency, Admission of Guilt or Conviction

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.

Notice of Principal's Hearing – Long-Term Exclusion - 37H 1/2 - 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.

Superintendent's Appeal – Long-Term Exclusion - 37H 1/2 - 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. 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.

#### Opportunity to Make Academic Progress

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 in a manner consistent with M.G.L. c. 76, § 21. 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 M.G.L. c. 76, § 21.

#### Memorandum of Understanding (MOU)

The Marlborough School Department and Marlborough Police Department agree to coordinate their efforts to prevent the use of drugs, weapons or violence by the students of the MPS. In all instances of drugs, weapons and violence at The Marlborough Public Schools, the Marlborough Police Department will be notified.

#### **DISCIPLINE AND STUDENTS WITH DISABILITIES**

The following procedures apply to suspension of students with disabilities when suspensions exceed 10 consecutive school days or when a pattern has developed for suspensions exceeding 10 cumulative days. These procedures include the responsibilities of the team and the responsibilities of the district.

- a. A suspension of longer than 10 consecutive school days or a series of short-term suspensions that exceed 10 school days and constitute a pattern of removal and are considered to constitute a disciplinary change in placement.
- b. Prior to a suspension that would result in a disciplinary change in placement of a student with a disability, the building administrators, the parents and relevant members of the student's IEP/504 Team will convene to determine whether the violation for which the student is subject to a disciplinary change in placement was caused by or directly and substantially related to the student's disability or was the direct result of a failure to implement the student's IEP or Section 504 Plan.
- c. If the Team determines that the behavior is NOT a manifestation of the disability, the student may be disciplined in accordance with the policies and procedures applicable to all students except that students eligible for special education services shall be entitled to a free appropriate public education as of the eleventh (11<sup>th</sup>) day of disciplinary exclusion in the school year.
- d. If the team determines that the behavior IS a manifestation of the disability, then the district will conduct a functional behavior assessment or review any existing behavior intervention plan and takes steps (with the consent of the parent) to correct the IEP, the placement, or the behavior intervention plan and the student will not be suspended for the violation found to be a manifestation of his/her disability.
- e. Regardless of the manifestation determination, the district may place the student in an interim alternative setting (as determined by the Team) up to 45 school days if:
  - 1) The student is in possession of a dangerous weapon on school grounds or at school-sponsored events;
  - 2) The student is in possession of or using of illegal drugs on school grounds or at school-sponsored events;
  - 3) The student engaged in solicitation of a controlled substance on school grounds or at school-sponsored events; or

	<p>4) The student <u>inflicted serious bodily injury</u> to another at school or at school-sponsored events.</p> <p>The interim alternative setting must enable the student to participate in the general curriculum, progress toward the goals in the IEP, and receive the special education and related services contained in the student's IEP.</p> <p>The interim alternative setting must also provide services and modifications designed to address the behavior giving rise to the removal and to prevent the behavior from reoccurring.</p> <p>At the conclusion of the forty-five (45) school day period, <i>the student shall be returned to his/her previous placement</i> unless the parent (or student if 18+) consents to an extension of the interim alternative setting or an Order is obtained from the Bureau of Special Education Appeal authorizing the student's continued removal.</p> <p>If the conduct does not involve a dangerous weapon, controlled substance, or serious bodily injury. In such a case, the school may remove the student to an interim alternative setting for 45 days only: 1) with parental consent <i>or</i> 2) by obtaining authorization from a court or BSEA Hearing Officer. In order to obtain an order from the a court or BSEA Hearing Officer, the school must prove that maintaining the student's placement <u>is substantially likely to result in injury to the student or others.</u></p> <p>The parent shall have the right to appeal the manifestation Team's determination, the imposition of a disciplinary change in placement, and the student's placement in an interim alternative educational setting. The student will remain in the disciplinary placement imposed by school authorities pending a decision on the appeal or until the expiration of the disciplinary sanction, whichever comes first.</p> <p><b>STUDENT SUSPENDABLE OFFENSES</b></p> <ol style="list-style-type: none"> <li>1. Smoking or the possession of tobacco products at school or on the bus</li> <li>2. Possession and/or consumption of alcoholic beverages</li> <li>3. Profanity, discriminatory comments or obscenities directed to or at school personnel or fellow students</li> <li>4. Vandalism</li> <li>5. Stealing</li> <li>6. Striking or deliberately causing harm to school personnel or a student(s)</li> <li>7. Defiance, disrespect, or direct insubordination to school personnel</li> <li>8. Behavior that encourages other students to act in any disruptive ways</li> <li>9. *Bringing any type of weapon to school for any reason. Parents should discuss the content of MGL c. 71 section 37 H and H ½ with their children.</li> <li>10. Instigating a fight or fighting</li> <li>11. Bullying, harassing, discriminating, retaliating, or engaging in hate crimes</li> </ol> <p>* Suspensions or expulsions are decisions which are part of a student's due process rights. Building principals or designees are required to report to the police department the presence of any weapon on school premises.</p>
<p><b>DISCIPLINARY SANCTIONS FOR HARASSMENT, BULLYING, DISCRIMINATION, AND HATE CRIMES</b></p>	<p><b>Disciplinary Sanctions regarding Civil Rights Issues</b></p> <p>The Marlborough Public Schools prohibits all forms of harassment, discrimination, and hate crimes based on the following protected categories: race, color, religion, national origin, ethnicity, sex, sexual orientation, gender identity, age, or disability. Any student or staff member who feels they have been subjected to harassment, discrimination or hate crimes should report the incident to building staff or administration immediately.</p> <p>The Marlborough Public Schools also prohibits bullying, as defined below, regardless of whether it is motivated by, or related to, a person's race, color, religion, national origin, ethnicity, sex, sexual orientation, age, or disability. The District will also not tolerate</p>

