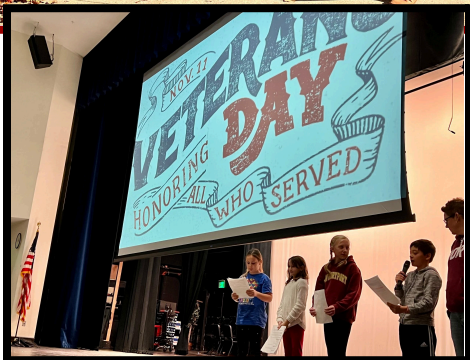
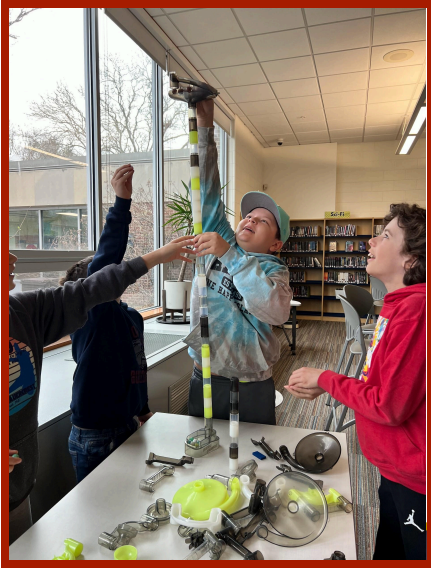


**MOLIN ELEMENTARY SCHOOL
PARENT/STUDENT HANDBOOK
2024-2025**



Administration

Mrs. Tara K. Rossi - Principal- Molin School
Ms. Leigh Curtis-Pare - Asst. Principal- Molin School

NPS District Calendar

NEWBURYPORT PUBLIC SCHOOLS

School Calendar

2024 - 2025



August

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31
				(0)		

September

S	M	T	W	T	F	S
1	H	T	SD	FDS	6	7
8	Pk-K	10	11	12	ER	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					
						(18)

October

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	ER	12
13	H	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		
						(22)

November

S	M	T	W	T	F	S
					1	2
3	4	ER	6	7	8	9
10	H	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	ER	H	H	30
						(18)

December

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	ER	14	15
16	17	18	19	20	21	22
23	V	H	H	H	V	28
29	V	H				
						(15)

January

S	M	T	W	T	F	S
			H	2	3	4
5	6	7	8	9	SD	11
12	13	14	15	16	17	18
19	H	21	22	23	24	25
26	27	28	29	30	31	
						(20)

February

S	M	T	W	T	F	S
						1
2	3	4	5	6	ER	8
9	10	11	12	13	14	15
16	H	V	V	V	V	22
23	24	25	26	27	28	(15)

March

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

April

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	ER	12
13	14	15	16	17	18	19
20	H	V	V	V	V	26
27	28	29	30			
						(17)

May

S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	ER	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	H	27	28	29	30	31
						(21)

June

S	M	T	W	T	F	S
						1
2	3	4	5	ER	7	8
9	10	11	12	Pk-K	14	15
16	17	PLD	H	[20]	21	22
23	[23]	[24]	[25]	[26]	27	28
29	30					
						(13)

Voted by School Committee on March 4, 2024

T = Teachers First Day
 ER = Early Release
 H = Holiday
 SD = Staff Development Day
 FDS = First Day for Students
 LS = Late Start
 V = Vacation
 PLD = Projected Last Day

Monday, Sept. 2 Labor Day Holiday Observed
 Tue., Sept. 3 First Day of School for Teachers
 Wed., Sept. 4 Staff Development Day (no students)
 Thur., Sept. 5 First Day of School for GRADES 1-12
 Monday, Sept. 9 First Day of School for Grades Pk-K
 Oct. 14 NO SCHOOL - Columbus Day Observed
 Nov. 11 NO SCHOOL - Veteran's Day Observed
 Nov. 28 & 29 NO SCHOOL - Thanksgiving Break
 December 23 thru January 1 NO SCHOOL - Holiday Break
 January 2 SCHOOL RESUMES
 Jan. 10 - NO SCHOOL for Students - Staff Development Day
 January 20 NO SCHOOL - MLK, Jr. Holiday Observed
 February 17 thru 21 NO SCHOOL - Winter Break
 March 28 1/2 day for AFSCME Union (GOOD FRIDAY)
 April 21 thru 25 NO SCHOOL - Spring Break
 May 26 NO SCHOOL - Memorial Day Observed
 June 1 Graduation Day - Class of 2025
 June 13 Projected Last Day (Preschool & Kindergarten)
 June 18 Projected Last Day (Grades 1-12) - Early Release Day
 June 20 Projected Last Day (Teachers)
 June 20, 23, 24, 25 and 26 Snow Make-up Days - [if needed]
 June 19 NO SCHOOL - Juneteenth Observed
ER - Early Release Days (for staff development)
 September 13 October 11, November 5, December 13,
 February 7, March 28, April 11, May 9, and June 6
ER - OTHER EARLY RELEASE DAYS (staff & students)
 Wednesday, November 27 Thanksgiving Break

G = Graduation Day - on Sunday, June 1st @ 11AM
 (180 days - students) (184 days - teachers)

NPS Central Office Administration Contacts

Name	Title	Email	Phone #
Sean Gallagher	Superintendent	sgallagher@newburyport.k12.ma.us	978-465-4456
Lisa Furlong	Assistant Superintendent of Teaching and Learning	lfurlong@newburyport.k12.ma.us	978-465-4456
Bradley Brooks	Director of Student Services	bbrooks@newburyport.k12.ma.us	978-465-4456
Pam Kealey	Director of Human Resources	pkealey@newburyport.k12.ma.us	978-465-4456
Tom Abrams	District Literacy Coordinator	tabrams@newburyport.k12.ma.us	978-465-4447
Katie Vozeolos	Nurse Leader	kvozeolas@newburyport.k12.ma.us	978-992-2313

School Administration Contacts

Name	Title	Email	Phone #
Tara K. Rossi	Principal	trossi@newburyport.k12.ma.us	978-463-8212
Leigh Curtis-Pare	Assistant Principal	lcurtispare@newburyport.k12.ma.us	978-463-8212

Special Education Contacts

Name	Title	Email	Phone #
Jessica Burke	Special Education Team Facilitator	jburker@newburyport.k12.ma.us	978-463-8212
Elise Comeau	Program Director - Academic	ecomeau@newburyport.k12.ma.us	978-465-4435
Jeanna Guardino	Program Director - Therapeutic	jguardino@newburyport.k12.ma.us	978-465-4435

Newburyport Public School's Mission Statement

The mission of the Newburyport Public Schools, the port where tradition and innovation converge, is to ensure each student achieves intellectual and personal excellence and is equipped for life experiences through a system distinguished by students, staff, and community who: - practice kindness and perseverance - celebrate each unique individual - value creativity; experiential; rigorous educational opportunities; scholarly pursuits; and lifelong learning - provide the nurturing environments for emotional, social, and physical growth - understand and embrace their role as global citizens.

NPS Vision: Portrait of a Graduate

- (1) develop physical, social, and emotional wellness skills
- (2) become literate across the disciplines
- (3) practice creation, innovation, collaboration and problem-solving
- (4) engage civically
- (5) prepare for life after graduation.

NPS Strategic Objectives:

Strategic Objectives: REIMAGINE...				
Teaching and Learning	Supports so All Students are Ready and Able to Learn	A Culture of Self Discovery and Personal Achievement	Organization Design and Operations	An Active Community of Stakeholders
District Strategic Initiatives 2022-2027				
(1) Implement a comprehensive PK-5 Literacy Plan.	(4) Build a comprehensive, evidence-based language-based program (grades 3-12).	(7) Expand college and career readiness programs at the middle and high school.	(10) Establish a continuous system for monitoring, reporting and revising the strategic plan.	(13) Implement an effective and accessible district communication plan.
(2) Develop and execute a comprehensive district technology plan.	(5) Expand the use of Trauma Sensitive Teaching Practices throughout the district.	(8) Design and implement innovative summer and out-of-school time programs for all learners.	(11) Implement tuition-free full day kindergarten for all.	(14) Collaborate with community organizations to ensure every student and family feels welcome and included.
(3) Update and publish district curriculum maps.	(6) Implement a comprehensive PK-12 behavioral health support plan.	(9) Promote program development to elevate student voice.	(12) Establish district level structures to support operational growth and changing district needs.	(15) Create community-wide connections to expand music programs within and outside the school day.

GENERAL INFORMATION

School Hours:

Molin School: Grades 4 - 5: 7:45 - 2:10

Family Portal

Newburyport Public Schools is pleased to provide parents/guardians access to their students’ records online through the Aspen Family Portal.

With the Aspen Family Portal parents/guardians will have access to student attendance, contact information, grades, homework assignments, schedules and homeroom teachers when available (available information depends on your child’s grade level).

If you do not have a Family Portal User Name and Password please email: aspen@newburyport.k12.ma.us and indicate that you need a Family Portal Account and include the following information:

- Your Name
- Your Child's Name
- Your Child's Date of Birth
- Your Child's Year of Graduation

Main Office

Visitors to each elementary school will use the buzzer system at the front entrance of the school. Visitors should first press the blue button outside of the front door, look into the camera, and when prompted state their name and the reason for visiting before being allowed entry into the building. Visitors may also be asked to show identification. All visitors, including parents/guardians, must first report to the Main Office, sign in, pick up a visitor's badge, and affix the badge so that it is visible. Visitors in the building without a visitor's identification sticker during the school day will be escorted to the main office.

Parent/Guardian Visitation Procedures

Parents are always welcome at the Molin School. We deeply value the partnership between home and school as we work together to provide the best educational programs for all students. We ask for your cooperation with these procedures in order to provide a safe and secure learning environment.

Sign-In Procedures

1. Always report to the Molin Office when arriving at school and give secretary your license to confirm identification.
2. Please sign in the visitor/volunteer log book and indicate your name, date of your visit, time of visit, reason for visit, and the location in the building that you will be visiting.
3. Please take a visitor/volunteer badge to wear. Visitor badges must be worn at all times when you are visiting the building during school hours.
4. Please tell a staff member in the office where you are going.
5. At the end of your visit, please report back to the office to sign out in the visitor log book, and return your visitor/volunteer badge.

Guests will not be allowed in classes during school, unless prior arrangements have been made with the principal and classroom teachers. Persons looking to meet with a teacher for the purpose of discussing a particular concern shall do so at any time that does not interrupt the normal school program. Persons wishing to make an appointment with a teacher may do so by contacting a teacher by email.

Visiting Rules and Guidelines

There are a limited number of visitor parking spaces located in the front of the building. There are a higher amount of visitor parking spaces located on the side of the building at the Superintendent's entrance near the skate park. Handicapped spaces are available in both parking lots for people who have a current placard or license plate. Please keep speed to a minimum. Driving, speeding or parking infractions may be reported to the police.

If you are dropping off an item for your child, please inform the school secretary and your child will be called to the office to pick it up or someone in the office will bring it to your child. Please do not bypass the office and go to the classroom to deliver it yourself. This disrupts the classroom routine and student learning.

Please always inform the school secretary of the purpose of your visit and where you are heading. Please do not sign-in and leave the office without speaking to the secretary. At times, the office can be very busy and your patience is greatly appreciated.

Volunteering

All in-school volunteers and school event chaperones must be checked through the Criminal Offender Record Investigation (CORI) check process and fingerprinted. Please contact our main office for more information. Volunteers are subject to CORI checks based on the following statute:

CORI Checks

M.G.L. c. 71, § 38R requires all schools in Massachusetts to conduct criminal background checks on current and prospective employees and volunteers, including those who regularly provide school related transportation to students and those who may have direct and unmonitored contact with children. The CORI law requires a school or district to notify all persons for whom a CORI is requested that such information is being or may be obtained. Prospective employees and volunteers are required to complete and sign a CORI Request Form which is available through the secretary at each of our elementary schools. The Request Form is used to document that we have provided you with notice that a CORI is being conducted and to verify your identity through a government issued form of photographic identification (usually a driver's license). If you have any questions concerning the CORI process please contact the Office of the Superintendent.

Newburyport Public Schools Attendance Policy

Newburyport Public Schools require a high level of participation in engaged learning. Regular class attendance enables students to benefit from classroom discussions, presentations and interactive activities. These shared academic experiences are integral to the learning process and cannot be re-created or replicated.

Massachusetts Law requires compulsory attendance for all students. Chapter 76, section 1 of the Mass General Laws states that all children between the ages of six and sixteen must attend school. A school district may excuse up to seven day sessions or fourteen partial day sessions in any six-month period. The school must uphold the law.

