

George R. Martin Elementary School

K-5

Handbook and Calendar

2016-2017



George R. Martin Elementary School

445 Cole St.

508-336-7558

Fax: 508-336-0309

Welcome...

The information contained in this handbook has been prepared to better acquaint parents with school programs and procedures in the George R. Martin School. It is hoped that this information will lead to your child's success throughout the years.

Parents are always welcome at the schools. If any questions or problems arise, do not hesitate to set up a conference with the principal or teachers to discuss the matter. If you would like to volunteer time to assist at the schools, we are always happy to see you.

Please keep the calendar/handbook in a convenient place so that you may refer to it throughout the year.

TIPS FOR SUCCESS

- Praise and recognition reinforce learning. Children need praise when they succeed and help when they are having problems.
- Arrange some special time everyday to talk with your child. Show an active interest in your child's school life.
- Set aside a special time and place to read with your children each day. It is helpful to provide a wide variety of reading materials in your home.
- Visiting libraries, museums, and nature trails, etc. help create shared educational opportunities.
- To promote an enthusiasm for math, involve children in everyday problem solving. Look for patterns everywhere, make comparisons, ask questions, take measurements, talk about time and money.
- Encourage children to write. They might enjoy writing letters to relatives and special friends, labeling containers in their bedrooms, keeping a diary, writing down phone messages, or making lists.
- To develop creativity, families could make available easy access to paper (different sizes, colors, shapes and textures), markers, crayons, pencils, paint, colored chalk, clay, glue, scraps of fabric, trim and yarn, etc.
- HAVE FUN TOGETHER!

Bart Lush, Principal
445 Cole Street
Seekonk, MA 02771
(508)336-7558
lushb@seekonkschools.org

This Handbook is translated into the following languages:
(see inserted list) and can be translated into other languages
upon request.

The Seekonk School Department does not discriminate on the basis of age, race, color, sex, religion, national origin, sexual orientation, gender identity, or disability in accordance with the applicable laws and regulations.

**Seekonk Public Schools
Mission Statement**

The mission of the Seekonk Public Schools is to inspire all students to acquire the skills, habits, knowledge, and passion to be responsible citizens of the global community.

School Mission Statement

George R. Martin School

The mission of the George R. Martin School is to provide the finest possible education for the students in an environment where they may achieve their potential through a partnership of home, child, and school.

Guiding Principles

We Believe:

- ◆ All students learn best when actively engaged in the learning process.
- ◆ In providing flexible opportunities for all students to reach their full potential.
- ◆ Education is about growth that extends far beyond core academics to include the arts, cultural awareness, and physical and emotional well-being.
- ◆ All decisions are made in the best interests of the students.
- ◆ Every child and staff member deserves to be treated with respect and courtesy.
- ◆ High quality and relevant professional development is essential for the growth and success of the education process.
- ◆ Open communication is a shared responsibility among home, school, and community which fosters an atmosphere of mutual respect and cooperation.
- ◆ In the strength of all schools working toward a common vision.
- ◆ In a cyclical and focused process of curriculum review and update.
- ◆ The cornerstone of a strong community is an exemplary educational system.

It is the responsibility of the entire community to provide the necessary resources to educate our students.

Martin School students will show PRIDE. Perseverance, Respect, Integrity, Determination and Enthusiasm

POSITIVE BEHAVIOR INTERVENTIONS & SUPPORTS PBIS

Martin's PBIS initiative is an approach to establish positive behavioral and academic expectations in our school. The PRIDE acronym encompasses this philosophy.

SCHOOL HOURS

Grades 1-5: School officially begins at 9:00 A.M. and closes at 3:05 P.M. Students may arrive between 8:45-9:00 and go immediately to their classrooms to prepare for the day. This early morning time provides students an opportunity to organize, prepare, and begin their schoolwork for the day. We encourage walkers to be in the classroom by 8:50 A.M.

Kindergarten: A.M. session begins at 9:00 A.M. and closes at 11:30 A.M.

P.M. session begins at 12:30 P.M. and closes at 3:05 P.M.

ATTENDANCE

Good attendance is essential to the total development of a sound educational environment. The classroom experience plays a significant role in providing students with an opportunity to develop social skills and participate in activities and discussions vital to their academic success.

Regular attendance develops habits that are compatible with those considered to be important by society. Promptness is another vital aspect of the learning process as students prepare for life.

TARDINESS

Children who arrive after the official beginning of the school day should report to the office so that attendance and lunch counts can be adjusted. Lateness should not be a common occurrence.

ABSENTEEISM

If a child is to be absent from school, parents are required to call the school prior to 9:30 A.M.

The school will notify the parent or guardian of a child's absence if the school has not received notification of the absence from the parent or guardian within 3 days of the absence.

If a student has at least 5 days in which the student has missed 2 or more periods unexcused in a school year or has missed 5 or more school days unexcused in a school year, the Principal will send a letter to notify parents of their child's absences in order to promote more regular attendance and will meet with the

parent or guardian to develop action steps for student attendance. The action steps will be agreed upon by the Principal, the student, the student's parent or guardian and with input from other relevant school personnel and officials relevant to public safety, health and human service and housing and nonprofit agencies.

Vacations outside of the regularly scheduled school vacation periods are strongly discouraged because students miss classroom instruction that cannot be made up. If you do plan to take a vacation during the school year, please inform the school.

The school may generally excuse only absences of 7 day sessions or 14 half day sessions in any period of six months.

If a student has a prolonged absence, arrangements regarding missed assignments should be discussed with the classroom teacher. The student is responsible to make up work that has been missed in order to remain current with the curriculum.

PLEASE NOTE: If a student is absent from school for any reason for more than half of the day - or dismissed from school due to illness, he/she may not participate in any school related, evening events on that day.

EARLY DISMISSAL

If it is necessary for a student to be dismissed early, a note is required stating the time of dismissal and who will be picking up the child. Adults picking up students must be on the information list and must report directly to the office to sign the child out. Photo identification may be required. ***This policy is necessary to assure the safety of our students.***

EMERGENCY INFORMATION FORM

Each September you will complete an emergency information form which will include important information the school will need if an emergency arises. If there are any changes in information contained on the form during the school year, please contact the office or your child's teacher.

EMERGENCIES

In an emergency medical situation where repeated attempts to contact the parents for disposition have failed, school personnel (nurses, principals, or secretaries) shall handle the emergency by sending the ill or injured child to the nearest hospital

emergency room for treatment. A continued effort will be made to notify the parents of the measures taken to insure the welfare of the ill or disabled child.

The parents shall be notified in writing of or called regarding any emergency that arises during the school day and the measures used to treat the emergency condition.

VISITORS

Parents and guardians are very welcome to come into school. Advance notice is requested to avoid any conflicts of activities and the duration of a visit may be limited to ensure the safety of students or to protect confidential student information. Please note that parents and visitors are not allowed to contact teachers or pupils during school hours, except at the discretion of the principal. Parents should make arrangements in advance for conferences with teachers.

All parents and visitors are required to report to the office upon entering the building to sign in and obtain a visitor's pass. Visitors without a pass will be asked to return to the office.

LUNCH PROGRAM

Lunches are offered daily and students may select from three lunch choices. Free or reduced lunches are available throughout the year to those families meeting federal and state guidelines. Please contact the school office if you would like an application. For those children who bring their lunches to school, milk may be purchased separately.

FIELD TRIP POLICY

The student is responsible for appropriate behavior at all times. If a student's behavior has been a problem on numerous occasions, the classroom teacher under the direction of the building principal, may notify the student's parents that he/she will not participate in the field trip and/or activity. On such occasions, class work will be provided for the student.

Costs for field trips related to extracurricular activities must be borne by the students participating in such activities and/or by a sponsoring organization. (Teachers should be cognizant of and make arrangements for students whose economic situation would preclude participation.)