retaliation against persons who take action consistent with this disciplinary policy and state bullying law MGL c 71 section 370.

The prohibition of harassment, discrimination, hate crimes and bullying applies to all students, whether on school premises or not, *if the bullying creates a hostile environment at school for the target, infringes on their rights at school or materially and substantially disrupts the education process or the orderly operation of a school*, pursuant to the bullying law. MGL c. 71 section 370.

### **Permissible Disciplinary Sanctions and Corrective Actions in Response to Bullying, Discrimination, Harassment, Hate Crimes, or Other Violations of the Code of Conduct.**

Disciplinary sanctions and corrective actions may include, but are not limited to, one or more of the following:

1. a written warning
2. parent conferences
3. classroom or school transfer
4. limiting or denying student access to a part or area of school
5. adult supervision on school premises
6. exclusion from participation in school-sponsored functions, after-school programs, and/or extracurricular activities
7. short-term or long-term suspension
8. exclusion, expulsion, or discharge from school
9. an apology to the victim
10. awareness training (to help students understand the impact of their behavior)
11. participation in empathy development, cultural diversity, anti-harassment, anti-bullying or inter-group relations programs
12. mandatory counseling
13. any other reason authorized by and consistent with the disciplinary code
14. formal report through MOU

### **False Charges**

Any student who knowingly makes false charges or brings a malicious complaint may be subject to disciplinary and/or corrective action including, but not limited to, in or out-of-school suspension for no more than 3 days for the first offense. Subsequent offenses may result in exclusion from school for 10 days or more.

### **Student Responsibilities**

Each student is responsible for:

1. ensuring that (s)he does not harass or discriminate against another person on school grounds or in a school-related event or activity because of that person's race, color, religion, national origin, ethnicity, sex, sexual orientation, gender identity, age, or disability.
2. ensuring that (s)he does not bully another person on school grounds or in a school-related event or activity
3. ensuring that (s)he does not retaliate against any other person for reporting or filing a complaint, for aiding or encouraging the filing of a report or complaint, or for cooperating