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

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

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

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

Excused Absence

- Documented illness or injury
- Bereavement/family funeral
- Major religious observances
- Extended or multiple medical or dental appointments
- If the weather conditions are so severe the parents are concerned for the student's safety
- Extraordinary family circumstances (excused at the discretion of the principal)

Unexcused Absence is not covered by the aforementioned definition. Examples of an unexcused absence may include, but may not be limited to:

- Repetitive or chronic absence due to illness or injury not documented by a doctor or other medical

- professional
- Truancy
- Family vacations
- Undocumented absences
- Non-emergency family situations

If a student has...

- Five (5) or more consecutive days absent, parents must obtain a doctor's note and submit it to the school.
- Five (5) absences (excused or unexcused), a letter of warning will be issued to parents reminding them of the school's attendance policy, and that they will be contacted to schedule a meeting should absences approach 10 days.
- Ten (10) absences (excused or unexcused), a parent conference may be scheduled to discuss the attendance policy and to develop a proactive attendance plan.

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

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

Absence Notification/Verification Procedure

When your child is absent, either for an "excused" reason as set forth above or another reason, please call the Absence Alert Line: 978-463-3501.

Please provide the following information when reporting a student absence:

- Identify yourself/calling party
- Student's name, grade and homeroom teachers name
- Date(s) of absence

Do NOT leave the following information on the Call-In Line:

- Confidential medical information – speak to the nurse directly
- Requests for homework
- Messages for classroom teachers

For your child's safety, it is imperative that you call to document absences. If we do not hear from you, we will assume your child was sent to school and did not arrive. To ensure all children arrive at school safely, all Newburyport elementary/middle schools have a Safe Arrival Program in which we work to verify all unreported absences as quickly as possible.

Students absent due to an emergency medical appointment will be documented as excused as long as medical documentation has been provided for the appointment. If medical documentation is not received within three days of the absence, the missed day will be marked as unexcused.

For chronic absenteeism due to illness, parents/guardians may be asked for medical documentation to support the absences and may be asked to provide periodic, updated medical documentation if the absenteeism continues.

Tardy

Students arriving late to school must report to the main office with a parent and be signed in. A child is considered late at the Molin if arriving after 7:45am.

A tardy may be excused if the student was at a medical or dental appointment or there are extreme extenuating circumstances. All other reasons are considered an unexcused tardy.

Vacations

Scheduled school vacations occur in December, February, and April. Vacations taken at times other than designated school vacations are considered unexcused absences. Parents/guardians are strongly advised not to take vacations during school days and/or conferences, as children miss important instruction, discussion, and activities that allow guided practice of new skills. Instructional time that is missed while a child is on vacation cannot be replaced. Requests for advance work from classroom teachers for vacations during school days will not be honored. Students are responsible for making up missed work upon their return to school. Timelines for the completion of missed work are determined by the teachers. If such an absence is unavoidable, students are encouraged to keep a journal of their activities that may be shared with their classmates when they return to school. Families of students in Grades 3, 4, and 5 are reminded to be aware of MCAS testing dates in the spring.

Excused Dismissal

Please try to schedule appointments after school hours. In the event that you have to dismiss your child, send a note to your child's teacher including the day, time, and who will pick up your child. In cases where we are not familiar with the adult, identification will be required. Whenever a child is to be dismissed during the school day due to a parent/guardian request or illness, the child must be picked up at the office by a parent, guardian, or an adult designated by the parent/guardian. Children will not be allowed to walk home alone for any reason during school hours, nor will children be allowed to wait outside for their rides.

Dismissal notes are mandatory Calling the school or sending an email to dismiss your child may result in someone not getting the message in a timely manner. We require written authorization for dismissals.

Changing Dismissal Routine

If your child's normal dismissal routine is to be altered on a particular day, please send a note to the classroom teacher describing the change and who will meet your child at school, if someone is to do so. Experience tells us that, if a child does not have a note and we cannot locate the parent, the child will be dismissed following the normal dismissal routine.

If you are calling with a dismissal change for the Molin School; the call must be received before 1:45. Emails are not acceptable at any time to alert us to change in dismissal.

Religious Observations

Students may be granted excused absences when the school's schedule conflicts with religious holidays. A student may be required to submit written notification. A student should not suffer adverse or prejudicial consequences from an excused absence, should be allowed a reasonable opportunity to make up school work missed during the absence, and will not be subject to penalty scholastically or to attendance records due to absences incurred due to religious observances. A sincere attempt will be made to avoid assemblies, assessments, and special school events on religious holidays.

School Lunch Program

Our school lunch program is managed by Chartwells Dining Services, a Division of Compass Group of North America. The school district uses the Nutrikids POS System which allows students to put money in their individual account and simply use their 4 digit pin # when going through the register line. Additional information regarding Chartwells can be found on the district website. Low-income families may be eligible for free or reduced lunch. Free and reduced lunch applications are sent home and are available in the office.

Field Trips

Teachers schedule field trips with the approval of the Principal. It is the School Committee's policy that the school must gain permission from parents whenever teachers are involved in out of class activities with students. Permission slips will be sent home, and must be returned before a child is allowed to go on a field trip.

Lost and Found

Students are responsible for their own property. All valuable items found are turned in to the Principal. Other items are placed in lost-and-found. All hats, coats, lunch boxes, etc. should be marked with student name to facilitate return. Periodically, all unlabeled lost articles will be discarded or donated to charity.

Residency Verification

The Newburyport Public Schools reserves the right to request residency verification at any time during the school year.

Withdrawal If you are going to transfer to another school during the school year, please inform the office in advance. A parent or legal guardian must come to the main office to sign a release and fill out the paperwork associated with the withdrawal. Your school records will then be sent by us to your new school. If you are moving during the summer, please be sure to notify the office that your child will be withdrawing. You will need to sign the record release form.

Delayed Opening

On occasion, weather conditions may permit school to operate but require that the opening of school be delayed. When the above conditions exist, as determined by the Superintendent of Schools, the opening of school will be delayed by either one or two hours. Molin School will begin at 8:45 A.M. (one hour delay) or 9:45 A.M. (two-hour delay). The buses will operate one or two hours later than their normal schedule. Schools will be dismissed at their usual time.

Extra Help/Enrichment There are many opportunities for students to receive extra help both during and after school. After-school extra help may be initiated by the teacher, student or parent. Extra help is usually held from 2:15 to 3:15, but may vary from teacher to teacher. Extra help should not be considered as a punishment by students, but rather as a student taking responsibility for his or her learning.

PARENT TEACHER ORGANIZATION

The Elementary-Middle School PTO is a committed, caring group of parents and teachers whose goals are to sponsor school wide social events, raise money for enrichment programs, field trips and special supplies and to promote school spirit through parent, teacher and student involvement. Signing up for and finding out about PTO sponsored events can be done through the website: www.newburyportpto.com. PTO meetings are held monthly. All parents are welcome and encouraged to participate. Contact the PTO President for more information.

SCHOOL COUNCIL

The School Council consists of the Principal, teachers, parent representatives, and a member of the community. The PTO will communicate information regarding yearly openings and will nominate candidates that express an interest. The Council serves as an advisory board to the principal in developing a school improvement plan, reviewing the budget, adopting educational goals and identifying educational needs of students.

[Molin 24-27 SIP](#)

Student Progress Reports and Parent Conferences

Progress reports will be issued three times a year for students in grades 1-5. Children receiving special education and/or Title I services will also receive a report from their service provider(s). The dates/times for parent conferences will be sent out by the individual schools. It may vary by grade level.

HEALTH SERVICES

The job of the school nurse has changed significantly in the last decade. The schools have made a commitment to meet everyone's educational needs. The school nurse deals with a variety of health issues. The focus is on prevention, early intervention, and primary care. This ensures optimal health for all students in the Newburyport Public School system.

Newburyport Public Schools provide:

- Acute and Emergent Care
- Health Counseling
- Mandated Health Screening
- Administration and Evaluation of Medications
- Case Management for Children
- Health Education of Parents, Students, and Staff
- Administration and Monitoring of Immunizations
- Comprehensive Physical Exams are required on entrance to school and for Grades 4, 7, and 10

Parents are expected to notify the school nurse in the event of a contagious disease, so that the nurse and teacher can take the necessary steps to protect the health of other students. If your child is absent from school, you are expected to notify the school and provide a written excuse at the time of return. If your child is excused from physical education, notification in writing is mandatory, by parent or physician. Written notification is required to return to physical education. Any student who has an extended absence from school must have a medical clearance before returning to school.

If a student is injured or becomes ill during the day, the nurse or the secretary will notify the person or persons listed on the confidential health information card. If the injury or illness is severe, the child will be transported by ambulance to the hospital.

Medication Policy

- Medications may be dispensed during the day. All medications must be delivered to the health office.
- School policy requires both parental and physician consent for regularly scheduled medications. Consult with the school nurse for self-administration.
- For short term medications such as antibiotics, parental consent is recommended, but the prescription on the bottle is sufficient.
- Parents should take advantage of services offered by local pharmacies. Medications can be dispensed in two separate containers; one for home and one for school use. Over the counter medications can also be dispensed provided it is received in the original container. No medication can be administered if brought in plastic bags.
- Consent forms can be obtained from the Health Office.

Students must stay home for 24 hours if they have the following:

- A rash or skin condition not diagnosed by a physician
- A fever that causes chills, sweats or a temperature above 100 within 24 hours
- Vomiting or diarrhea
- Inflamed eyes, yellow or green drainage from the eyes
- Head lice or nits
- Bacterial infection not treated for 24 hours with antibiotics

On occasion, emergencies do occur. It is important that the school be kept informed of situations and changes in a parent or guardian's residence, employment, or emergency contact numbers. Accurate phone numbers help us to facilitate successful treatment.

Prompt return of the emergency information form along with the potassium iodide (KI) permission are required for the emergency response plan.

As part of the Newburyport Public Schools policy, cell phones are not allowed in school. If your child becomes ill they should be evaluated by the nurse. The nurse will then notify the parent or guardian of the illness.

There is no nurse available during before-school and after-school programs and organized activities (e.g. sports, clubs). If an emergency arises, staff will activate the emergency medical system and the student will be transported to the nearest hospital. Note that after-school personnel cannot deliver medical procedures or obtain or administer medications. Students with special health needs are encouraged to carry necessary items (e.g. inhalers, EpiPens) during these times. If your child requires specific assistance during an after-school event, please contact your child's school nurse for guidance.

Special Education Services

Special education services are available in the elementary schools to students with disabilities who meet state and federal regulations for such services. Before services can be provided, a student must have a team evaluation consisting of multi-source assessments to determine if he/she has a disability as defined by the Commonwealth of Massachusetts, is not making effective progress in school, that the lack of progress is related to the identified disability and that he/she requires specialized instruction and/or related services in order to access the general curriculum.

Upon completion of the evaluation, the evaluation team must answer the following questions:

1. Does the student have a disability? If so, what type of disability?
2. Is the student making effective progress in school? If not, is the lack of progress a result of the student's disability?
3. Does the student require specially designed instruction in order to make effective progress in school or does the student require related services in order to access the general curriculum?

There is a continuum of special education services available in the Newburyport Public Schools. All of the elementary schools provide special education teaching and support in areas such as reading, math, writing, and organization, as well as related services such as speech/language, occupational therapy, physical therapy, and counseling.

School districts are required to provide the student's parents an opportunity to consult with the Special Education Administrator or his/her designee regarding the evaluators who will be used by the school district to conduct the assessments comprising the team evaluation, including the initial evaluation to determine eligibility and any subsequent reevaluations. This requirement may be met by meeting with the parent prior to an evaluation or by incorporating information on this consultation opportunity in the notice sent to the parents when a district is requesting permission to conduct an evaluation. The intent of this requirement, in conjunction with the requirement to consult with the parent on the types of assessments recommended by the school district, is to allow the parent to be involved in planning the evaluation conducted by the school district, so as to maximize parental satisfaction with the school district's evaluation.

If you have any questions about special education regulations, please call the Director of Student Services at 978-465-4453.

SE 47 - Procedural requirements applied to students not yet determined to be eligible for special education

- What protections does a student eligible for special education services have regarding school exclusion?
 - The federal Individuals with Disabilities Education Act (IDEA) gives a student found eligible for special education services a right to a free appropriate public education (FAPE) in the least restrictive environment. The IDEA provides protections when these students are excluded from school.
 - In addition to IDEA requirements, school districts also must comply with state law regarding school discipline.