PARENT TEACHER CONFERENCES

Parent teacher conferences are scheduled in October for all students in grades preK-5.

DRESS REQUIREMENTS

Students should dress in a manner that shows pride in themselves and their school. All students are required to dress and groom themselves in clothes that are suitable for school activities and clothes that do not disrupt the educational atmosphere of the school.

In general, attire that creates a risk of substantial and material disruption or disorder within the school is not acceptable. Examples of that attire may include:

- Hats worn in the building.
- Jackets worn in the building.
- Articles of clothing with vulgar or offensive words, pictures, symbols, or with reference to drugs, alcohol, etc.
- Articles of clothing such as tank tops, halter tops, pants worn below the waist, etc. which are revealing in nature.
- Flip-flops and any heels can be unsafe during transitions and recess and should be avoided as footwear.

• The Principal, having discretion to render judgments regarding what is and what is not appropriate, may, if necessary, waive these policy restrictions in religious and/or medical situations. The Principal will determine what consequences should follow when a student does not comply with this policy. To the extent that the Principal intends to send a student home, the Principal will follow the suspension procedures under M.G.L. c. 71, § 37H ¾.

Remind your child to bring gym shoes and library books on the correct day. ***Children are discouraged from calling home for forgotten sneakers, books, or musical instruments.***

PAPERS AND NOTICES

Rewarding your child for good work and keeping abreast of your child's progress are the two most important reasons to review his/her school work. These two items can't be stressed enough for their importance. This interest on your part will stimulate your child to do his/her best work. Establish a place to deposit school work and plan a special time to sit with your child each day.

Notices of importance are also sent home frequently with your child's papers. If you fail to receive papers or notices, please contact the school.

"NO SCHOOL" Announcements/Early Dismissal

The announcement for closing schools will be broadcast between 6:00-7:00 am over the following radio stations: WHJJ (AM 920), WHJY (FM 94), WPRO (AM 630/FM 92), and WSNE (FM 93), as well as the following TV stations: Channel 6, Channel 10, and Channel 12. Announcements are also posted on the school district's web page at <http://www.seekonkschools.org>. In the event of an emergency early release, students should know what plan to follow if no one is at home.

REGISTRATION

Birth certificate, immunization records, residency affidavit requirements, custody papers and/or restraining orders (if necessary) are required at the time of registration. During registration, a parent will be asked to complete a language survey, an emergency form, and a health questionnaire. Although the Seekonk Public Schools may request specific documentation, the Seekonk Public Schools may not deny admission to a child because he or she does not have the specific documents requested, as long as there is adequate proof of residency.

Kindergarten registration is held annually. All children who will be five years old by August 31 of that calendar year are eligible for kindergarten.

The registration requirement will be waived for students who fall under the McKinney-Vento Homeless Assistance Act. If a family qualifies under this Act, the family does not have to provide the documents usually required for enrollment, including a record of immunizations.

PARENT TEACHER ORGANIZATION

The George R. Martin Parent Teacher Organization meetings are held on a monthly basis. Our PTO provides financial support and is an excellent avenue for parents to become involved in school activities. Parents interested in learning more about the parent organization activities should call the school. Your interest will be referred to the appropriate parent organization officers.

SCHOOL COUNCIL

The School Council is the elected representative of parents, faculty, and community established by the Education Reform Act of 1993. Meetings are held on a regular basis and are open to the public.

HEALTH POLICIES

Children are not allowed to carry medication to school with the exemption of those with special permission (i.e. asthma inhalers) after following the procedures to have the student self-administer medication. All medication should be brought to school by a parent or other adult designated by the parent.

The Seekonk School Department has a medication protocol signed by the school physician that allows the school nurse to give certain medications with the written consent of the parent. These medications include Advil, Tylenol, Benadryl, calamine lotion, Rhuligel, Gelusil, bacitracin, hydrocortisone cream, Halls cough drops and Cepacol lozenges.

If a child needs to take any medication (either prescription or over-the-counter) other than those listed above during school hours, a written order by the child's physician and written permission from the parent must be given to the school nurse. The school nurse, in collaboration with the parent, will establish a medication administration plan for each student receiving prescription medication.

Prescription medications must be in a pharmacy container with a label containing the child's name, physician's name and the name and dosage of the medication. Any over-the-counter medication must be in the original packaging.

Complete health policies are available in the school nurse's office.

The Seekonk Public Schools' allergy policy and the Seekonk Public Schools' medication policy are explained in the Seekonk Public Schools Policy Manual. A copy of this manual can be found in all administrative offices.

CLASSROOM ASSIGNMENTS

Each building principal is responsible for the classroom assignment of all students within his/her building. Classroom assignments will be made on the basis of their impact upon the total educational program being offered to the students. Such factors as student-teacher ratio and student's ability level will be taken into consideration by the building principal. Parental requests for specific classroom assignments will not be accepted, however, you can provide school staff with information about your children by May 1st, which is not available from any other source. The way that you observe your child's adaptation to a variety of settings can provide your school staff with a broader, more comprehensive view of your child's needs than could otherwise be provided. Ultimately, classroom assignments shall be left totally to the discretion of the building principal.

WITHDRAWAL FROM SCHOOL

The principal should be notified a week in advance of a child's withdrawal from school by a note or telephone call to the school. The note or call should indicate the last day that the child will be in school and the child's new address. An official transfer will be issued to the child withdrawing. Upon receiving oral or written notice that the student seeks or intends to transfer to another school, the Seekonk Public Schools will send a student's records to the school to which a student seeks or intends to transfer. The Seekonk Public Schools does not require the consent of the eligible student or parent to forward these records.

HOMEWORK POLICY

Definition of the Purpose of Homework: Homework is a good discipline that eases time constraints on the curriculum. It fosters student initiative, independence, and responsibility while reinforcing and supplementing school learning experiences. Homework will develop good study skills and habits with positive attitudes toward learning. Homework should bring the school and home closer together.

Types of Assignments:

- Practice exercises are to provide students an opportunity to reinforce newly acquired skills or apply recent learning.
- Preparation homework requires the student to obtain sufficient background information in order to be prepared for the following day's class work.
- Extension assignments attempt to take the student beyond the work begun in class and to encourage individualized, creative, and imaginative pursuit of knowledge.
- Make-up assignments will consist of work missed due to absences.
- Incomplete classroom work may be assigned as homework.

Guidelines:

When homework is assigned, the following are suggested guidelines. Teacher discretion should be exercised to accommodate individual student level and needs. The criteria for judging homework assignments is determined by each teacher.

Time Allotments:

Kindergarten: As needed.
920740v1

Grade 1:	Average 15 minutes per night.
Grade 2:	Average 15 - 30 minutes per night.
Grade 3:	Average 30 - 45 minutes per night.
Grade 4:	Average 45 - 60 minutes per night.
Grade 5:	Average 45 - 60 minutes per night.

NOTE: Incomplete class work assigned to be done at home will extend total homework time.

Responsibility of the Teacher:

- Home assignments may be given in any academic area.
- Homework should reflect the ranges of student abilities.
- The teacher should give clear and concise directions for the assignment.
- The assignment should be checked, whether it is by oral questioning, written quiz, or work to be passed in.
- Homework is not to be a form of punishment under any circumstances.
- Homework should include a variety of experiences, both long and short term.
- Teachers should inform parents if homework assignments are not satisfactorily completed.
- Teachers should discuss the homework policy with the students so as to acquaint them with the policy and their responsibilities.

Responsibility of the Parent:

- Parents should become acquainted with the Seekonk School Department's policy of homework.
- It is suggested that parents should provide conditions suitable for homework. If parents have questions regarding this, they should contact the classroom teacher or principal.
- Recognizing that parents should be interested in the student's work, it is important that they not substitute their efforts for that required by the students.
- Parents should insist that the child assume responsibility for the completion of assignments within the recommended time allotments.