	<p><b>Protection against retaliation</b> As outlined in the district's policy 1.300, the school will take appropriate steps to protect from retaliation students who report, file a complaint of, or cooperate in an investigation of a violation of the district's policy 1.300.</p> <p><b>Definitions</b></p> <p><b>Discrimination:</b> Treating people differently or interfering with or preventing a person from enjoying the advantages, privileges or courses of study in a public school because of an individual's actual or perceived race, color, national origin, ethnicity, religion, sex, sexual orientation, age, or disability (i.e., protected status). A person may not be subjected to discipline or more severe punishment for wrongdoing, nor denied the same rights as other students, because of his/her membership in a protected class.</p> <p><b>Harassment:</b> Harassment is oral, written, graphic, electronic or physical conduct on school property or at a school-related activity relating to an individual's actual or perceived race, color, national origin, ethnicity, religion, sex, sexual orientation, age, or disability (i.e., protected status), that is sufficiently severe, pervasive or persistent so as to interfere with or limit a student's ability to participate in or benefit from the district's programs or activities, by creating a hostile, humiliating, intimidating, or offensive educational environment. For purposes of this Policy, harassment shall also mean conduct, if it persists, that will likely create such a hostile, humiliating, intimidating or offensive educational environment. A single incident, depending on its severity, may create a hostile environment.</p> <p><b>Hostile Environment:</b> a situation in which harassment or bullying causes the school environment to be permeated with intimidation, ridicule or insult that is sufficiently severe or pervasive to alter the conditions of the student's education.</p> <p><b>Hate Crime:</b> Hate crimes are the most extreme form of discrimination: a crime motivated, in whole or in part, by hatred, bias, or prejudice against an individual because of race, color, national origin, ethnicity, religion, sex, or sexual orientation, age, or disability. The victim's individual identity – real or perceived- doesn't matter to the offender; any person who appears to be a member of the group will serve his or her purpose. A hate crime may involve a physical attack, threat of bodily harm, physical intimidation, or damage to another's property.</p>
<p><b>TRANSPORTATION REGULATIONS</b></p>	<p><b>TRANSPORTATION REGULATIONS</b> Eligibility for bus transportation is determined by the state and local policy. The Transportation Policy (4.500) as approved by the MPS School Committee is available in each principal's office and school administration building. Bus routes will be subject to annual review. Problems concerning transportation should be reported directly to the building principal or designee, who, if unable to resolve the issue, shall refer the matter to the assistant superintendent. <b>Children who ride the bus are not allowed to ride another bus to visit a friend, attend an event, etc.</b></p> <p><b>BUS RULES and DISCIPLINE*</b> When riding the buses, pupils are expected to be well behaved, courteous and concerned for the safety of self as well as the safety of others. School buses are an extension of the school and pupils are under the jurisdiction of the school while riding. The bus driver is the school official in charge and is responsible for your safe passage. The drivers need a minimum of distraction and your full cooperation to effectively do their jobs. All school rules apply with bus transportation and students who commit misconduct on buses will be subject to disciplinary action.</p>

	<p>Bus drivers are responsible for the safe transportation of pupils to and from school and should be considered as the bus disciplinarian. Parents shall be responsible for understanding the rules for bus conduct contained in the student handbook and making certain their children follow them.</p> <p><b>BOARDING/EXITING THE BUS*</b></p> <ol style="list-style-type: none"> <li>1. Students should be at the bus stop prior to the arrival of the bus.</li> <li>2. As the bus approaches, students should line up at a reasonable distance off the roadway and should not approach the bus until it has stopped, and the driver has opened the door.</li> <li>3. Students should enter quickly and be seated at once.</li> <li>4. Students should listen carefully and follow any directions given by the driver</li> <li>5. Students should not leave their seat, until the bus has come to a complete stop and the driver has opened the door.</li> </ol> <p><b>RIDING THE BUS*</b></p> <ol style="list-style-type: none"> <li>1. Consuming food or beverages is not permitted</li> <li>2. Smoking on buses is not permitted</li> <li>3. Avoid extending arms or other parts body parts out the window</li> <li>4. Remain seated when bus is in motion</li> <li>5. Avoid shouting or other excessive noise that may distract the driver and lead to an accident</li> <li>6. Keep the bus clean and sanitary</li> <li>7. Be courteous to others</li> <li>8. Listen carefully and obey directions given by the driver</li> <li>9. Nothing may be thrown within the bus or out the windows</li> <li>10. Students must remain on the bus until their bus stop or school is reached</li> <li>11. No person will be allowed to interfere with the vision or attention of the driver or the operation of the bus</li> <li>12. Fighting, teasing, pushing, verbal abuse, profanity or damaging property are forbidden</li> </ol> <p>In the event of discipline problems on a bus, the bus driver shall report the violation to the principal or designee immediately following the bus trip that day. The bus driver shall communicate the violation in writing using the <i>Bus Behavior Report Form</i>. This form must be signed by the parent/guardian and returned to the principal or designee. Violations of bus rules will be dealt with seriously. Violators will be refused the privilege of riding the bus when the principal or designee deems it necessary for the protection and safety of other students. <b>It will be necessary for parents to provide transportation when a student is suspended from the bus or any other method of district transportation.</b></p> <p><b>*Excerpted from Marlborough Public Schools' Policy 4.520</b></p>
<p><b>MEMORANDUM OF UNDERSTANDING (MOU)</b></p>	<p><b>MEMORANDUM OF UNDERSTANDING (MOU)</b></p> <p>The Marlborough School Department and the Marlborough Police Department agree to coordinate their efforts to prevent substance abuse, by the students of the MPS and to prevent violence involving the students of the MPS. The joint effort of cooperative response will focus on incidents, which take place on school grounds, within school property or at school sponsored events. A copy of the MOU is available in each school.</p>
<p><b>INTERNET ACCESS NETWORK USE SOCIAL MEDIA</b></p>	<p><b>INTERNET ACCESS NETWORK USE SOCIAL MEDIA</b></p> <p>It is the policy of the Marlborough Public Schools to provide supervised Internet access to all students and teachers in the Marlborough Public Schools. Our goal in providing this service is to promote educational excellence in the district by facilitating resource sharing, innovation, and communications. All use of Internet accounts must be in support of education and research and be consistent with the educational objectives of the Marlborough Public Schools. A permission form must be signed by parent/guardian and returned to school by all students and is included on the sign off page. All rules and</p>