SE 47

- What about a student with a disability who is not yet eligible for special education?
 - A student not yet determined eligible for special education also has these protections if the district had knowledge that the student was a “child with a disability” before the behavior that led to the discipline occurred.
 - When does a school district have knowledge that the student was a “child with a disability”? A district is considered to have knowledge if:
 - Parent has expressed concern in writing to a teacher or supervisory or administrative personnel of the district that student needs special education and/or related services;
 - Parent has requested an evaluation of student for special education needs; or
 - Teacher or other school personnel has expressed specific concern about a pattern of behavior demonstrated by student directly to director of special education or to other supervisory personnel in district.

SE 47

- When is a student, about whom the district has knowledge of a disability, not protected by this provision? A student is not protected if:
 - The parent doesn't allow evaluation;
 - The parent refuses special education services; or
 - The student was evaluated and found not eligible.
- Expedited evaluation: If the district had no reason to consider the student disabled, and the parent requests an evaluation subsequent to the disciplinary action, the district must have procedures consistent with federal requirements to conduct an expedited evaluation to determine eligibility. If the student is found eligible, then he/she receives all procedural protections subsequent to the finding of eligibility.

Section 504 of The Rehabilitation Act of 1973

Section 504 of the Rehabilitation Act of 1973 is a Civil Rights Act, which prohibits discrimination against qualified persons with a disability in any program receiving Federal financial assistance. Section 504 defines a "disabled" person as anyone who: "Has a mental or physical impairment, which substantially limits one or more major life activities such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working, or the person has a record of such impairment or is regarded as having such impairment by others."

Notification of Non-Discrimination Policy

The Newburyport Public Schools prohibits discrimination on the basis of a disability and will not exclude such

persons from participation in, deny to such persons the benefits of, or otherwise subject such persons to discrimination under, any program which receives Federal financial assistance (43 C.F.R. § 104.4). Winchester Public Schools has the responsibility to identify and evaluate a child, to afford eligible children equal access and opportunity to receive all appropriate educational services.

What to do if you disagree with the school's determinations

If the parent or legal guardian disagrees with Section 504 Team determinations or related actions by the Winchester Public School professional staff, they have a right to a meeting to reconsider these determinations/actions by a school Administrator. Please send a letter stating your reason for the meeting within 30 days of receipt of the Section 504 Team's decision. Send request to:

Administrator of Counseling, Health and Wellness/504 District Coordinator

Ms. Erin Kuehn

Central Office

80 Skillings Road

Winchester, MA 01890

ekuehn@winchesterps.org

You are also entitled to pursue a remedy through the United States Department of Education (USDOE) located at the Office for Civil Rights, New England Office:

U.S. Department of Education

33 Arch Street, Suite 900, Boston, MA 02110-1491

Telephone: 617-289-0111, TDD: 877-521-2172 Email: OCR Boston @ed.gov

<http://www.ed.gov/ocr/complaintprocess.html>

Parent/Guardian and Student Rights under Section 504

1. To take part in and receive benefits from public education programs without discrimination due to handicapping conditions.
2. To have equal opportunity to participate in non-academic and extracurricular activities offered by the district.
3. To receive education in facilities comparable to those provided with non-handicapped students.
4. To be advised of your rights under federal law.
5. To receive notice with respect to a specific change in the placement of your child.
6. To receive all information in your native language and primary mode of communication.
7. To have evaluation, educational, and placement decisions made based upon a variety of information sources, and by persons who know the student, the evaluative data used and placement options.
8. To examine records related to identification, evaluation, educational program and placement.
9. To obtain copies of educational records at a reasonable cost.
10. To a response from the school system for reasonable requests for explanations and interpretations of your child's records.
11. To request an amendment of your child's records if there is reasonable cause to believe they are inaccurate or in violation of the child's privacy rights. If the school denies this request, you will be notified within a reasonable time and advised of your right to a hearing.
12. To have transportation provided to and from alternative placement settings at no greater cost to you than would be incurred if your child were placed in a program operated by the district.
13. To file a grievance with the school district over an alleged violation of Section 504 regulations.
14. To request an impartial hearing related to decisions or actions regarding your child's identification, evaluation, educational program, or placement.
15. You and your child may participate in the hearing and have an attorney represent you. You have a right to ask for payment of reasonable attorney fees if you are successful in your claim.

504 Grievance Procedure

If you believe that your child has been subjected to discrimination on the basis of disability, you may file a grievance under this procedure.

Procedure:

- Grievances must be submitted to the Section 504 Coordinator within 10 days of the date you become aware of the alleged discriminatory action.
- A complaint must be in writing, containing your name and address. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought.
- The Section 504 Coordinator (or their designee) shall conduct an investigation of the complaint. This investigation may be informal, but it must be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint. The Section 504 Coordinator will maintain the files and records of Winchester Public Schools relating to such grievances.
- The Section 504 Coordinator will issue a written decision on the grievance no later than 30 days after its filing.
- You may appeal the decision of the Section 504 Coordinator by writing to the Superintendent within 15 days of receiving the Section 504 Coordinator's decision. The Superintendent shall issue a written decision in response to the appeal no later than 30 days after its filing.
- The availability and use of this grievance procedure does not prevent you from filing a complaint of discrimination on the basis of disability with the U. S. Department of Health and Human Services, Office for Civil Rights.

Molin School Values & PBIS

Molin Schoolwide Expectations:

- *Be Kind**
- *Be Responsible**
- *Be Respectful**

PBIS: Positive Behavior Interventions and Supports

What is Positive Behavior Interventions & Supports (PBIS)?

Positive Behavior Interventions and Supports is a process for creating school environments that are more predictable and effective for achieving academic and social goals. PBIS will enhance our current systems and practices and change our culture for the better.

How does it Work?

A key strategy of the PBIS process is prevention. The majority of students follow the school's expectations, but are never acknowledged for their positive behavior. Through instruction, comprehension, and regular practice, all teachers and staff members will use a consistent set of behavior expectations and rules. When some students do not respond to teaching of the behavioral rules, we will view it as an opportunity for re-teaching, not punishment.

Does it make a Difference?

The PBIS model is a research based strategy. The 3-tiered approach reduces problem behavior as a barrier to student achievement. We only have 180 days each year to advance academic progress, so instructional time is very valuable. Research shows that schools following the PBIS model recover thousands of hours of instructional time and on average, four days of student instruction per year.

What about Disruptive Students?

Our PBIS school team has developed a documented discipline system that is integrated with the district's code of conduct. When problem behavior occurs, students are provided a full continuum of supports to address the behavior. If students do not respond, the intensity of the support increases. Most problem behaviors either have an academic or social base. Properly addressing the root cause of behavior can prevent student failure later in life.

How is PBIS Different from Other School Behavior Programs?

- The program is focused on acknowledging students for consistent positive behavior.
- There are expectations for all students, parents, staff, and settings.
- Teachers are acknowledged for noticing positive student behavior.
- Direct instruction of expected behaviors will occur throughout the school year.
- Routines and language with respect to appropriate school behavior are consistent throughout the school.
- Students are rewarded for expected behavior by staff with Anchor Stamps that add up to help their class reach benchmarks that correspond with class rewards.
- Problem behavior will be met with consistent consequences that are focused on re-teaching the expected behaviors.

Bus Rules

The orderly, courteous and sensible behavior which is expected of a student in school is also expected of at the bus stops and on the bus. The following rules apply to bus use:

1. **The bus driver has complete authority on the bus.**
2. Students may only ride their assigned bus (e.g. students cannot ride home on a friend's bus).
3. Students will be picked up and dropped off only at regularly scheduled bus stops.
4. All school rules are in effect on the bus.
5. Do not push or shove when entering or exiting the bus.
6. Keep hands, arms and heads inside the bus.
7. Students are to remain seated throughout the bus ride.
8. Do not throw things in the bus, at the bus, or out the window.
9. No food, gum or beverages, pets, skateboards, rollerblades or exceptionally large projects are allowed on the bus.
10. Students are expected to behave at all times in a courteous manner and respect the bus driver as well as fellow passengers.
11. Students who refuse to obey the directions of the bus driver promptly or who refuse to obey these regulations may forfeit their privilege to ride the bus to and from school.
12. **STATE LAW OFFENSE:** "Whoever willfully throws or shoots a missile at a school bus, or at a person on such, or any way ASSAULTS or interferes with an operator while in the performance of his/her duty on or near such school bus, shall be punished by a fine of not more than one hundred dollars, or by imprisonment for not more than one year, or both." A snowball is considered a missile.

Please make plans for pick up and play dates before school. At the end of the day, it is difficult for a secretary to get a message to a teacher that a student's destination or transportation has changed. We also need to keep telephone lines clear for emergencies.

Discipline

Teachers and staff all have access to the same resources that allow them to respond consistently to misbehaviors. For Minor Behaviors, staff handle these using strategies that help redirect the student and allow them, and others, to continue working in the classroom. If behaviors continue to increase, or there is a Major Behavior, staff will document and notify administration. Major behaviors are managed by the office and need a higher level of support to be addressed. The student may receive support from a PBIS team member, Principal, or Asst. Principal based on the severity of the issue. Majors will be communicated to the parents/guardian so that they may follow up with their student regarding the issue.

Appropriate behaviors and expectations will be routinely practiced throughout the school year in individual settings and as a whole school. Students will have reminders in all areas of the building, including the hallways for transitions. This will help make our school climate more friendly, welcoming, safe, and supportive for all students and staff.

Child Abuse and Neglect Policy

Massachusetts General Laws (M.G.L) c. 119, § 51A, requires that certain persons in their professional capacity are mandated to report child abuse and neglect when they have reasonable cause or suspicion to believe that a child under the age of 18 years is suffering physical or emotional injury resulting from abuse that causes harm or substantial risk of harm to the child's health or welfare, including sexual abuse, or from neglect, including malnutrition. All employees of the NPS are mandated reporters.

Newburyport School Committee Policies

AC - Nondiscrimination Policy including Harassment and Retaliation

The Newburyport School Committee and Newburyport Public Schools are committed to maintaining an education and work environment for all school community members. that is free from all forms of discrimination, including harassment and retaliation. The members of the school community include the School Committee, employees, administration, faculty, staff, students, volunteers in the schools, and parties contracted to perform work for the Newburyport Public Schools.

Newburyport Public Schools does not exclude from participation, deny the benefits of NPS from or otherwise discriminate against, individuals on the basis of race*, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy, or pregnancy-related condition, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law in the administration of its educational and employment policies, or in its programs and activities.

This commitment to the community is affirmed by the following statements. The School Committee commits to:

1. Promoting the rights and responsibilities of all individuals as set forth in the State and Federal Constitutions, pertinent legislation, and applicable judicial interpretations.
2. Encouraging positive experiences in human values for children, youth and adults, all of whom have differing personal and family characteristics and who come from various socioeconomic, racial and ethnic groups.
3. Working toward a more integrated society and enlisting the support of individuals as well as groups and agencies, both private and governmental, in such an effort.
4. Using all appropriate communication and action techniques to air and address the grievances of individuals and groups.
5. Carefully consider, in all the decisions made within the school district, the potential benefits or adverse consequences that those decisions might have on the human relations.

6. Initiating a process of reviewing policies and practices of the school district in order to achieve to the greatest extent possible the objectives of this statement.

The Newburyport Public Schools requires all members of the school community to conduct themselves in accordance with this policy.

It shall be a violation of this policy for any member of the school community to engage in any form of discrimination, including harassment and retaliation, or to violate any other civil right of any member of the school community. We recognize that discrimination can take a range of forms and can be targeted or unintentional; however, discrimination in any form, including harassment and retaliation, will not be tolerated.

It shall also be a violation of this policy for any school community member to subject any other member of the school community to any form of retaliation, including, but not limited to, coercion, intimidation, interference, punishment, discrimination, or harassment, for reporting or filing a complaint of discrimination, cooperating in an investigation, aiding or encouraging another member of the school community to report such conduct or file a complaint, or opposing any act or practice reasonably believed to be prohibited by this policy.

*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.

Policy References:

Title VI, Civil Rights Act of 1964

Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972 Executive Order 11246, as amended by E.O. 11375
Equal Pay Act, as amended by the Education Amendments of 1972 Title IX,
Education Amendments of 1972

Rehabilitation Act of 1973

Education for All Handicapped Children Act of 1975

No Child Left Behind Act of 2001, 20 U.S.C. § 7905 (The Boy Scouts of America
Equal Access Act)

M.G.L. 71B:1 et seq. (Chapter 766 of the Acts of 1972)

Acts of 2022, Chapter 117 -

<https://malegislature.gov/Laws/SessionLaws/Acts/2022/Chapter117>

ACA - NONDISCRIMINATION ON THE BASIS OF SEX

The School Committee, in accordance with Title IX of the Education Amendments of 1972, declares that the school district does not and will not discriminate on the basis of sex, sexual orientation or gender identity in the educational programs and activities of the public schools. This policy will extend not only to students with regard to educational opportunities, but also to employees with regard to employment opportunities.