Responsibility of the Student:

- Students should view homework as an extension of school that must be completed in accordance with the requirements established by the classroom teacher.
- Assignments must be completed neatly and turned in on time.
- Assignments missed for valid reasons, such as illness, must be made up. Each teacher will establish a reasonable time period for make-up work.

K TO GRADE 5 DISCIPLINE POLICY

A major responsibility of the school is the creation of an atmosphere which encourages acceptable social behavior. We have focused on the prevention of negative behavior. To also meet this responsibility the schools' faculties have established a set of rules. The criterion used to determine acceptable school behavior in making rules is: DOES THIS BEHAVIOR INTERFERE WITH THE SCHOOL PROGRAM, THE RIGHTS OF OTHERS, OR STUDENT SAFETY? Please take a moment to review these rules with your child and emphasize the importance of a safe environment.

Pursuant to new student discipline law and regulations, Chapter 222, codified at M.G.L., c. 71, §37H ¼ and 603 CMR 53.00, students are entitled to additional due process for out-of-school suspensions, as follows:

Please note that the school administration may also exclude a student from privileges, including but not limited to extracurricular activities and school-sponsored events, based on a student's misconduct. This type of removal is not subject to the procedures for suspension and expulsion outlined in this policy. Additionally, students who are being suspended for weapons, drugs, assault on staff or a felony complaint or conviction are not subject to these procedures, but different procedures outlined later in the Handbook.

PROCEDURES FOR SHORT-TERM SUSPENSION

(exclusion of a student from school premises and regular educational program for a specified period of not more than ten school days.)

The principal, or his/her designee, may suspend students out-of-school on a short-term basis. The student will receive the following due process prior to a short-term suspension:

1. Oral and written notice of the charges in English and the primary language of the home if other than English. This notice shall include the disciplinary offense, the basis for the charge, the potential length of the suspension, the opportunity to have a hearing before the principal, or designee, the date and time of the hearing, and the right to an interpreter.
2. At the hearing, if the student and/or parent elects to attend, the student shall have the opportunity to present his/her version of the relevant facts and any mitigating circumstances.

3. Based on the available information, the principal, or designee, shall make a determination in writing as to whether the student committed the disciplinary offenses and what discipline shall be imposed. The student and parent shall receive notice in writing of his/her decision, the reasons for it, and, if applicable, the type and duration of the suspension and the opportunity to make academic progress while excluded, including making up assignments and other academic work.

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

DUE PROCESS PROCEDURES FOR EMERGENCY REMOVAL

If the student's continued presence poses a danger to persons or property, or materially and substantially disrupts the order of the school and, in the principal's judgment, there is no alternative available to alleviate the danger or disruption, the principal may temporarily remove the student from the school prior to any hearing. This temporary removal shall not exceed two (2) days following the day of the emergency removal and the superintendent shall be immediately notified of the removal. Additionally, the principal shall make immediate and reasonable efforts to orally notify the student and student's parent of the emergency removal, the reason for the emergency removal, and the other information required in a short-term suspension notification. During the temporary removal, the short-term suspension notice shall be provided in writing to the student and parent. The opportunity for a hearing with the principal or designee shall occur within two (2) school days, unless otherwise extended by the school and parent. A decision regarding the student's continued suspension or other removal shall be rendered the same day as the hearing and written notice shall be provided the following school day. This written notice shall include all the information required based on the type of discipline imposed (short-term suspension, in-school suspension, long-term suspension, or expulsion).

PROCEDURES FOR LONG-TERM SUSPENSION (exclusion of a student from school premises and regular classroom activities for more than ten school days.)

The principal, or his/her designee, may issue long-term suspensions at the building level. The principal may also issue suspensions and expulsions for the offenses set forth in M.G.L. c. 71, §37H and §37H½ (the procedures for these suspensions and expulsions are described in the School District Policies, State and Federal Regulations section of this Handbook)

920740v1

1. In the event of a long term suspension or expulsion, the student will be provided oral and written notice of the charges in English and the primary language of the home if other than English. This notice shall include the disciplinary offense, the basis of the charge, the potential length of the suspension, an opportunity to have a hearing before the principal, or designee, concerning the proposed suspension, the date and time of the hearing, the right to interpreter services if needed to participate, the right to produce witnesses and cross-examine witnesses, the right to appeal to the superintendent, and the right to request that the hearing be recorded and receive a copy of the audio recording.

2. The notice will also notify the student that in advance of the hearing, the student and/or parent shall have the right to review the student's record and the documents upon which the principal or designee may rely on in making a determination to suspend the student.

3. At the hearing, if the student and/or parent elects to attend, the student shall have the opportunity to present his/her version of the relevant facts and any mitigating circumstances. The student shall also have the right to produce witnesses and the right to cross-examine witnesses presented by the school. Please note that student witnesses may only be called at the discretion of the principal, and may not be called without a signed letter of permission to participate in the hearing from that student's parent/guardian. The student and/or parent may also be represented by counsel, at private expense, and may request that the hearing be audio recorded.

4. After the hearing, the principal, or designee, shall make a determination as to whether the student committed the disciplinary offenses and what consequences shall be imposed. The student and parent shall be notified in writing of his/her decision, including, the disciplinary offense, key conclusions, if applicable, the length and effective date of the suspension; notice of the student's opportunity to receive education services and make academic progress during the suspension; and the student's right to appeal to the superintendent or his/her designee if a long-term suspension has been imposed.

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

SCHOOL, PLAYGROUND & CAFETERIA RULES

In order to maintain a safe and enjoyable environment for everyone, these rules are to be followed:

- Be respectful in manner, tone and voice (profanity unacceptable).
- Respect the rights of others to study and work.

- Walk at all times--running in the building is not allowed.
- Talk softly in the hallways and cafeteria.
- There is no sharing of food allowed.
- Chewing gum is not allowed.
- Respect the other person's property--your classmates', teachers' and school property (vandalism is unacceptable).
- Respect the other person's space--no hitting, shoving, and/or physical contact should occur.
- Cell phones, electronic games, portable music players, toy weapons, etc. should not be brought to school. The school system is not responsible for any toys or personal items brought to school. The use of cell phones during school is prohibited.

CONSEQUENCES FOR SCHOOL, PLAYGROUND, & CAFETERIA RULES

Violation of school rules will result in a progressive set of consequences ranging from verbal warnings to school suspension.

PLEASE NOTE:

Any *serious* infraction may warrant immediate parental contact and possible suspension.

CLASSROOM RULES

Classroom rules will be developed at the beginning of each school year by the teacher and/or students. A copy of these rules will be sent home by your child's teacher.

SEEKONK PUBLIC SCHOOLS BUS RULES

The following rules must be strictly observed in order that school bus transportation is safe, orderly, and clean at all times:

1. Please keep all your papers, pens, pencils, and all your other belongings in some type of carrier, such as a backpack.
2. Please wait for the bus to come to a complete stop before moving toward it.
Keep at least (10) feet away from the edge of the road.
3. Please do not push or crowd getting on or off the bus.
4. Please do not stand on the seats; keep your feet on the floor.
5. Please do not change seats.
6. Please do not eat any food or drink on the bus.
7. Please do not throw anything in the bus or drop rubbish on the floor.
8. Windows may be opened only by the bus driver or with his/her permission.
9. Please do not handle bus fixtures; do not put hands on the windows, or mar the upholstery.

- 10. Please do not make any unnecessary noises or cause a disturbance on the bus.
- 11. Please use every precaution to prevent fire.
- 12. Please be courteous and considerate of everyone at all times.