	<p>regulations must be reviewed with students. The Marlborough Public School System has a commitment to provide error free access to Internet content but the district cannot be held liable for any lost, damaged, or unavailable information due to technical difficulties. (S.C. Policy 7.97 &amp; 7.98)</p> <p>Student use of their own devices must support the instructional activities of the classroom and must be turned off and put away when requested by a teacher.</p>
<b>STUDENT SERVICES</b>	<p><b>McKinney-Vento Homeless Education Assistance Act:</b>  The federal McKinney-Vento Homeless Education Assistance Act requires that schools immediately enroll homeless students in school, even if they do not have the documents usually required for enrollment, such as school records, medical records or proof of residency, as long as the student has been properly immunized. Information on lead screenings as well as immunization records may be transferred over the phone. Parents or Guardians intending to register students who are homeless should be aware of the following guidelines:</p> <ol style="list-style-type: none"> <li>1. Homeless students have a right to either remain in their school of origin or to attend school where they are temporarily residing;</li> <li>2. Children who move from a homeless situation into a permanent residence during the course of a school year have the right to stay in the school they were attending while they were temporarily homeless. Transportation will be provided through the end of the school year;</li> <li>3. Students who chose to enroll in school where they are temporarily residing must be enrolled immediately, even if they do not bring the records usually required for enrollment with them;</li> </ol> <p>If a homeless student arrives without records, the school district's designated Homeless Education Liaison will assist the family and contact the previously attended school system to obtain the required records;</p> <p>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, English Learner education, vocational and technical education programs, gifted and talented programs and school nutrition programs, summer programming and extracurricular activities.  A child who is homeless and attending any school served by the local educational agency is eligible for the Free and Reduced Lunch Program.</p> <p>For further information or assistance, contact Peter D. Cirioni, State Coordinator, Office for the Education of Homeless Children and Youth, 781-338-6294, <a href="mailto:pcirioni@doe.mass.edu">pcirioni@doe.mass.edu</a> or Sarah Slutterback, Homeless Education Specialist, 781-338-6330, <a href="mailto:sslutterback@doe.mass.edu">sslutterback@doe.mass.edu</a>.</p> <p><b>Child Abuse</b>  All staff are aware of the signs of child abuse and neglect, and the Principal, on a yearly basis, informs all professional staff of their obligations to report cases of child abuse and neglect as specified in M.G.L. Chapter 119, §51A-51F and M.G.L. Chapter 71, §371.</p> <p><b>Parent Notification Regarding Sexual Education and Human Sexuality Issues</b>  Massachusetts General Law Chapter 71, Section 32 A notes that parents be provided an "opt-out" provision for courses (typically sex education or sciences) school assemblies, or other instructional activities and programs that focus on human sexual education, the biological mechanics of human reproduction and sexual development, or human sexuality issues. Parents wishing to review curricula and/or exempt their child/children from instruction of the aforementioned topics must contact the building Principal in writing.</p>

**Protection Of Pupil Rights Amendment (PPRA)**

The Protection of Pupil Rights Amendment (PPRA), 20 U.S.C., § 1232h, requires the Marlborough Public Schools to notify you and obtain consent or allow you to opt out your child out of participating in certain school activities. These activities include a student survey, analysis, or evaluation that concerns one or more of the following eight areas ("protected information survey"):

1. Political affiliations or beliefs of the student or student's parents;
2. Mental or psychological problems of the student or student's family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or Income, other than as required by law to determine program eligibility.

This requirement also applies to the collection, disclosure or use of student information for marketing purposes ("marketing surveys"), and certain physical exams and screenings.

The Marlborough Public Schools will provide parents, within a reasonable period of time prior to the administration of the survey and activities, notification of the surveys and activities and provide an opportunity to opt their child out, as well as an opportunity to review the surveys. If you wish to review any survey instrument or instructional material used in connection with any protected information or marketing survey, please submit a request to the building principal. The principal will notify you of the time and place where you may review these materials. You have the right to review a survey and/or instructional materials before the survey is administered to the student.

Parents who believe that their rights have been violated may file a complaint with the Office for Family Compliance Policy, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-5920.