The School Committee will continue to ensure fair and equitable educational and employment opportunities, without regard to sex, sexual orientation or gender identity, to all of its students and employees.

The Committee will designate an individual to act as the school district's Title IX compliance officer. All students and employees will be notified of the name and office address and telephone number of the compliance officer.

LEGAL REFS.: Title IX of the Education Amendments of 1972

45 CFR, Part 86, (Federal Register, 6/4/75)

M.G.L. 76:5; 76:16 (Chapter 622 of the Acts of 1971)

BESE 603 CMR 26:00

REFERENCE: USDOE Notice of Interpretation -

<https://www.ed.gov/news/press-releases/us-department-education-confirms-title-ix-protects-students-discrimination-based-sexual-orientation-and-gender-identity>

CROSS REF.: AC, Nondiscrimination Policy Including Harassment and Retaliation

ACAB - SEXUAL HARASSMENT

The Newburyport School Committee and Newburyport Public Schools are committed to maintaining an education and work environment for all school community members. that is free from all forms of harassment, including sexual harassment. The members of the school community include the School Committee, employees, administration, faculty, staff, students, volunteers in the schools, and parties contracted to perform work for the Newburyport Public Schools.

Sexual harassment is unwelcome conduct of a sexual nature. The definition includes unwelcome conduct on the basis of sex that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity it also, includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment includes conduct by an employee conditioning an educational benefit or service upon a person's participation in unwelcome sexual conduct, often called quid pro quo harassment and, sexual assault as the Federal Clery Act defines that crime. Sexual violence is a form of sexual harassment. Sexual violence, as the Office of Civil Rights (OCR) uses the term, refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse and sexual coercion. Massachusetts General Laws Ch. 119, Section 51 A, requires that public schools report cases of suspected child abuse, immediately orally and file a report within 48 hours detailing the suspected abuse to the Department of Children and Families. For the category of sexual violence, in addition to Section 51A referrals these offences and any other serious matters shall be referred to local law enforcement. Schools must treat seriously all reports of sexual harassment that meet the definition of sexual harassment and the conditions of actual notice and jurisdiction as noted above. Holding a school liable under Title IX can occur only when the school knows of sexual harassment allegations and responds in a way that is deliberately indifferent (clearly unreasonable in light of known circumstance).

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct, which if unwelcome, may constitute sexual harassment, depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances—whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;

- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences; and,
- Discussion of one's sexual activities.

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating an environment that is hostile, offensive, intimidating, to male, female, or gender non-conforming students or employees may also constitute sexual harassment.

Because the District takes allegations of harassment, including sexual harassment, seriously, we will respond promptly to complaints of harassment including sexual harassment, and following an investigation where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose corrective action as is necessary, including disciplinary action where appropriate.

Please note that while this policy sets forth our goals of promoting an environment that is free of harassment including sexual harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of harassment or sexual harassment.

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

The complainant does not have to be the person at whom the unwelcome sexual conduct is directed. The complainant, regardless of gender, may be a witness to and personally offended by such conduct.

NOTICE OF SEXUAL HARASSMENT

The regulations require a school district to respond when the district has actual notice of sexual harassment. School districts have actual notice when an allegation is made known to any school employee. Schools must treat seriously all reports of sexual harassment that meet the definition of harassment and the conditions of actual notice and jurisdiction as noted whether or not the complainant files a formal complaint. Holding a school liable under Title IX can occur only when the school knows of sexual harassment allegations and responds in a way that is deliberately indifferent (clearly unreasonable in light of known circumstances). Schools are required to investigate every formal complaint and respond meaningfully to every known report of sexual harassment.

The regulation highlights the importance of supportive measures designed to preserve or restore access to the school's education program or activity, with or without a formal complaint. Where there has been a finding of responsibility, the regulation would require remedies designed to restore or preserve access to the school's education program or activity.

DUE PROCESS PROTECTIONS

Due process protections include the following:

1. A presumption of innocence throughout the grievance process, with the burden of proof on the school;

2. A prohibition of the single investigator model, instead requiring a decision-maker separate from the Title IX Coordinator or investigator;
3. The clear and convincing evidence or preponderance of the evidence, subject to limitations;
4. The opportunity to test the credibility of parties and witnesses through cross examination, subject to “rape shield” protections;
5. Written notice of allegations and an equal opportunity to review the evidence;
6. Title IX Coordinators, investigators, and decision-makers must be free from bias or conflict of interest;
7. Equal opportunity for parties to appeal, where schools offer appeals;
8. Upon filing a formal complaint the school must give written notice to the parties containing sufficient details to permit a party to prepare for any initial interview and proceed with a factual investigation. For K-12 schools a hearing is optional but the parties must be allowed to submit written questions to challenge each other’s credibility before the decision-maker makes a determination. After the investigation, a written determination must be sent to both parties explaining each allegation, whether the respondent is responsible or not responsible, including the facts and evidence on which the conclusion was based by applying either the preponderance of the evidence or the clear and convincing standard; however, a school can use the lower preponderance standards only if it uses that standard for conduct code violations that do not involve sexual harassment but carry the same maximum disciplinary sanction. As long as the process is voluntary for all parties, after being fully informed and written consent is provided by both parties, a school may facilitate informal resolution of a sexual complaint.

A district may establish an informal investigation process that may, upon the request of the complainant be followed by a formal process.

The Superintendent in consultation with the Title IX Coordinator shall designate the principal of each school in the district, or their designee (or some other appropriate employee(s)) as the initial entity to receive the sexual harassment complaint. Also, in a matter of sexual harassment, the district shall require that the Title IX Coordinator be informed, as soon as possible, of the filing of the complaint. Nothing in this policy shall prevent any person from reporting the prohibited conduct to someone other than those above designated complaint recipients. The investigating officer may receive the complaint orally or in writing, and the investigation shall be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances and in compliance with applicable law. The investigation will be prompt, thorough, and impartial, and will include, at least, a private interview with the person filing the complaint and with witnesses. Also, the alleged harasser will be interviewed. When the investigation is completed, the complaint recipient will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

RECORD KEEPING REQUIREMENTS

Schools must create and maintain records documenting every Title IX sexual harassment complaint. This could include mediation, restorative justice, or other models of alternative dispute resolution. Schools must keep records

regarding the school's response to every report of sexual harassment of which it becomes aware even if no formal complaint was filed, including documentation of supportive matters offered and implemented for the complainant. This policy, or a summary thereof that contain the essential policy elements shall be distributed by the Newburyport School District to its students and employees and each parent or guardian shall sign that they have received and understand the policy.

List the name and phone number of the District's Title IX Coordinator

List the appropriate party by name and phone number to receive a complaint in each District School

Please note that the following entities have specified time limits for filing a claim.

The Complainant may also file a complaint with:

The Mass. Commission Against Discrimination, 1 Ashburton Place, Room 601

- Boston, MA 02108. Phone: 617-994-6000.

Office for Civil Rights (U.S. Department of Education)

- 5 Post Office Square, 8th Floor, Boston, MA 02109. Phone: 617-289-0111.

The United States Equal Employment Opportunity Commission,

- John F. Kennedy Bldg., 475 Government Center, Boston, MA 02203.

LEGAL REF: M.G.L. 151B:3A

Title IX of the Education Amendments of 1972

BESE 603 CMR 26:00

34 CFR 106.44 (a), (a)-(b)

34 CFR 106.45 (a)-(b) (1)

34 CFR 106.45 (b)(2)-(b)(3,4,5,6,7) as revised through June 2020

ACE - NONDISCRIMINATION ON THE BASIS OF DISABILITY

Related Policies:

Title II of the Americans with Disabilities Act of 1992 requires that no qualified individual with a disability shall, because the district's facilities are inaccessible to are unusable by individuals with disabilities, be excluded from participation in, or be denied the benefits of the services, programs, and activities of the district or be subject to discrimination. Nor shall the district exclude or otherwise deny services, programs, or activities to an individual because of the known disability of a person with whom the individual is known to have a relationship or association.

Definition

A "qualified individual with a disability" is an individual with a disability who, with or without reasonable modification to rules, policies, or practices, the removal or architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the district.

Reasonable Modification

The district shall make reasonable modification in policies, practices, or procedures when the modifications are necessary to practices, to avoid discrimination on the basis of disability, unless the district can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.

Communications

The district shall take the appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others. To this end, the district shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability and equal opportunity to participate in, and enjoy benefits of, a service, program, or activity conducted by the district. In determining what type of auxiliary aid service is necessary, the district shall give primary consideration to the requests of the individuals with disabilities.

Auxiliary Aids and Services

“Auxiliary Aids and Services” includes:

1. Qualified interpreters, note takers, transcription services, written materials, assistive listening systems, and other effective methods for making aurally delivered materials available to individuals with hearing impairments.
2. Qualified readers, taped texts, audio recordings, Brailled materials, large print materials, or other effective methods for making visually delivered materials available to individuals with visual impairments.
3. Acquisition or modification of equipment or devices.
4. Other similar services and actions.

Limits of Required Modification

The district is not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. Any decision that, in compliance with its responsibility to provide effective communication for individuals with disabilities, would fundamentally alter the service, program, or activity or unduly burden the district shall be made by the Superintendent after considering all resources available for use in funding and operating the program, service, or activity. The decision shall be accompanied by a written statement of the reasons for reaching that conclusion.

Notice

The district shall make available to applicants, participants, beneficiaries, and other interested persons information regarding the provisions of Title II of the Americans With Disabilities Act (ADA) and its applicability to the services, programs, or activities of the district. The information shall be made available in such a manner as the School Committee and Superintendent find necessary to apprise such persons of the protections against discrimination assured them by the ADA.

Compliance Coordinator

The district shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title II of ADA, including any investigation of any complaint communicated to it alleging its noncompliance or alleging any actions that would be prohibited under ADA. The district shall make available to all interested individuals the name, office address, and telephone number of the employee(s) so designated and shall adopt and publish procedures for the prompt and equitable resolution of complaints alleging any action that would be prohibited under the ADA. The Title IX coordinator will serve the function of Compliance Coordinator.

The School system receives Federal financial assistance and must comply with the above requirements. Additionally, it is generally viewed that:

1. Discrimination against a qualified disabled person solely on the basis of disability is unfair.
2. To the extent possible, qualified disability persons should be in the mainstream of life in a school community. Accordingly, employees of the school system will comply with the above requirements of the

law and policy statements of the School System to ensure nondiscrimination on the basis of disability.

LEGAL REFS.: Rehabilitation Act of 1973, Section 504

Education For All Handicapped Children Act of 1975

M.G.L. 71B:1 es seq. (Chapter 766 of the Acts of 1972)

Title II, Americans with Disabilities Act of 1992

Board of Education Chapter 766 Regulations, adopted 10/74, as amended Through 3/28/78

McKinney-Vento Homeless Assistance Act 2001 (42 U.S.C. 11431 et seq.), Sec.721

CROSS REFS.: IGB, Support Services Programs

Policy References:

Rehabilitation Act of 1973, Section 504

Education For All Handicapped Children Act of 1975

M.G.L. 71B:1 es seq. (Chapter 766 of the Acts of 1972)

Title II, Americans with Disabilities Act of 1992

Board of Education Chapter 766 Regulations, adopted 10/74, as amended Through 3/28/78

McKinney-Vento Homeless Assistance Act 2001 (42 U.S.C. 11431 et seq.), Sec.721

AC-R - NONDISCRIMINATION POLICY INCLUDING HARASSMENT AND RETALIATION

Related Policies: ACAB, ACE, GBA, IJ, JB

Policy References:

Title VI, Civil Rights Act of 1964

Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972 Executive Order 11246, as amended by E.O. 11375

Equal Pay Act, as amended by the Education Amendments of 1972 Title IX, Education Amendments of 1972

Rehabilitation Act of 1973

Education for All Handicapped Children Act of 1975

No Child Left Behind Act of 2001, 20 U.S.C. § 7905 (The Boy Scouts of America Equal Access Act)

M.G.L. 71B:1 et seq. (Chapter 766 of the Acts of 1972)

Acts of 2022, Chapter 117 - <https://malegislature.gov/Laws/SessionLaws/Acts/2022/Chapter117>

ACE, Nondiscrimination on the Basis of Disability

ACAB, Sexual Harassment

GBA, Equal Employment Opportunity

IJ, Instructional Materials

JB, Equal Educational Opportunities

Title IX Sexual Harassment Grievance Procedure

Civil Rights Grievance Procedure

B DFA - School Councils

Adoption Date: 09/06/2016

Revision History: 05/15/2023

B DFA - School Councils

All schools are required to have School Councils which meet regularly to assist the principal in:

- Adoption of educational goals for the school that are consistent with state and local policies and standards.