Any violations of the rules and regulations for student behavior on school buses must be reported to the building principal in charge. Suspension of a student from riding the bus may be administered only by the proper authority, the school principal.

(Revised 9/03) by Seekonk Transportation Director

Student Searches and Searches of Lockers

The school is not responsible for lost or stolen articles. Students are advised that lockers are considered school property. The locker and all its contents may be searched by school administrators at any time and for any reason. Any equipment of structures on school property – including, but not limited to, lockers, desks, computers, and tables – are owned by the District and students have no right to privacy in any such structures or equipment. In all other instances, a student may be searched by the Principal or a teacher whenever there is a reasonable suspicion that the student is, or has been, in possession of contraband or materials indicating a violation of the school rules or the law or where the student has violated or is violating the school rules or the law. The search itself will be conducted in a reasonable manner, given the age and sex of the student as well as the nature of the infraction.

School District Policies, State and Federal Laws

Asbestos Hazard Emergency Response Act (AHERA)

Each year the school is required by Federal Law to inform you of the status of asbestos in the school. At this time we are in the process of complying with all applicable Federal and State regulations. The asbestos management plan is on file in the office and accessible to you upon request. In addition, the school has successfully completed its inspections by the Fire Department and the Building Inspector.

Computers and Acceptable Use Policy

All students will be provided with a copy of the district policy on computer use (Acceptable Use Policy) and will be required to sign the policy. Any student who does not submit a signed policy will not have access to computers in the school building. Any student who violates this policy will have his/her computer privileges modified or revoked and school disciplinary action or appropriate legal action may be taken, including reimbursement for damages.

*Please see section on Bullying Intervention and Prevention for additional information regarding computer use.

Insurance

The Seekonk Public School System does not provide insurance coverage that will pay for the costs associated with treatment for injuries students may incur at school. However, a low cost supplementary insurance plan that will pay for any uninsured costs is offered to parents at the start of each school year. Parents are strongly encouraged to consider this program.

Administrative Action in Cases Involving Drugs, Controlled Substances, Weapons, or Assaults

Chapter 71: Section 37H:

Notwithstanding any general or special law to the contrary:

- (a) Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or a knife; or a controlled substance as defined in chapter ninety-four C, including, but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from the school or school district by the principal.
- (b) Any student who assaults a principal, assistant principal, teacher, teacher's aide or other educational staff on school premises or at school-sponsored or school-related events, including athletic games, may be subject to expulsion from the school or school district by the principal.
- (c) Any student who is charged with a violation of either paragraph (a) or (b) shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the principal. After said hearing, a principal may, in his discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraph (a) or (b).
- (d) Any student who has been expelled pursuant to these provisions shall have the right to appeal to the superintendent. The expelled student shall have ten days from the date of the expulsion in which to notify the superintendent of his appeal. The student has the right to counsel at a hearing before the superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section.

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

Administrative Action in Cases Involving Felony Charges and Convictions - Chapter 71: Section 37H½:

- (a) 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 of the school in which the student is enrolled may suspend such student for a period of time determined appropriate by said principal if said principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and the reasons for such suspension prior to such suspension taking effect. The student shall also receive written notification of his or her 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.
- (b) The student shall have the right to appeal the suspension to the superintendent. The student shall notify the superintendent in writing of his request for an appeal no later than five calendar days following the effective date of the suspension. The superintendent shall hold a hearing with the student and the student's parent or guardian within three calendar days of the student's request for an appeal. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The superintendent shall have the authority to overturn or alter the decision of the principal, 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.

- (c) 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 of a school in which the student is enrolled may expel said student if such principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and reasons for 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.
- (d) The student shall have the right to appeal the expulsion to the superintendent. The student shall notify the superintendent, in writing, of his request for an appeal no later than five calendar days following the effective date of the expulsion. The superintendent shall hold a hearing with the student and the student's parent or guardian within three calendar days of the expulsion. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The superintendent shall have the authority to overturn or alter the decision of the principal or headmaster, including recommending an alternate educational program for the student. The superintendent shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the city, town or regional school district with regard to the expulsion.
- (e) If the school suspends or expels a student under this section, it shall continue to provide educational services to the student during the period of suspension or expulsion, under section 21 of chapter 76. If the student moves to another district during the period of suspension or expulsion, the new district of residence shall either admit the student to its schools or provide educational services to the student under an education service plan, under section 21 of chapter 76.

abuse and neglect as specified in sections fifty-one A to fifty-one F, inclusive, of chapter one hundred and nineteen, and the reporting requirements relating to fires in section 2A of chapter 148.

In addition, any school department personnel shall report in writing to their immediate supervisor an incident involving a student's possession or use of a dangerous weapon on school premises at any time.

Supervisors who receive such a weapon report shall file it with the superintendent of said school, who shall file copies of said weapon report with the local chief of police, the department of social services, the office of student services or its equivalent in any school district, and the local school committee. Said superintendent, police chief, and representative from the department of social services, together with a representative from the office of student services or its equivalent, shall arrange an assessment of the student involved in said weapon report. Said student shall be referred to a counseling program; provided, however, that said counseling shall be in accordance with acceptable standards as set forth by the board of education. Upon completion of a counseling session, a follow-up assessment shall be made of said student by those involved in the initial assessment.

A student transferring into a local system must provide the new school system with a complete school record of the entering student. Said record shall include, but not be limited to, any incidents involving suspension or violation of criminal acts or any incident reports in which such student was charged with any suspended act.

Bullying Intervention & Prevention

Seekonk Public Schools is committed to the provision of an educational atmosphere free from bullying, cyber-bullying and retaliation (Chapter 92 of the Acts of 2010, Section 5, Section 370(d)(i)) in order to create a safe, caring, and respectful learning environment for all students.

The Bullying Prevention and Intervention Plan was updated to reflect M.G.L. c. 71, 370 as amended by Sections 72 –74 of Chapter 38 of the Acts of 2013, which changed the definition of "perpetrator" to include "a member of a school staff, including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional." The amendment also made the plan applicable to school staff, including but not limited to, the individuals listed in the amended perpetrator definition.

Definitions:

"Aggressor" means perpetrator of bullying or retaliation as defined in G.L. c. 71, Section 370.

"Bullying", pursuant to G.L. c. 71, Sect. 370, means the repeated use by one or more students or by a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:

1. causes physical or emotional harm to the target or damage to the target's property;
2. places the target in reasonable fear of harm to himself or herself or damage to the target's property;
3. creates a hostile environment at school for the target;
4. infringes on the rights of the target at school; or
5. materially and substantially disrupts the education process or the orderly operation of a school.

For the purposes of this section, bullying shall include cyber-bullying.

"Cyber-bullying" is bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to: any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications. Cyber-bullying shall also include:

- 1 the creation of a web page or blog in which the creator assumes the identity of another person or
- 2 the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in clauses (1) to (5), inclusive, of the definition of bullying. Cyber-bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in clauses (1) to (5), inclusive, of the definition of bullying.

"Hostile environment" means a situation in which bullying causes the school environment to be permeated with intimidation, ridicule or insult that is sufficiently severe or pervasive to alter the conditions of the student's education.

"Target" means a student victim of bullying or retaliation as defined in G.L. c. 71, Sect. 370.

Reporting Requirements –

Chapter 71: Section 37L:

Section 37L. The school committee of each city, town or regional school district shall inform teachers, administrators, and other professional staff of reporting requirements for child

Prohibition of Bullying

Bullying is prohibited:

1. on school grounds, property immediately adjacent to school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a school district or school, or through the use of technology or an electronic device owned, leased or used by a school district or school and
2. at a location, activity, function or program that is not school-related, or through the use of technology or an electronic device that is not owned, leased or used by a school district or school, if the bullying creates a hostile environment at school for the target, infringes on the rights of the target at school or materially and substantially disrupts the education process or the orderly operation of a school. Nothing contained herein shall require schools to staff any non-school related activities, functions, or programs.

(Chapter 92 of the Acts of 2010, Section 5, Section 370(b)).

Reporting Incidents:

The school district expects students, parents or guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it. Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report. Reports of bullying and retaliation should be given orally or in writing to the building Principal. The target should report the specifics of the complaint to ensure that the subsequent investigation is focused on the relevant facts. A *Witness Form* is available in school offices, and is available on the school and district's websites.

Our school staff has been trained on the new law and shall immediately report any instance of bullying or retaliation the staff member has witnessed or becomes aware of to the principal or to the school official identified in the plan as responsible for receiving such reports or both. (Chapter 92 of the Acts of 2010, Section 5, Section 370(g)).

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

school, approved private day or residential school or collaborative school, the school district or school informed of the bullying or retaliation shall contact law enforcement consistent with Chapter 92 of the Acts of 2010, Section 5, Section 370(h)).

The building principal/designee shall be responsible for assisting employees and students seeking guidance or support in addressing matters relating to any form of bullying. All employees will be provided professional development in bullying prevention and intervention on an ongoing basis.

It is important that allegations of bullying and retaliation be investigated and resolved as confidentially and as quickly as the circumstances permit. Once a complaint of bullying or retaliation has been made, the following course of action should be taken:

- Investigating or gathering data
- Substantiating and establishing the facts
- Assessing the facts
- Documenting
- Communicating results

Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying shall be prohibited. (Chapter 92 of the Acts of 2010, Section 5, Section 370(d)(v)). A student who knowingly makes a false accusation of bullying shall be subject to disciplinary action.

Following the investigation, if the Principal or his/her designee determines that bullying or retaliation has occurred, the Principal or his/her designee shall (i) notify the local law enforcement agency if the Principal or his/her designee believes that criminal charges may be pursued against an aggressor; (ii) take appropriate response or disciplinary action, including, but not limited to warnings, detentions and suspensions; (iii) notify the parents or guardians of an aggressor; and (iv) notify the parents or guardians of the target, and to the extent consistent with state and federal law, notify them of the action taken to prevent any further acts of bullying or retaliation; and (v) inform the parents or guardians of the victim about the Massachusetts Department of Elementary and Secondary Education's

problem resolution system and the process for seeking assistance or filing a claim through the problem resolution system. (Chapter 92 of the Acts of 2010, Section 5, Section 370(g)).

Academic Activities

Seekonk Public Schools shall provide age-appropriate instruction on bullying prevention in each grade. This

instruction shall be incorporated into the curriculum, be evidence-based, and information about it must be made available to parents and guardians. *Second Step* curriculum will be used in Grades K-8 for all students. In Grades K-5, *Second Step* is taught by the classroom teacher, and at the middle school level, *Second Step* is taught in Health classes. *Steps to Respect* is utilized in Grades 3-5 with whole classrooms as indicated by incident reports or requests by the classroom teacher, administrator, school psychologist, or adjustment counselor. There are additional interventions used as needed. Initiatives will also teach students about the student-related sections of the Bullying Prevention and Intervention Plan at the beginning of the school year during administrative assemblies in Grades 6-12, and by classroom teachers in Grades K-5. At the high school, during physical education and health classes, students will be engaged in a curriculum that meets the approaches as described above. Additional interventions at the high school include social skills groups in each of the special education programs.

The District will annually report bullying incident data to the Department of Elementary and Secondary Education.

More detailed information can be found at the Seekonk Public Schools Bullying Prevention and Intervention Plan. It is available on the website and at the office, upon request.

Special Education

Special Education is governed by state and federal law. A student may be referred for a special education evaluation by a parent or any person in a caregiving or professional position concerned with a student's development. Parents or caregivers interested in referring a student for an evaluation or who would like additional information related to special education should contact the Director of Special Education.

Discipline Procedure for Students with Disabilities or Impairments

All students are expected to meet the requirements for behavior as set forth in this Handbook. State and federal law requires that additional provisions be made for students with disabilities.

Students with Special Needs or 504 students may be suspended for up to ten (10) consecutive days, or ten (10) cumulative days, in any one school year, as would any other student under this handbook. Suspensions or exclusions in excess of ten (10) consecutive days or ten (10) cumulative days may also occur, provided that the conduct for which the student

is being disciplined is not a manifestation of his/her disability (see below), and for special education students, that the District provides services to allow the students to receive a free and appropriate public education ("FAPE") during the suspension. Section 504 students are not entitled to FAPE if the discipline is not a manifestation of the disability, but are entitled to make academic progress and educational services during a suspension, like a regular education student.

When a Special Needs or 504 student has been suspended for more than ten (10) consecutive or cumulative days in a school year, the TEAM will meet to conduct a manifestation determination. The manifestation determination TEAM must consider all relevant information in the student's file, including the student's IEP (or 504 Plan), in order to determine whether the behavior prompting disciplinary removal was a manifestation of the student's disability. The TEAM determines whether or not the misconduct was a manifestation by deciding two questions:

1) Is the misconduct the result of failure to implement the student's IEP or 504 Plan? And

2) Is the misconduct caused by, or does it have a direct and substantial relationship to the student's disability?

A summary of the manifestation determination review will be written and a copy provided to the parent(s)/guardian(s) as soon as possible after the review, but no later than five (5) school days after the review.

If the TEAM finds that the misconduct was not a manifestation of the student's disability, then the student may be disciplined according to the discipline policy in this Handbook. Special education students will receive a free and appropriate public education during this period of suspension or exclusion. 504 students have a right to make academic progress and receive educational services like regular education students pursuant to Chapter 222. The student's TEAM should also consider whether a functional behavioral assessment (FBA), behavioral intervention plan, or changes to the student's IEP/504 Plan would be appropriate. If the TEAM finds that the misconduct was a manifestation of the student's disability, then the school may still be able to implement an IAES (see below). If the IAES is not appropriate, then the student will remain in his/her current educational placement, unless the District and the parents/guardians agree otherwise. Meanwhile, the student's TEAM will arrange for a functional behavioral assessment (if one has not been recently conducted on the student) and the development or modification of a behavior intervention plan.

Federal and state law also allow school personnel to move a student with disabilities to an interim alternative educational

setting (IAES) for up to 45 school days, if that student is in possession of a dangerous weapon at school or a school function or on school property; is in possession or uses a controlled substance or sells or solicits the sale of a controlled substance while at school or a school function or on school property; or inflicts serious bodily injury on a person, including him/herself. Under these circumstances, an IAES placement may be made whether or not the conduct was a manifestation of the student's disability. The appropriate interim alternative educational setting shall be determined by the student's TEAM.

The IDEA and M.G.L. c. 71B also allow school personnel the option of pursuing an expedited hearing at the Massachusetts Bureau of Special Education Appeals (BSEA) to change the current educational placement of a student with a disability if remaining in that placement is substantially likely to result in injury to the student or others.

If the parent/guardian (or student 18 years or older) disagree with the TEAM's manifestation determination, or with the decision to place the student in an interim alternative educational setting, said parent/guardian (or student 18 years or older) also has the right to request an expedited due process hearing from the BSEA.

The Principal (or designee) will notify the Special Education Office of the suspendable offenses of a special needs student and a record will be kept of such notices.

Additional information on the discipline procedures for students with disabilities is available from the Seekonk Special Education Department.

Students not yet eligible for special education or a 504 Plan

A child who has not been determined to be eligible for special education and related services or a 504 Plan and who has engaged in behavior that violates a code of student conduct may be eligible for the protections described above if the school has reason to suspect that the child has a disability and is in need of services. Please contact the Director of Special Education for more information.