- Identification of the educational needs of the students attending the school.
- Review of the school building budget.
- Formulation of a school improvement plan that may be implemented only after review and approval by the Superintendent.

The School Committee believes that schools are key units for educational improvement and change and the successful school improvement is best accomplished through a school community based decision making process. This ensures commitment and support of those most affected by any implemented changes.

Under this policy, the principal shall have primary responsibility for the management of the school. Decisions which are made at the school level must be aligned with the budget, policies, curriculum and district strategic plan. In addition, decisions must comply with state and federal laws and regulations, and with any negotiated agreements of the school district.

The principal, except as specifically defined in the law, shall have the responsibility for defining the composition of and forming the School Council pursuant to a representative process approved by the Superintendent and School Committee.

Conduct of School Council Business:

- The principal serves as co-chair. The second co-chair is elected at the first meeting of the school year following the election of new members.
- There must be parity between faculty and parents/guardians of current students.
- All meetings are public meetings and subject to Open Meeting Laws, and each member reads the Open Meeting Law rules and sign off to their understanding of the law.
- Agendas must be posted at least 48 hours prior to the meeting and minutes must be taken and posted. Agendas and minutes are to be sent to the Executive Assistant to the Superintendent for this purpose.
- School Councils have the responsibility for creating the School Improvement Plan which should reflect District goals and practices.

Other areas the School Council may wish to focus on include:

- Improving school/student performance
- Budget development
- Program development
- School-community relations

LEGAL REFS.: M.G.L. 71:38Q (Professional Development Plans), [71:59C](#) (School Councils, members, meetings, duties)

Policy References:

M.G.L. 71:38Q (Professional Development Plans), 71:59C (School Councils, members, meetings, duties)

IIND, Access to Digital Resources

The Newburyport Public Schools (NPS) and the School Committee recognizes that access to technology in school gives students greater opportunities to learn, engage, communicate, collaborate, and develop skills that will prepare them for work, life, and citizenship. Our goal is to promote educational excellence by encouraging and facilitating resource sharing, innovation, and communication. We are committed to helping students develop 21st-century technology and communication skills. To that end, we provide the privilege of access to technologies for student and staff use. Internet use that is integrated into the school curriculum fosters the development of research and information skills, encourages critical and higher level thinking and provides expanded educational opportunities for both students and staff. While supporting the rights of students and staff to use all available tools, the NPS recognize that there is material on the internet that is objectionable or devoid of educational value in the context of a school setting. The NPS have taken steps to restrict access to inappropriate or controversial material. In addition to utilizing an internet content filter, NPS staff will closely supervise students' use of the internet. Although guidelines cannot totally eliminate the possibility of inadvertent or intentional access to such information, we believe that they can significantly limit such possibilities. The NPS believe that the access to valuable resources on the Internet far outweighs the concerns that the users may procure material that is not consistent with the educational goals of the NPS, and we intend to maximize the Internet's educational value.

NPS will ensure that it adheres to the most recent Children's Internet Protection Act (CIPA, <http://ifea.net/cipa.pdf>) requirements of 2001 and 2011 by:

- Implementing an Internet filter for the purpose of blocking access to visual depictions deemed obscene, child pornography, or harmful to minors. It may be disabled for adults engaged in bona fide research or other lawful purposes.
- Providing for educating minors (in this case 'minors' refer to school aged children up to the age of 17) about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.

This Acceptable Use Policy outlines the guidelines and behaviors that all users are expected to follow when using school technologies or when using personally owned devices on the school campus, including:

- The NPS network is intended for educational purposes.
- All activity over the network or using district technologies may be monitored and retained.
- Access to online content via the network may be restricted in accordance with our policies and federal regulations, such as the Children's Internet Protection Act (CIPA).
- Users are expected to follow the same rules for good behavior and respectful conduct online as offline.
- Misuse of school resources may result in disciplinary action.
- NPS makes a reasonable effort to ensure users' safety and security online, but will not be held accountable for any harm or damages that result from use of school technologies.
- Users of the district network or other technologies are expected to alert IT staff immediately of any concerns for safety or security.

Technologies Covered

NPS may provide the privilege of Internet access, desktop computers, mobile computers or devices, video conferencing capabilities, online collaboration capabilities, message boards, email, and more. This Acceptable Use Policy applies to both school-owned technology equipment utilizing the NPS network, the NPS Internet connection, and/or private networks/Internet connections accessed from school owned devices at any time. This Acceptable

Use Policy also applies to privately owned devices accessing the NPS network, the NPS Internet connection, and/or private networks/Internet connections while on school property. As new technologies emerge, NPS will seek to provide access to them. The policies outlined in this document cover all available technologies now and into the future, not just those specifically listed or currently available.

Usage Policies

All technologies provided by the district are intended for educational purposes. All users are expected to use good judgment and to follow the specifics as well as the spirit of this document: be safe, appropriate, careful and kind; don't try to get around technological protection measures; use good common sense; and ask if you don't know.

Web Access

NPS provides its users the privilege of access to the Internet, including web sites, resources, content, and online tools. Access to the Internet will be restricted as required to comply with CIPA regulations and school policies. Web browsing may be monitored and web activity records may be retained indefinitely. Users are expected to respect the web filter as a safety precaution and shall not attempt to circumvent the web filter when browsing the Internet. The determination of whether material is appropriate or inappropriate is based solely on the content of the material and the intended use of the material, not on whether a website has been blocked or not. If a user believes a site is unnecessarily blocked, the user should submit a request for website review through the technology ticket system.

Email

NPS may provide users with the privilege of email accounts for the purpose of school-related communication. Availability and use may be restricted based on school policies. If users are provided with email accounts, the account(s) should be used with care. Users should not send personal information; should not attempt to open files or follow links from unknown or untrusted origins; should use appropriate language; and should only communicate with other people as allowed by the district policy or the teacher. Users are expected to communicate with the same appropriate, safe, mindful, courteous conduct online as offline. Email usage may be monitored and as a school department, all email communications are archived for seven (7) years.

Technology Specialists who operate the system have access to all mail, including deleted messages. Messages relating to or in support of illegal activities may be reported to the authorities. All communications and information accessible via the network should be considered public property; however, the use of another person's intellectual property without that individual's prior written approval or authorization is prohibited. The school district will completely and periodically delete information from the system.

Legal Implications of Electronic Mail (Email)

For the purpose of this policy email is defined as messages created and received on an electronic mail system. The email message may be text or word processing documents, spreadsheets or other data compilations transmitted through such a system. Email created or received by an employee of a government unit is a public record. In Massachusetts, the term "public record" is broadly defined to include all documentary materials or data created or received by any officer or employee of any governmental unit, regardless of physical form or characteristics. G.L. c. 4, sec. 7(26). Email is therefore a public record and subject to the requirements of the Public Records Law G. L. C. 66.

Email messages are subject to public access through the Public Records Law G. L. C. 66. Sec.10. A determination as to whether an email message is exempt from disclosure depends upon the content of the message. G. L.C. 4. Sec. 7(26)(a-m).

Email messages may be sought through the discovery process in litigation and may be admissible in evidence. Like all electronically created and stored records, email is subject to the rules of evidence and a judge will rule on its admissibility. Refer to the Commonwealth of Massachusetts Public Records Division SPR- Bulletin No. 1-99 dated February 16, 1999 for additional information.

Network Accounts

Do not use another individual's account or password. Do not give your password to others. Attempts to log-on to the system as another user may result in cancellation of user privileges.

Network Use Limitations

The district's computer network may not be used to disseminate commercial or personal advertisements, solicitations, promotions, destructive code (e.g., viruses, self-replicating programs, etc.), or any other unauthorized materials. Staff and students may not use the school system's Internet connection to download games or other entertainment software or to play non-educational games over the Internet. Additionally, you may not use the computer network to display, store or send (by email or any other form of electronic communication such as bulletin boards, chatrooms, Usenet groups, etc.) material that is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory or otherwise inappropriate or unlawful.

Computer resources are not unlimited. Network bandwidth and storage capacity have finite limits, and all users connected to the network have a responsibility to conserve these resources. As such, the user must not deliberately perform acts that waste computer resources or unfairly monopolize resources to the exclusion of others. These acts include but are not limited to, streaming music or videos for non-educational purposes, sending chain letters, spending, playing online games, or otherwise creating unnecessary loads on network traffic associated with non-educational uses of the Internet.

Social/Web 2.0 / Collaborative Content

Recognizing the benefits that collaboration brings to education, NPS may provide users with access to web sites or tools that allow communication, collaboration, sharing, and messaging among users. Users are expected to communicate with the same appropriate, safe, mindful, courteous conduct online as offline. Posts, chats, sharing, and messaging may be monitored. Users should be careful not to share personally-identifying information online.

Mobile Devices Policy

NPS may provide users with mobile computers or other devices to promote learning outside of the classroom. Users should abide by the same acceptable use policies when using school devices off the school network as on the school network. Users are expected to treat these devices with extreme care and caution; these are expensive devices that the school is entrusting to your care. Users should immediately report any loss, damage, or malfunction to the teacher or to IT staff. Users may be financially accountable for any damage resulting from negligence or misuse. Use of school issued mobile devices off the school network may be monitored.

Personally-Owned Devices Policy

Students in grades kindergarten through eighth, should keep personally-owned devices (including laptops, tablets, smart phones, cell phones, e-readers, iPod touch, gaming devices) turned off and put away during school hours (with the exception of assistive devices) unless in the event of an emergency or as instructed by a teacher or staff for educational purposes. Devices are to be used as part of classroom lessons only upon teacher approval. Because of security concerns, when personally-owned mobile devices are used on campus, they must be used over the school network. High school students need to refer to Section 5- Policies and Procedures in the Clipper's Compass. All personally-owned devices are on a use at your own risk policy. The School District is not accountable for loss, damage, theft, etc.

This Acceptable Use Policy applies to privately-owned devices accessing the NPS network, the NPS Internet connection, and private networks/Internet connections while on school property. Virus protection for PC's is required.

Users who cannot access the NPS network or who may have technical issues with their own technology tool need to take care of this issue by working with the user's manual that came with the device outside of the classroom. These are not NPS devices and the district is not allocating resources to troubleshoot issues.

Individual Use Expectations

Security

Users are expected to take reasonable safeguards against the transmission of security threats over the school network. This includes not opening or distributing infected files or programs and not opening files or programs of unknown or untrusted origin. If you believe a computer or mobile device you are using might be infected with a virus, please alert IT. Do not attempt to remove the virus yourself or attempt to download any programs to help remove the virus.

You are responsible for any misuse of your account, even if the inappropriate activity was committed by another person. Therefore, you must take steps to ensure that others do not gain unauthorized access to your account. In addition, you may not use your account to breach security of another account or attempt to gain unauthorized access to another network or server.

Your password provides access to your account. Sharing your password and account access with unauthorized users is prohibited. You should take care to prevent others from using your account by keeping your password secure since you will be held responsible for such use. Do not leave an unsupervised computer logged on to the network.

Downloading and Sharing Software

Users may not copy, download or share any type of copyrighted materials (including music or films) without the owner's permission. Users may not copy or download software without the express authorization of IT staff. This includes copying school-purchased software to your home computer. Software is protected by federal copyright law, which says that you can't make additional copies of software without the permission of the software publisher. Users should not download or attempt to download or run .exe programs over the school network without express permission from IT staff. You may be able to download other file types such as images or videos, provided they are allowed by fair use rules or permitted by author or a Creative Commons License. For the security of our network,

download such files only from reputable sites, and only for educational purposes. Unauthorized copying or sharing of software (including video and music files), is illegal and may subject the copier to substantial civil and criminal penalties. The school district assumes no responsibility for copyright or licensing violations by students or staff.

Netiquette

Users should always use the Internet, network resources, and online sites in a courteous and respectful manner. Users should recognize that among the valuable content online there is also unverified, incorrect, or inappropriate content. Users should only use trusted sources when conducting research via the Internet. Users should remember not to post anything online that they wouldn't want students, parents, teachers, or future colleges or employers to see. Once something is online, it's out there—and can sometimes be shared and spread in ways you never intended.