Statement of Nondiscrimination

According to M.G.L. c. 76, s. 5, no person shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex, gender identity, religion, national origin or sexual orientation. Additionally, pursuant to Federal law, no person

shall be excluded or discriminated against on account of disability or age.

This policy extends to students, staff, the general public, and individuals with whom the school does business.

It will be a violation of this policy for any student, district employee or third party based on a student's, employee's or third party's actual or perceived race, color, creed, ethnicity, religion, national origin, sex/gender, disability, sexual orientation, gender identity or age o: (1) harass a student, district employee or third party through conduct or communication (e.g., physical, verbal, graphic or written) or to (2) inflict, threaten to inflict or attempt to inflict violence; or to (3) discriminate against a student, District employee or third party.

This policy applies to all of the academic and nonacademic (for example, athletic and extracurricular) programs of the district and will be enforced before, during, or after school hours on all school property, including the school bus, school functions, or events held at other locations. The policy also applies to any off-campus conduct that causes or threatens to cause a substantial and material disruption at school, or interferes with the rights of students, employees or third parties to be free from a hostile school environment, taking into consideration the totality of the circumstances on and off campus.

NONDISCRIMINATION/ANTI-HARASSMENT PROCEDURES

INVESTIGATION PROCESS

It is the policy of Seekonk Public Schools to maintain a learning environment that is free from harassment or discrimination of any kind, including sexual harassment. It is a violation of this policy for any member of the school community to harass or discriminate another individual as outlined in this policy. Any allegation of harassment or discrimination will be investigated, and, if a violation of this policy is substantiated, disciplinary action will be taken. All reports of harassment or discrimination shall be investigated promptly, impartially and in a manner which will preserve the confidentiality of all concerned to the extent practicable under the circumstances.

Any employee, student or third party who believes that he or she has experienced harassment, violence or discrimination on the basis of his or her actual or perceived race, color, creed, ethnicity, religion, national origin, sex/gender, disability, sexual orientation, gender identity or age or who has witnessed or learns about the harassment, violence or discrimination of another person in the school environment, should inform the principal of the relevant school site or appropriate

discrimination/harassment complaint official immediately or as soon as possible.

Harassment and discrimination is banned not just at school during school hours, but also before or after school hours on all school property, including the school bus, school functions, or at school events held at other locations. The policy also applies to any off-campus conduct that causes or threatens to cause a substantial and material disruption at school, or interferes with the rights of students or employees to be free from a hostile school environment taking into consideration the totality of the circumstances on and off campus.

Harassment: unwelcome conduct that creates a hostile environment. Harassing conduct may take many forms, including but not limited to verbal acts and name-calling, as well as nonverbal behavior that is physically threatening, harmful, or humiliating. Conduct is unwelcome if the student or employee did not request or invite it and considered the conduct to be undesirable or offensive.

Sex-based harassment: includes both sexual harassment and gender-based harassment.

Sexual Harassment as defined in M.G.L. c. 151 B, section 1: Unwelcome sexual advances; requests for sexual favors; or other verbal or physical conduct of a sexual nature may constitute sexual harassment where:

- Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of a person's employment or educational development.
- Submission to or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance by creating an intimidating, hostile, humiliating, or sexually offensive work or educational environment.

Gender-based harassment: includes acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, although they are not necessarily sexual in nature, including harassment based on gender identity and expression. Gender-based harassment includes, but is not limited to, harassment based on the person's nonconformity with gender stereotypes, regardless of the actual or perceived sex, gender identity, or sexual orientation of the harasser or target of the harassment.

Harassment Reporting Responsibilities

Everyone in the school community is responsible for immediately reporting incidents of harassing, discrimination and/or retaliation, by anyone, in any form, that are directed at or witnessed by them at school or school sponsored event. Failure to cooperate with an investigation of such an incident will result in disciplinary action. Deceptive reporting may also be subject to a disciplinary response.

An individual may report to either the principal of the relevant school site or appropriate discrimination/harassment complaint official at his or her discretion. Students may additionally report incidents that they believe involve harassment or discrimination to their guidance counselor, any teacher, administrator or any member of the support staff, and the staff member will refer the complaint to the principal or the district complaint official.

The discrimination/harassment complaint officials for the Seekonk Public Schools are the principals of each building and the following individuals on a district wide level:

Title II, III, Special Education, and Section 504
Director of Pupil Personnel Services
25 Water Lane, Seekonk, MA 02771
(508) 399-5068

Title VI and VII
School Finance Administrator
25 Water Lane, Seekonk, MA 02771
(508) 399-5106

Title IX/Age Discrimination
Director of Guidance
261 Arcade Avenue, Seekonk, MA 02771
(508) 336-7272

Although Seekonk Public Schools encourages a written complaint, use of a formal reporting requirement is not required. Oral reports will be considered complaints as well.

Seekonk Public Schools will promptly (within 48 hours) determine whether the alleged victim wants to utilize formal or informal procedures and if the alleged victim chooses formal procedures, begin to investigate every complaint of harassment, discrimination or violence.

Confidentiality of the complaint and investigation will be maintained to the extent consistent with the school's obligations under law and under applicable collective bargaining agreements. The grievance officer or discrimination/complaint official will inform witnesses and others involved in the

resolution process of the importance of maintaining confidentiality.

Complaints between the alleged victim and the alleged perpetrator may be handled two ways: through an Informal or a Formal Procedure.

A student who has a complaint against another student may choose to use the Informal Procedure, except for sexual assault and a student must use the formal process for a complaint against an employee. The informal process is entirely voluntary and the complaints can opt out at any time and trigger the formal complaint process.

In certain cases, the harassment of a student may constitute child abuse under state law. Seekonk Public Schools will comply with all legal requirements governing the reporting of suspected cases of child abuse and will report suspected criminal activity to the appropriate authorities.

PROCEDURES FOR FILING A COMPLAINT

INFORMAL

(May be chosen in complaints between students and in complaints between employees)

It may be possible to resolve a complaint through voluntary conversations between the alleged victim and the alleged perpetrator, which is facilitated by a school employee or by a designated discrimination/harassment complaint official. If the alleged victim or alleged perpetrator is a student under the age of eighteen (18), the facilitator will notify the student's parent(s)/guardian(s) if, after initial consultation with the student, it is determined to be in the best interest of the student. Both the alleged victim and the alleged perpetrator may be accompanied by a person of his/her choice for support and guidance. If the alleged victim and the alleged perpetrator feel that a resolution has been achieved, then the conversation remains confidential and no further action needs to be taken. The voluntary conversation must occur within five (5) workdays after receiving the complaint of discrimination or harassment. The results of an informal resolution shall be maintained by the facilitator, in writing.

FORMAL

(Must be chosen for complaints between students and employees and complaints of sexual assault)

Step 1

The grievance officer or the discrimination/harassment complaint official shall within forty-eight (48) hours of receiving

the complaint or the termination of an unsuccessful informal resolution process, meet with the complainant and or alleged victim (if they are different) by telephone or in person. The grievance officer or the discrimination/harassment complaint official will complete a discrimination/harassment complaint form based on the written or verbal allegations of the alleged victim within forty-eight (48) hours of meeting with the complainant. The complaint form will be maintained by the grievance officer or the discrimination/harassment complaint official.

Step 2

A prompt investigation shall be completed by the grievance officer or the discrimination/harassment complaint official within thirty (30) work days from the date of the complaint or report, unless impracticable.

The investigation may, as appropriate, consist of personal interviews with the alleged victim, the reporter (if different than the alleged victim), the individual(s) against whom the complaint is filed, and any other individuals who may have knowledge of the alleged incidents(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the grievance officer or the discrimination/harassment complaint official.

The complainant, the alleged victim and/or alleged perpetrator may be accompanied by a person of his/her choice. The alleged victim and the individual(s) against whom the complaint is filed have the opportunity to present witnesses and information to the grievance officer or the discrimination/harassment complaint official that they deem relevant. Refusal by the complainant to provide the investigator with documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegations.

Step 3

The grievance officer or the discrimination/harassment complaint official shall document his or her findings. The grievance officer or the discrimination/harassment complaint official shall send the written report of the findings to the Superintendent, alleged victim and alleged aggressor, unless the alleged victim agrees in writing to extend the timeline.

The report shall include:

- a) a statement of the allegations investigated;
- b) a summary of the steps taken to investigate the allegations;

920740v1

- c) the findings of fact based on a preponderance of the evidence gathered;
- d) the District's conclusion of whether discrimination, harassment or violence did or did not occur;
- e) the disposition of the complaint;
- f) the rationale for the disposition of the complaint; and
- g) if the District concluded discrimination, harassment or violence occurred, a description of the District's response.

The grievance officer or the discrimination/harassment complaint shall determine whether the allegations have been substantiated as factual and whether they appear to be violations of this policy, using a preponderance of the evidence standard. A "preponderance of the evidence" means that it is more likely than not that the alleged conduct occurred. The grievance official shall further recommend what action, if any, is required.

Formal disciplinary actions shall be imposed in the event that the preponderance of the evidence indicates an alleged violation, up to and including suspension. Any disciplinary action will be in accordance with due process rights under State law and any applicable collective bargaining agreement.

Step 4

The grievance officer or the discrimination/harassment complaint official and/or Superintendent shall maintain the written report of the investigation, findings and disposition.

The district will contact the individual harassed within fourteen (14) work days following the conclusion of the investigation to assess whether there has been on-going harassment or retaliation and to determine whether additional supportive measures are needed.

INTERIM MEASURES

Seekonk Public Schools shall take immediate steps to protect the alleged victim, alleged perpetrator, witnesses, and the larger school community pending the completion of an investigation or the informal process and address any ongoing harassment or discrimination. The District will take interim measures to prevent retaliation against the reporting student and minimize the burden of such measures on complainants.

In the case of alleged sexual assault, the grievance officer or the discrimination/harassment complaint official will take additional steps as necessary to ensure the alleged victim is safe. This may include, for example, referring the student to a rape crisis center, creating a safety plan and designating an

individual at the site level to act as a support person during the investigation.

APPEALS

A party may appeal the decision of the grievance officer or the discrimination/harassment complaint official in writing to the Superintendent within fifteen (15) work days of receipt of the findings of the formal procedure. The Superintendent, as an impartial decision-maker will review in an impartial manner the comprehensiveness and accuracy of the investigation and the conclusions, and issue written findings within thirty (30) school days.

REFERRAL TO LAW ENFORCEMENT, OTHER AGENCIES

Some alleged conduct may constitute both a violation of District policies and criminal activity. The grievance officer or the discrimination/harassment complaint official will refer matters to law enforcement and other agencies as appropriate under the law or District policy, and inform the complainant of the right to file a criminal complaint.

RETALIATION

Complainants and those who participate in the complaint resolution process or who otherwise oppose in a reasonable manner an act or policy believed to constitute discrimination are protected from retaliation by law and District policy. The grievance officer or the discrimination/harassment complaint official will inform all involved individuals that retaliation is prohibited, and that anyone who feels they have experienced harassment, coercion, intimidation, or discrimination for filing a complaint or participating in the resolution process should inform the grievance officer or the discrimination/harassment complaint official. The District will investigate reports of retaliation and, where retaliation is found, take separate remedial and disciplinary action.

More detailed information on the Harassment Policies and Procedures can be found at the Seekonk Public Schools Harassment/Discrimination Policies and Procedures online or at the school's office.

The District will reasonably accommodate and modify the policies in this Handbook for individuals with disabilities when necessary to ensure that individuals with disabilities have an equal opportunity to access and participate in the programs of the District and to ensure that students with disabilities receive a free and appropriate public education. If a student or other individual requires a reasonable accommodation or modification

to a policy or procedure, please contact the student's Team Chair or the Director of Pupil Services.

Service Animals

Seekonk Public Schools acknowledges its responsibility to permit students and/or adults with disabilities to be accompanied by a "service animal" in its school buildings, in classrooms, and at school functions, as required by the American with Disabilities Act (28CFR 35.136(a)).

Family Educational Rights & Privacy Act and Student Records

Both Massachusetts and the federal government have laws that exist to insure parents' and students' rights of confidentiality, inspection, amendment, and destruction of student records, and to assist school authorities in their responsibilities for the maintenance of school records. In Massachusetts, those laws are found at M.G.L. c.71 sections 34A, 34D, 34E, and 34H and at 603 CMR 23.00. The federal student records law is called the Family Educational Rights and Privacy Act and is found at 20 U.S.C. section 1232g; 34 CFR 99, further information is available at the link below:

<http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA and Massachusetts student records laws allow schools to disclose those records, without consent, to the following parties or under the following conditions:

- 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;
- Administrative office staff and clerical personnel who are either employed by the school committee or are employed under a school committee service contract, and whose duties require them to have access to student records for purposes of processing information for the student record;
- Other schools to which a student is transferring;
- Specified officials for audit, enforcement, or evaluation purposes, provided that except when collection of personally identifiable data is specifically authorized by law, any data collected by such officials shall be protected so that parties other than such officials and their authorized agents cannot personally identify such students and their parents;
- Appropriate parties in connection with financial aid to a student;

- Organizations conducting certain studies for or on behalf of the school;
- Local and state health department personnel to student health records, when such access is required in the performance of official duties;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system, pursuant to specific State law.

Under 603 CMR 23.07(4)(a) a school may release the following "directory" information without prior consent: "a student's name, address, telephone listing, date and place of birth, major field of study, dates of attendance, weight and height of members of athletic teams, class, participation in officially recognized activities and sports, degrees, honors and awards, and post-high school plans." Parents and eligible students may request that this information not be released without prior consent.

As referenced in 603 CMR 23.07(4)(g), Seekonk Public Schools forwards education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer.

Under section 37L of G.L., c. 71, any student transferring into a new school district must provide the new district with "a complete school record," including but not limited to, "any incidents involving suspension or violation of criminal acts or any incident reports in which such student was charged with any suspended act."

Non-custodial Parental Request for Student Records

MGL Chapter 71, Section 34H

A non-custodial parent requesting information shall submit a written request to the school principal. Any parent who by court order does not have physical custody is considered a non-custodial parent.

Any parent who does not have physical custody shall be eligible to receive access to the student record unless:

- Parent's access is currently prohibited by temporary or permanent protective order, unless this order specifies access to such information.
- The parent is denied visitation, or based on threat to safety of the child is currently denied legal custody, or is court-ordered

to be under supervised visits, and such threat is specifically noted in the custody or visitation order.

- There is an order of a probate and family court judge which prohibits the distribution of student records to the parents.
-

Once a request is received, the school shall review the student's records for any documentation limiting or restricting parental access to the information or records. The district shall notify the custodial parent of the request by certified mail in both primary language of the custodial parent and in English that it will provide the information after 21 days, unless the custodial parent provides the principal with documentation that the parent is not eligible for the information. All electronic and postal address and telephone numbers relating to work or home of the custodial parent should be removed from the information.

These records are to be placed in the student's file. Each elementary and secondary school shall provide student records within a reasonable time including, but not limited to:

- Report cards and Progress Reports
- Results of standardized testing
- Notice of referral for special education evaluation
- Notification of enrollment in ESL program (Chapter 71A)
- Notification of absences and illnesses
- Notification of detentions, suspensions, or expulsions
- Notification of permanent withdrawal from school

Firearms

Chapter 269, Section 10

Prohibition against Firearms in Schools

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

report violations of this paragraph shall be guilty of a misdemeanor and punished by a fine of not more than five hundred dollars. *Amended by St.1987, c. 150, s.2; St. 1989, c.648.*

Hazing – M.G.L. c. 269 s. 17, 18, & 19

Section 17

Whoever is a principal organizer or participator in the crime of hazing as defined herein shall be punished by a fine of not more than one thousand dollars or by imprisonment in the house of correction for not more than one hundred days, or by both such fine and imprisonment.