Plagiarism

Plagiarism is the use of another person's words or ideas without acknowledging the source (by omitting to cite them) and is considered theft. When you pass off ideas, content, computer programs, images, or words from the internet, as your own, it is an act of lying and cheating. Online research needs to be appropriately cited, giving credit to the original author.

Personal Safety

Users should never share personal information, including phone number, address, social security number, birthday, or financial information, over the Internet without adult permission. Users should recognize that communicating over the Internet brings anonymity and associated risks, and should carefully safeguard the personal information of themselves and others. Users should never agree to meet in real life someone they meet online without parental permission. If you see a message, comment, image, or anything else online that makes you concerned for your personal safety, bring it to the attention of an adult (teacher or staff if you're at school; parent or guardian if you're using the device at home) immediately.

NPS makes an attempt to protect private information but users who submit personal information online do so at their own risk.

Cyberbullying

Cyberbullying will not be tolerated. Harassing, dissing, flaming, denigrating, impersonating, outing, tricking, excluding, and cyberstalking are all examples of cyberbullying. Don't be mean. Don't send emails or post comments with the intent of scaring, hurting, or intimidating someone else. Engaging in these behaviors, or any online activities intended to harm (physically or emotionally) another person, will result in severe disciplinary action and loss of privileges. In some cases, cyberbullying can be a crime. Remember that your activities are monitored and retained. (Reference: District Anti-Bullying Policy)

Social Media Policy

Social Media is defined as any form of publication or presence that allows interactive communication, including, but not limited to, social networks, blogs, internet websites, internet forums and wikis. Examples of social media include, but are not limited to, Facebook, Twitter, YouTube, Google and Flickr (NYC Dept. of Education).

Communication with Students and Parents

Newburyport employees who work with students and communicate with them through professional social media sites should follow these guidelines:

- a. Professional social media sites that are school based should be designed to address reasonable instructional, educational or extra-curricular program matters.
- b. Newburyport employees should treat social media space and communication like a classroom or professional workplace.
- c. Employees should exercise caution, sound judgement and common sense when using all social media.
- d. No personally identifiable student information may be posted on social media sites unless written permission has been signed by parents.
- e. No photographs or videos may be posted without the teacher's permission.
- f. Teachers will determine how best to communicate with parents via phone, email or social media.
- g. Each teacher will maintain a classroom website where general information may be found regarding instructional practice and classroom expectations. It is expected that websites will be updated throughout the year.

Vandalism

Any verified acts of vandalism will result in cancellation of privileges. Vandalism is defined as any malicious attempt to harm or destroy a physical device, the data of another user, the NPS network, or other networks that are connected to our system through the Internet. This includes, but is not limited to, the uploading or creation of computer viruses.

Privacy

Staff and students are given access to computers and the Internet to assist them in furthering the educational process. Users should have no expectation of privacy in anything they create, store, send or receive using the district's computer equipment. In addition the district, through its designees, reserves the right to monitor, examine, evaluate and disclose all aspects of the technology resources and their use.

NPS is committed to protecting private information of staff and students contained within emails or other online transmissions.

While we cannot guarantee the privacy or confidentiality of information within electronic documents, the following procedures will help to protect the privacy and confidentiality of such information.

1. Remember when sending emails regarding students to use ONLY the student identification numbers and the first initial of both their first and last name eg: John Smith would be J.S.#12345.
2. Remember when sending emails regarding staff to use ONLY the staff member's initials and job eg: John Smith teacher would be J.S. teacher.

Confidentiality rules apply, following FERPA regulations.

(<http://www2.ed.gov/policy/gen/guid/fpco/ferpa/students.html>)

Limitation of Liability

NPS will not be responsible for damage or harm to persons, files, data, or hardware. While NPS employs filtering and other safety and security mechanisms, and attempts to ensure their proper function, it makes no guarantees as to their effectiveness.

NPS will not be responsible, financially or otherwise, for unauthorized transactions conducted over the school network.

Violations of this Acceptable Use Policy

Violations of this policy may have disciplinary repercussions, including:

- Suspension or termination of network, technology, or computer privileges;
- Notification to parents;
- Detention or suspension from school and school-related activities;
- Employment disciplinary action, up to and including termination of employment;

The NPS will provide staff with Internet guidelines and training and support in the appropriate and effective use of the internet. The school system will inform parents about Internet guidelines through the use of letters, school newsletters, and handbooks. Additionally, the NPS will continually evaluate tools and software which can potentially assist staff in implementing guidelines, effectiveness, manageability, and any cost for initial purchase and upgrades will be considered.

Policy References: Cross ReF: Plagiarism

IB: EQUAL EDUCATIONAL OPPORTUNITIES

In recognition of the diversified characteristics and needs of our students and with the keen desire to be responsive to them, the School Committee will make every effort to protect the dignity of the students as individuals. It also will offer careful consideration of their human rights, and sympathetic understanding of their personal feelings, particularly with reference to their race*, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy, or pregnancy-related condition, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law.

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

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

*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.

LEGAL REFS.:

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

JBB: EDUCATIONAL EQUITY

The School Committee’s goal is to strive to address the needs of every student.

Educational equity for the purpose of this policy is defined as providing all students the high quality instruction and individualized supports they need to be prepared for life after graduation.

To achieve educational equity the district will commit to:

1. Systematically, when appropriate, use districtwide and individual school level data, disaggregated by race/ethnicity, gender/gender identity, national origin, language, special education, socioeconomic status and mobility to inform district decision making.

2. Raise the achievement of all students.

3. Graduate all students ready to succeed in a diverse local, national and global community.
In order to reach the goal of educational equity for each and every student, the District shall:

1. Provide every student with access to high quality curriculum, support, and other educational resources.

2. Seek to promote educational equity as a priority in professional development and educator evaluation.

3. Endeavor to create schools with a welcoming and inclusive culture and environment.

4. Provide multiple pathways to success in order to meet the needs of the diverse student body and actively encourage, support and expect high academic achievement for each student.

The Superintendent shall include equity practices in the district’s strategic plan and goal strategies to implement this policy. The Superintendent, upon request, will periodically report to the Committee the progress of the implementation of this policy.

Adopted: February 27, 2024

JH - Student Absences and Excuses

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

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

A student may also be excused for other exceptional reasons with approval of the Principal or designee. Accordingly, parents/guardians will provide a written explanation for the absence or tardiness of their child. This will be required in advance for types of absences where advance notice is possible.

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

Student Absence Notification Program

Each Principal or designee will notify a student's parent/guardian within 3 days of the student's absence in the event the parent/guardian has not informed the school of the absence.

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

Dropout Prevention

A student who has not graduated from high school and has been absent from school for ten (10) consecutive days of unexcused absence shall not be considered permanently removed from school unless the Principal has sent notice to the student, and that student's parent/guardian. The notice shall be sent within five (5) days of the tenth consecutive day of absence and shall offer at least 2 dates and times within the next ten (10) days for an exit interview with the Superintendent or designee, the student, and the student's parent/guardian. The notice shall be in both English and the primary language of the home, if applicable. The notice shall include contact information for scheduling the exit interview and shall indicate the parties shall reach an agreement on the date/time of the interview within the ten (10) day timeframe. The timeframe may be extended at the request of the parent/guardian and no extension shall exceed 14 days.

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

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

LEGAL REFS.: M.G.L. 76:1; 76:1A; 76:1B; 76:16; 76:18; 76:19; 76:20

Adopted: June 19, 2017

Revised: February 27, 2024

Policy References:

Source: MASC

LEGAL REFS.:

M.G.L. 76.1; 76.1a; 76.1b; 76.4; 76.19; 76.20

II: Student Rights and Responsibilities

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

Among these rights and responsibilities are the following:

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

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

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

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

Policy References: Source: MASC LEGAL REFS.: M.G.L. 71:3H; 71:82 THROUGH 71:86:

JIB: Student Involvement in Decision Making

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

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

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

Policy References: Source: MASC LEGAL REFS.: M.G.L. 71:38M;

JIC: Student Discipline

1. Specific Misconduct and Disciplinary Action

Respect is at the heart of Newburyport Public Schools, respect for yourself, respect for the staff, and respect for your school. Every student has a right to an education in a safe, secure and supportive environment, and every teacher has a right to expect respectful, prepared students in his/her classroom. The administration will treat all students consistently and equitably, and will respect the rights of all students to an education in a safe and healthy environment. It is the policy of the Newburyport Public Schools to ensure fair and effective disciplinary practices. Accordingly, the following rules and regulations will be administered fairly and consistently to all students:

Enforcement of discipline is based on a system of progressive actions, starting with restorative justice, with a goal of limiting the use of long-term suspension as a consequence for student misconduct until other consequences need to be considered, as appropriate. The administrator will exercise discretion in determining disciplinary consequences. The administrator may utilize his/her discretion to significantly increase penalties in the cases of

second and third offenses or for other factors. In determining the severity of the penalty or suspension, the appropriate administrator may consider all relevant facts, including but not limited to: 1) previous disciplinary record, 2) severity of disruption to the educational process, 3) degree of danger to self and/or others, 4) the degree to which the student is willing to change his/her inappropriate behavior and 5) whether alternative consequences are appropriate to re-engage the student in learning. Alternative consequences may include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and positive behavioral interventions and supports.

Student Conduct and Discipline Policies

The school's primary goal is to educate, not to discipline; however, when the behavior of individual students comes in conflict with the rights of others, corrective actions may be necessary both for the benefit of that individual and the school as a whole.

Students are governed by the policies, regulations, and rules of this district and state law, which are applicable in school, on the school grounds, at a school activity away from school, on the way to or from school, and on a school bus. The School Committee expects that students will be particularly mindful of their conduct when traveling for school events as they become “ambassadors” for our City. Students may also be subject to discipline for actions that affect the operation of the school but which occur beyond the areas listed above (cyber-bullying, harassment of school personnel, among others).

The principal, in consultation with the School Council, shall prepare and distribute to each student a student handbook setting forth the rules pertaining to the conduct of students. The School Council shall review the student handbook each spring to consider changes in disciplinary policy to take effect in September of the following school year; but may consider policy changes at any time. The annual review shall cover all areas of student conduct. Such governing rules shall be published and disseminated to school personnel, students and parents each year. In the case of the High School, the School Committee must approve the handbook by their Second June meeting.

We recognize that effective discipline should result in a positive change in the student's behavior, and at times must be adjusted to fit the individual situation. To this end, we list the offenses and recommended punishment to be incurred by a student for the indicated offense.

2. Process for Classroom Discipline

Teachers are in charge of classroom management within their classrooms. Teachers are expected to maintain the expectations for student behavior/conduct that meet the general code of conduct as outlined in this handbook. Additionally, teachers should be explicit about their own expectations that may be unique to their own rooms. These rules or guidelines should be outlined in the course syllabus. Teachers should hold students accountable for their conduct within the classroom. When issues of misconduct arise, teachers should attempt to find a resolution based on any or all of the following:

1. A student/teacher conference (or teacher detention) to resolve the problem;
2. Communication with the parent through phone, email or conference;
3. A teacher/parent/student conference to resolve the problem;
4. Referral of the student to the Principal/Associate Principal for disciplinary action.

3. Guidelines for Referrals to the Principal and/or his/her Designee

It is expected that teachers will handle their own discipline situations on a normal basis. However, it is recognized that situations do occur which demand that a student be referred to the Principal/Associate Principal for disciplinary actions.

Newburyport students have the privilege of making decisions. However, all students must understand the rules and possible consequences for violating them. The consequences for infractions of school rules include the following range of responses:

- Teacher-Student Conferences
- Parent Conference
- Exclusion from areas in the school
- Loss of activity privilege
- Loss of "Senior Week" activities up to and/or including graduation exercises
- Office detention
- In School Suspension
- Friday Extended-day detention
- Out-of-school suspension – both short term (10 days or less) and long term (over 10 days)
- Expulsion
- Mediation, conflict resolution, restorative justice, as appropriate
- Positive behavioral interventions and supports, as appropriate
- Other, as appropriate

Suspensions

The Newburyport Public Schools adheres to the Student Discipline Laws and Regulations as set forth in Massachusetts General Laws Chapter 71, sections 37H, 37 H1/2 and 37 H ¾ and 603 CMR 53.00 et seq.

In-School Suspension Procedures:

A student may be removed from regular classroom activities, but not from the school premises, for up to ten (10) consecutive school days or up to ten (10) school days cumulatively for multiple infractions during the school year. Students who are placed in in-school suspension shall have the opportunity to earn credits, make up assignments, tests, papers, and other school work as needed to make academic progress during the in-school suspension.

A student who is unable to consistently adhere to acceptable classroom standards in a particular class may be removed from the class permanently and assigned to a different class at the discretion of the principal and/or his/her designee.