The term "hazing" as used in this section and in sections eighteen and nineteen shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully and recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment of forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation. Notwithstanding any other provision of this section to the contrary, consent shall not be available as a defense to prosecution under this action.

Section 18

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

Section 19

Each institution of secondary education and each public and private institution of post secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections seventeen and eighteen; provided, however, that an institution's compliance with this section's requirements that an institution issue copies of this section and sections seventeen and eighteen to unaffiliated student groups, teams or organizations shall not constitute evidence of the

institution's recognition or endorsement of said unaffiliated student groups, teams or organizations.

Each such group, team or organization shall distribute a copy of this section and sections seventeen and eighteen to each of its members, plebes, pledges or applicants for membership. It shall be the duty of each such group, team or organization, acting through its designated officer, to deliver annually, to the institution an attested acknowledgement stating that such group, team or organization has received a copy of this section and said sections seventeen and eighteen, that each of its members, plebes, pledges, or applicants has received a copy of sections seventeen and eighteen, and that such group, team or organization understands and agrees to comply with the provisions of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post secondary education shall, at least annually, before or at the start of enrollment, deliver to each person who enrolls as a full time student in such institution a copy of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post secondary education shall file, at least annually, a report with the board of higher education and in the case of secondary institutions, the board of education, certifying that such institution has complied with its responsibility to inform student groups, teams or organizations and to notify each full time student enrolled by it of the provisions of this section and sections seventeen and eighteen and also certifying that said institution has adopted a disciplinary policy with regard to the organizers and participants of hazing, and that such policy has been set forth with appropriate emphasis in the student handbook or similar means of communicating the institution's policies to its students. The board of higher education and, in the case of secondary institutions, the board of education shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general any such institution which fails to make such report.

McKinney-Vento Homeless Education Act According to the Federal McKinney-Vento Homeless Education Assistance Act, schools are required to 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. The homeless liaison coordinator for the school district will arrange for transportation and will facilitate the entry of a homeless student to any school in the district. For additional information regarding the education of homeless students, please contact the homeless liaison coordinator, Principal of Hurley Middle School, 650 Newman Ave., Seekonk, MA 02771, 508 -761-7570.

Parental Notification Law

The Massachusetts Parental Notification Law ensures that parents and guardians are notified about any curriculum that primarily involves human sexuality education or human sexuality issues. The law also states that parents are permitted to exempt their children from any portion of that curriculum without penalty.

Students involved in the Health education program have a unit on Human Sexuality. The Human Sexuality Unit will focus on teaching students about self worth and promotes abstinence as a positive and very real choice. If you have any reason to exempt your child from this course or wish to review the course curriculum, please contact your child's school.

Restraint of Students in Public Schools

603CMR – Section 46

In December 2014, the Department of Elementary and Secondary Education (DESE) officially approved changes to the physical restraint regulations applicable to public education programs. The definitions of what constitutes a physical restraint have been amended substantially. Furthermore, the regulations impose additional due process, incident reporting, and data review requirements.

New procedures are in place to assure that every physical restraint is reported and logged in the main office; that the principal (or designee) notifies the parents verbally and in writing of every restraint; that parents/students have the opportunity to comment on the restraint or a report of the restraint; that a principal (or designee) personally approves every restraint over 20 minutes and every time-out over 30 minutes; that the principal (or designee) has a weekly review of individual student restraint data; and that the principal (or designee) reviews school-wide restraint data on a monthly basis.

The Seekonk Public Schools complies with the provisions of 603 CMR section 46.00 dealing with restraint of students in the public schools. To that end, Seekonk Public Schools' policy is developed pursuant to those regulations and is available upon request from the principal, the Director of Special Education and Pupil Personnel Services and is available at the Superintendent's office. Further, the policy is posted in the main bulletin board of the school near the office.

Students' Rights

The legislation summarized from M.G.L. c.71, Sections 82-85 is summarized as follows: the students may enjoy freedom of

expression in public schools provided it shall not cause disruption and disorder in the school. Freedom of expression includes (a) expressing views through speech and symbols (b) writing, publishing and disseminating personal views, as opposed to school sponsored speech which includes, but is not limited to student newspapers supported by use of school materials, funds, staff or identified by the school logo; (c) assembling peacefully on school property with prior administrative approval or off school property on public sidewalks subject to a reasonable time, place and manner restrictions.

Students have the right to dress as they wish provided their dress is not a risk of substantial and material disruption or disorder within the school or violates reasonable standards of health, safety, and cleanliness – as outlined in the dress code policy above.

No student shall be discriminated against because of marriage, pregnancy, parenthood, or actions outside of school, which have no nexus to school or school activities.

Notwithstanding the rules above, school committees or school officials may take necessary action in cases of emergency.

No student shall be excluded from or discriminated against in admission to the Seekonk Public Schools, or in obtaining the advantages, privileges, or courses of study and extracurricular activities of the Seekonk Public Schools on account of age, race, color, sex, religion, national origin, sexual orientation, gender identity, or disability.

The specific statutes are available at <http://www.malegislature.gov/Laws/GeneralLaws/PartI/TitleXII/Chapter71>

Tobacco Products Policy

At its July, 1997 meeting, the Board of Health in the Town of Seekonk adopted a new Youth Possession Regulation, which forbids possession of tobacco which includes cigarettes, cigars, chewing tobacco, snuff, or any other form of tobacco for those persons under the age of 18. Tobacco is prohibited within the school buildings, the school facilities or on the school grounds or on school buses by any individual, included school personnel as required by M.G.L. c. 71.37H.

Penalties and Procedures for Possession/Use of Tobacco

Products by Minors:

First Violation:

- Confiscate all reasonably accessible tobacco products in the possession of the violator, and notify the violator's parent(s) or legal guardian(s) of the infraction.

- Write the violator a ticket for twenty-five dollars (\$25.00) payable to the Town of Seekonk within twenty-one (21) calendar days.
- Assign a one day suspension to the violator, after following the due process procedures outlined above under Chapter 222.

Second Violation:

- Confiscate all reasonably accessible tobacco products in the possession of the violator and notify the violator's parent(s) or legal guardian(s) of the infraction.
- Write the violator a ticket for fifty dollars (\$50.00) payable to the Town of Seekonk within twenty-one (21) calendar days.
- Assign a two day suspension to the violator, after following the due process procedures outlined above under Chapter 222.

Third Violation:

- Confiscate all reasonably accessible tobacco products in the possession of the violator, and notify the violator's parent(s) or legal guardian(s) of the infraction.
- Write the violator a ticket for one hundred dollars (\$100.00) payable to the Town of Seekonk within twenty-one (21) calendar days.
- Assign a three day suspension to the violator, after following the due process procedures outlined above under Chapter 222.

Additional Offenses:

Any student who has been found guilty of a fourth violation of the no smoking policy is in non-compliance of a reasonable school policy and state law. Upon the fourth offense, the student will be referred to the superintendent of schools.

Enforcement

The Seekonk Police Department and the Seekonk High School Principal, Assistant Principal, and designated staff members shall be responsible for the enforcement of this regulation and the fines.

Violators of this policy who are 18 or over shall be subject to the school sanctions for violation of the tobacco possession/no-smoking policies. These will include school issued fines and may also include suspension, assignment to detention and,

upon continued disregard of the tobacco policy, referral to the superintendent.