Notice of In-School Suspension:

The principal or his/her designee shall inform the student of the disciplinary offense charged and the basis for the charge, and provide the student with an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident. If the principal or his/her designee determines that the student committed the disciplinary offense, the principal or his/her designee shall inform the student of the length of the student's in-school suspension. If the in-school suspension exceeds ten (10) days, cumulatively or consecutively, in a school year, the student shall have the right to appeal the suspension to the Superintendent of Superintendent's designee.

On the same day as the in-school suspension decision, the principal or his/her designee shall make reasonable efforts to notify the parent orally of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension.

On the day of the suspension, the principal or his/her designee shall send written notice (by hand-delivery, certified mail, first class mail or email) to the student and parent including the reason and the length of the in-school suspension, and inviting the parent to a meeting if the meeting has not already occurred. The notice shall be in English and the primary language of the home if another language is identified in the home language survey, or by other means, as appropriate.

Parent Meeting:

The principal or his designee shall also invite the parent to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. Such meeting shall be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the principal or his/her designee is unable to reach the parent after making and documenting at least (2) attempts to do so, such attempts shall constitute reasonable efforts for purposes of orally informing the parent of the in-school suspension.

No Right to Appeal:

The decision of the Principal or his/her designee is the final decision for in-school suspensions not exceeding ten (10) days, consecutively or cumulatively during a school year.

Out-of-School Suspension Procedures under M.G.L. Ch. 71, Sec. 37H^{3/4}:

Due Process Procedures for Out-of-School Suspensions:

There are two types of out-of-school suspensions, Short-Term Suspensions and Long-Term Suspensions. The principal or his/her designee shall determine the extent of the rights to be afforded the student at a disciplinary hearing based on the anticipated consequences for the disciplinary offense. If the consequence may be long-term suspension from school, the principal or his/her designee shall afford the student, additional rights as described below, in addition to those rights afforded to students who may face a short-term suspension from school. All students facing out-of-school suspension shall have the right to oral and written notice, as described below.

Notice for Any Out-of-School Suspension:

Prior to suspending a student, the Principal or his/her designee will provide the student and the Parent oral and written notice of the possible suspension, an opportunity for the student to have a hearing and the opportunity of the Parent(s) to participate in the hearing. The notice will be in English and in the primary language of the home if other than English as identified in the home language survey, or by other means of communication where appropriate. The notice will set forth in plain language:

- a. the disciplinary offense;
- b. the basis for the charge;
- c. the potential consequences, including the potential length of the student's suspension;
- d. the opportunity for the student to have a hearing with the principal or his designee concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident, and for the parent to attend the hearing;

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

The principal or his/her designee shall make reasonable efforts to notify the parent orally of the opportunity to attend the hearing. Prior to conducting a hearing without the parent present, the principal or his/her designee will document reasonable efforts to include the parent. The principal or his/her designee is presumed to have made reasonable efforts if the principal or his/her designee has sent written notice and has documented at least two (2) attempts to contact the parent in the manner specified by the parent for emergency notification.

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

Emergency Removal of Student:

Under certain emergency circumstances, it may not be practical for the principal or his/her designee to provide prior oral and written notice before removing a student from school. The principal or his/her designee may remove a student from school temporarily when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the principal's (or his/her designee's) judgment, there is no alternative available to alleviate the danger or disruption. The principal or his/her designee will immediately notify the superintendent in writing of the removal and the reason for it, and describe the danger presented by the student. The temporary removal shall not exceed two (2) school days following the day of the emergency removal, during which time the principal shall:

- a. Make immediate and reasonable efforts to orally notify the student and the student's parent of the emergency removal, the reason for the need for emergency removal, the disciplinary offense, the basis for the charge, the potential consequences, including potential length of suspension, the opportunity for a hearing including the date/time/location of the hearing, the right to interpreter services, and other rights permitted for students who may be placed on long-term suspension as set forth in 603 CMR. 53.08(3)(b);
- b. Provide written notice to the student and parent, including the information described in 603 CMR 53.06(2);
- c. Provide the student an opportunity for a hearing with the principal or his/her designee that complies with 603 CMR 53.08(2) or 53.08(3), as applicable, and the parent an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the principal, student, and parent.
- d. Render a decision orally on the same day as the hearing, and in writing no later than the following school day, which meets the requirements of 603 CMR 53.08(2)(c) and 53.08(2)(d) or 603 CMR 53.08(3)(c) and 53.08(3)(d), as applicable.

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

Short-Term Suspension Procedures under M.G.L. Ch. 71, Sec. 37H¾:

A Short-Term Suspension is the removal of a student from the school premises and regular classroom activities for ten (10) consecutive school days or less. The principal, or his/her designee, may, in his or her discretion, allow a student to serve a short-term suspension in school. Any student facing a potential short-term suspension is entitled to a hearing with the Principal or his/her designee with the following process:

Principal Hearing - Short-term Suspension:

- a. The purpose of the hearing with the principal or his/her designee is to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction. At a minimum, the principal or his/her designee shall discuss the disciplinary offense, the basis for the charge, and any other pertinent information. The student also shall have an opportunity to present information, including mitigating facts that the principal or his/her designee should consider in determining whether other remedies and consequences may be appropriate as alternatives to suspension. The principal or his/her designee shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the principal should consider in determining consequences for the student.
- b. Based on the available information, including mitigating circumstances, the principal or his/her designee shall determine whether the student committed the disciplinary offense, and, if so, what remedy or consequence will be imposed.
- c. The principal or his/her designee shall notify the student and parent of the determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal, as provided in 603 CMR 53.13(1). The determination shall be in writing and may be in the form of an update to the original written notice.
- d. If the student is in a public preschool program or in grades K through 3, the principal shall send a copy of the written determination to the superintendent and explain the reasons for imposing an out-of-school suspension, before the short-term suspension takes effect.

No Right to Appeal:

The decision of the Principal or his/her designee is the final decision for short-term out-of-school suspensions not exceeding ten (10) days, consecutively or cumulatively during a school year.

Long-Term Suspension Procedures under M.G.L. Ch. 71, Sec. 37H³/₄:

A Long-Term Suspension is the removal of a student from the school premises and regular classroom activities for more than ten (10) consecutive school days, or for more than ten (10) school days cumulatively for multiple disciplinary offenses in any school year. The principal or his/her designee, may, in his or her discretion, may allow a student to serve a long-term suspension in school. Except for students who are charged with a disciplinary offense set forth in Massachusetts General Laws Chapter 71, §37 H, or in Massachusetts General laws Chapter 71 § 37H ¹/₂, no student may be placed on long-term suspension for one or more disciplinary offenses for more than ninety (90) school days in a school year beginning with the first day that the student is removed from school. No long-term suspension shall extend beyond the end of the school year in which such suspension is imposed. Any student facing a potential long-term suspension is entitled to a hearing with the Principal or his/her designee with the following process.

Principal Hearing - Long-term Suspension:

- a. The purpose of the hearing with the principal or his/her designee is to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction. At a minimum, the principal or his/her designee shall discuss the disciplinary offense, the basis for the charge, and any other pertinent information. The student also shall have an opportunity to present information, including mitigating facts, that the principal should consider in determining whether other remedies and consequences may be appropriate as alternatives to suspension. The principal or his/her designee shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the principal should consider in determining consequences for the student.
- b. In addition to the rights afforded a student in a short-term suspension hearing, the student shall have the following additional rights:
 1. In advance of the hearing, the opportunity to review the student's record and the documents upon which the principal may rely in making a determination to suspend the student or not;
 2. the right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense;
 3. the right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so;
 4. the right to cross-examine witnesses presented by the school district;
 5. the right to request that the hearing be recorded by the principal, and to receive a copy of the audio recording upon request. If the student or parent requests an audio recording, the principal shall inform all participants before the hearing that an audio record will be made and a copy will be provided to the student and parent upon request.
- c. The principal or his/her designee shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the principal should consider in determining consequences for the student.
- d. Based on the evidence, the principal or his/her designee shall determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension. The principal or his/her designee shall send the written determination to the student and parent by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or any other method of delivery agreed to by the principal and the parent. If the principal or his/her designee decides to suspend the student, the written determination shall:
 1. Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing;
 2. Set out the key facts and conclusions reached by the principal;
 3. Identify the length and effective date of the suspension, as well as a date of return to school;
 4. Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school;
 5. Inform the student of the right to appeal the principal's decision to the superintendent or designee, but only if the principal has imposed a long-term suspension. Notice of the right of appeal shall be in English and the primary language of the home if other than English as determined by the home language survey, or other means of communication where appropriate, and shall include the following information stated in plain language:

- a. the process for appealing the decision, including that the student or parent must file a written notice of appeal with the superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent may request and receive from the superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days; and that the long-term suspension will remain in effect unless and until the superintendent decides to reverse the principal's determination on appeal.
- b. If the student is in a public preschool program or in grades K through 3, the principal shall send a copy of the written determination to the superintendent and explain the reasons for imposing an out-of-school suspension, before the suspension takes effect.

Superintendent's Appeal Hearing:

1. A student who is placed on long-term suspension following a hearing with the principal shall have the right to appeal the principal's decision to the superintendent.
2. The student or parent shall file a notice of appeal with the superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent may request and receive from the superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days. If the appeal is not timely filed, the superintendent may deny the appeal, or may allow the appeal in his or her discretion, for good cause.
3. The superintendent shall hold the hearing within three (3) school days of the student's request, unless the student or parent requests an extension of up to seven (7) additional calendar days, in which case the superintendent shall grant the extension.
4. The superintendent shall make a good faith effort to include the parent in the hearing. The superintendent shall be presumed to have made a good faith effort if he or she has made efforts to find a day and time for the hearing that would allow the parent and superintendent to participate. The superintendent shall send written notice to the parent of the date, time, and location of the hearing.
5. The superintendent shall conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence shall be. The superintendent shall arrange for an audio recording of the hearing, a copy of which shall be provided to the student or parent upon request. The superintendent shall inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent upon request.
6. The student shall have all the rights afforded the student at the principal's hearing for long-term suspension.
7. The superintendent shall issue a written decision within five (5) calendar days of the hearing which meets the requirements of 603 CMR 53.08(3)(c)1 through 5. If the superintendent determines that the student committed the disciplinary offense, the superintendent may impose the same or a lesser consequence than the principal, but shall not impose a suspension greater than that imposed by the principal's decision.
8. The decision of the superintendent shall be the final decision of the school district, with regard to the suspension.

A parent conference (re-entry meeting) with the Principal or his/her designee is strongly encouraged before students who are suspended return to school. This conference will be used to promote the engagement of the parents or guardians in discussions of the student's misconduct and to assist the student in re-engaging with the school community.

Long-Term Suspension/Expulsion Procedures for Special Circumstances:

The long-term suspension or expulsion of a student from school will be in accordance with Massachusetts General Laws, Chapter 71, Section 37H. The grounds for long term suspension or expulsion include but are not limited to the following:

1. 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, a knife, or their facsimile, or anything used in the commission of assault and battery; or a controlled substance as defined in Chapter 94 C, including, but not limited to, marijuana, cocaine, and heroin, may be subject to long-term suspension or expulsion from the school by the principal or his/her designee.
2. 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 long-term suspension or expulsion from the school or school district by the principal or his/her designee.

Due process for a student who is subject to an expulsion or a long-term suspension as a result of possessing drugs/weapons or assaulting school staff includes:

- a. A student shall receive written notice before the expulsion or a long-term suspension takes place and written notice of the right to appeal.
- b. The student shall be given an opportunity for a hearing and the opportunity to present witnesses and evidence. The student may have an attorney at their own expense.
- c. Following the hearing, the principal or his/her designee may, in his/her discretion, decide to suspend rather than expel the student.
- d. The student may appeal the expulsion or long-term suspension to the Superintendent provided the appeal is requested in writing, within ten (10) calendar days following the long/term suspension or expulsion.
- e. At the appeal hearing the student may be represented by an attorney and may present oral and written testimony.
- f. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of MGL c. 71 Section 37H.
- g. The Superintendent's decision is final.
- h. Any student who is suspended or expelled for more than ten (10) consecutive days shall have the opportunity to receive education services and make academic progress toward meeting state and local requirements, through the school-wide education service plan.

Procedures for Students with Felony Complaint or Conviction:

In accordance with Massachusetts General Laws Chapter 71 (§37 H ½), principals have the authority to suspend students charged with a felony and expel or issue a long-term suspension to students convicted or adjudicated of committing a felony if the principal has determined that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

Due process for a student who is subject to suspension as a result of a felony charge includes:

- a. The student shall receive written notice before the suspension takes effect and written notice of the right to appeal.
- b. The student shall be given an opportunity to respond to the charges before the suspension takes effect.
- c. The student may appeal the suspension to the Superintendent, provided the appeal is requested in writing within five (5) calendar days following the suspension.

- d. The Superintendent must hold the appeal hearing within three (3) calendar days of the request.
- e. At the appeal hearing the student may be represented by an attorney. The student has the right to present oral or written testimony on his/her behalf.
- f. The Superintendent must render a decision within five (5) calendar days.
- g. The Superintendent's decision is final.
- h. Any student who is suspended or expelled pursuant to this section shall have the opportunity to earn credits, as applicable, make up assignments, tests, papers and other school work as needed to make academic progress during the period of his/her removal.
- i. Any student who is suspended or expelled for more than ten (10) consecutive days shall have the opportunity to receive education services and made academic progress toward meeting state and local requirements, through the school-wide education service plan.

Due process for a student who is subject to an expulsion or a long-term suspension as a result of a felony conviction includes:

- a. A student shall receive written notice before the expulsion or a long-term suspension takes place and written notice of the right to appeal.
- b. The student shall be given an opportunity to respond to the charges.
- c. The student may appeal the expulsion or long-term suspension to the Superintendent provided the appeal is requested in writing, within five (5) calendar days following the expulsion.
- d. The Superintendent must hold the appeal hearing within three (3) calendar days of the request.
- e. At the appeal hearing the student may be represented by an attorney and may present oral and written testimony.
- f. The Superintendent must render a decision within five (5) calendar days.
- g. The Superintendent's decision is final. Any student who is suspended or expelled for more than ten (10) consecutive days shall have the opportunity to receive education services and made academic progress toward meeting state and local requirements, through the school-wide education service plan.

Education Services and Academic Progress under M.G.L. Ch. 71, Secs. 37H, 37H1/2 and 37H3/4:

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

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

The principal shall notify the parent and student of the opportunity to receive education services at the time the student is expelled or placed on long-term suspension. Notice shall be provided in English and in the primary language spoken in the student's home if other than English as determined by the home language survey, or other means of communication where appropriate. The notice shall include a list of the specific education services that are available to the student and contact information for a school district staff member who can provide more detailed information.

Discipline of Students With Disabilities

In general, all students are expected to meet the requirements for behavior as set forth in the student handbook and the school's code of conduct. In accordance with Chapter 71B of the Massachusetts General Laws and with federal law IDEA 2004: Section 615 (k), and with Section 504 of the Rehabilitation Act of 1973: 29 U.S.C. Section 794 (A), the school may suspend or remove your child from his or her current placement for no more than 10 school days. Special provisions are outlined below for students with a documented disability who have an Individualized Education Program (IEP) or a Section 504 Plan.

Suspension of Students with Disabilities

Procedures for suspension(s) not exceeding 10 school days:

- Any student with a disability may be suspended for up to ten (10) days during a school year. Disciplinary decisions are the same as for students without disabilities.
- Special circumstances exist if your child: possesses, uses, sells or solicits illegal drugs on school grounds or at a school-sponsored event; carries a weapon to school or a school-sponsored event; or inflicts serious bodily harm upon another person at school or a school-sponsored event. Under these circumstances, the principal may place your child in an interim alternate educational setting (IAES) for up to 45 school days. Your child may remain in this IAES for a period of time not to exceed 45 school days. Thereafter, your child will return to the previously agreed-upon placement unless a hearing officer has ordered another placement, or you and the school agree to another placement.

Procedures for suspension of students with a disability when suspension exceeds 10 school days

- If your child is suspended for more than 10 school days in a school year, this removal is considered a "change of placement". A change of placement invokes certain procedural protections under federal special education law and Section 504.
- Prior to any removal that constitutes a change of placement, the school will convene a Team meeting to develop a plan for conducting a functional behavioral assessment (FBA) that will be used as the basis for developing specific strategies to address your child's problematic behavior.
- Prior to any removal that constitutes a change in placement, the school must inform you that the law requires the school district consider whether or not the behavior that forms the basis of the disciplinary action is related to your child's disability. This consideration is called a "manifestation determination". Parents have a right to participate in this process. All relevant information will be considered including the IEP or Section 504 Plan, teacher observations, and evaluations reports.
- At a manifestation determination meeting, the Team will consider:
 - Did the student's disability cause or have a direct and substantial relationship to the conduct in question?
 - Was the conduct a direct result of the district's failure to implement the IEP?
- If the manifestation determination decision is that the disciplinary action was related to the disability, then your child may not be removed from the current educational placement (unless under the special circumstances). The Team will review the IEP or Section 504 Plan and any behavioral intervention plans.
- If the manifestation determination decision is that the disciplinary action was not related to the disability, then the school may suspend or otherwise discipline your child according the school's code of conduct. For students with IEPs, during the period of time of removal from school that exceeds 10 school days, the school district must provide educational services that allow your child to continue to make educational progress.

For students with Section 504 Plans, there is no automatic right to receive educational services beyond the 10th school day of suspension.

IICA: Student Dress Code

The right of students to freedom of expression in the public schools of the commonwealth shall not be abridged, provided that such right shall not cause any disruption or disorder within the school. The responsibility for appropriate dress and appearance of students will rest with individual students and parents. Students shall have a right to express themselves by the “dress” and hair style of their own choosing provided students meet their responsibility to “dress” and groom in a manner that conforms to the reasonable and acceptable standards of health, safety and cleanliness, and that does not distract or cause disruption to the educational process. Teachers and administrators also have an obligation to serve as role models for students in the manner of their dress. While it is not practical to publish a definitive list of requirements or prohibitions, the following guidelines should be followed:

- Clothing may not bear inappropriate words or picture or, promote drugs and/or alcohol.

Any staff member who feels that a student is inappropriately dressed may send the student to the Main Office, where the Principal or Associate Principal will make the final determination regarding the dress. Students will be given an opportunity to change into appropriate clothing. Refusal to comply with the dress code may result in disciplinary consequences.

Policy References: Source: Newburyport School Committee

IICC: Student Conduct on School Buses

School bus safety is a primary concern of the Newburyport Public Schools, which reserves the right to take whatever action is necessary to maintain a high level of safety. The courts have held that the right of a student to transportation is a qualified right, dependent on appropriate behavior. In those cases where a student seriously or repeatedly misbehaves, the Assistant Principal or Principal will notify the student’s parents. Such behavior may result in temporary removal from the bus for that student. If a student’s behavior seriously endangers other students and/or the driver, that student is subject to immediate and possibly permanent removal from the bus. Disciplinary action is detailed in each school’s Handbook or Student Code of Conduct.

Students eligible for Mandated Transportation are the following:

- 1.) All students in grade K through grade 6 that live more than 2 miles from school.
- 2.) All students who qualify for free and reduced lunch

All other students are eligible for ridership by paying the transportation fee:

- 1.) All students in grade K through grade 6 that live 2.0 miles and under
- 2.) All students in grades 7 – 12.

All students who ride the school bus must be issued a school bus pass and must register in order to be issued a bus pass. School bus routes and bus stops are determined by registrations. We cannot guarantee the availability of a seat if you do not register at the times listed above.

Only FULL DAY/FULL YEAR passes are available. Also, students will only be allowed to ride the school bus to which they are assigned to be transported from “home to school” and “school to home”.

The following conduct is strictly prohibited:

- Smoking, vaping or use of tobacco (also see School Committee Policy ADC)
- Lighting of matches or any device
- Extending any body part out of a window
- Standing or moving when bus is moving
- Throwing any object within the bus or out a window
- Interfering with anyone passing to or from a seat
- Eating of any food
- Profanity
- Bullying
- Possession of any illegal or dangerous or drug or weapon
- Talking or shouting in a manner that is disruptive to the bus driver or other students
- Behavior of any kind that is disruptive to the bus driver or to students on the bus
- Any student conduct prohibited in the Student Handbook or Student Code of Conduct.

Failure to comply with the above regulations will result in disciplinary actions as detailed in each school's Student Handbook or Student Code of Conduct and may include temporary or permanent loss of bus privilege, suspension from school, or other disciplinary action as appropriate to the offense.

A student who pays a fee for transportation and whose riding privileges are suspended because of a violation of these rules will not receive a fee refund in whole or in part.

The driver is in complete charge of the bus and the students while in route to and from school. All passengers must follow the instructions issued by the driver for loading, unloading and personal conduct.

Safety Guidelines

For reasons of safety, all bus passengers must comply with the following:

1. Students must ride in the assigned buses, loading and departing at designated stops only.
2. Students are expected to be on time at designated bus stops (at least five (5) minutes before).
3. Students must stay off the road at all times while waiting for the bus. Students should conduct themselves in a safe manner while waiting.
4. After the bus arrives at the bus stop, students may not cross the street until signaled to do so by the driver. The driver will not signal students to move from the bus stop until after the red lights are flashing and the driver has verified that the traffic has stopped.
5. Passengers leaving buses must cross in front of the bus under the direction of the driver who is able to see traffic in both directions while passengers cannot. The bus shall not move until all passengers are safely on their side of the street.
6. Bulky objects carried onto the bus are to be stored as directed by the driver.
7. USE OF EMERGENCY DOORS IS PROHIBITED UNLESS THERE IS AN EMERGENCY SITUATION.
8. Students will be held liable for any damage resulting from defacing or causing destruction of school buses.

Responsibility of Bus Driver

The primary responsibility of a bus driver is to conduct the bus in a safe manner consistent with all laws, regulations, and stipulations of the contract between the Newburyport Public Schools and the bus company. Additionally:

1. A bus driver shall report any misconduct that would impair safe operation of the bus by filling out a “Bus Conduct Report”.
2. A bus driver shall not leave the bus with students aboard, unattended.
3. A bus driver shall check the bus at the end of each bus run to make sure that no students remain on the bus.

Policy References: Source: Newburyport School Committee

JICFB: BULLYING PREVENTION

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

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

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

“Cyber-bullying” means bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature.

Cyber-bullying shall also include the creation of electronic medium in which the creator assumes the identity of another person or knowingly impersonates another person as author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying.

Cyber-bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

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

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

Bullying is prohibited:

- On school grounds;
- On property immediately adjacent to school grounds;
- At school-sponsored or school-related activities;
- At functions or programs whether on or off school grounds

- At school bus stops;
- On school buses or other vehicles owned, leased or used by the school district; or,
- Through the use of technology or an electronic device owned, leased or used by the school district;

Bullying and cyber-bullying are prohibited at a location, activity, function or program that is not school-related or through the use of technology or an electronic device that is not owned, leased or used by the school district if the act or acts in question:

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

Prevention and Intervention Plan

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

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

Reporting

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

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

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

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

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

Investigation Procedures

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

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

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

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

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

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

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

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

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

Retaliation

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

Target Assistance

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

Training and Assessment

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

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

Publication and Notice

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

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

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

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

LEGAL REFS.: Title VII, Section 703, Civil Rights Act of 1964 as amended
Federal Regulation 74676 issued by EEO Commission
Title IX of the Education Amendments of 1972
603 CMR 26.00
M.G.L. 71:370; 265:43, 43A; 268:13B; 269:14A

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

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

JICK - Harassment of Students

Harassment of students by other students, employees, vendors and other third parties will not be tolerated in the Newburyport Public Schools. The alleged harassment must involve conduct that occurred within the school's own program or activity, such as whether the harassment occurred at a location or under circumstances where the school owned, or substantially controlled the premises, exercised oversight, supervision or discipline over the location or participants, or funded, sponsored, promoted or endorsed the event where the alleged harassment occurred, against a person in the United States. This policy is in effect while students are on school grounds, School District property or property within the jurisdiction of the School District, school buses, or attending or engaging in school sponsored activities.

Harassment prohibited by the District includes, but is not limited to, harassment on the basis race*, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy, or pregnancy-related condition, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law. Students whose behavior is found to be in violation of this policy will be subject to disciplinary action up to and including suspension or expulsion pursuant to disciplinary codes. Employees who have been found to violate this policy will be subject to discipline up to and including, termination of employment, subject to contractual disciplinary obligations.

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

- Submission to such conduct is made either explicitly or implicitly a term or condition of a student's education or of a student's participation in school programs or activities; or
- Submission to or rejection of such conduct by a student is used as the basis for decisions affecting the student.

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

- Such conduct has the purpose or effect of unreasonably interfering with a student’s performance or creating an intimidating or hostile learning environment.

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

- Written, verbal, or physical (including texting, blogging, or other technological methods) harassment or abuse;
- Repeated remarks of a demeaning nature;
- Implied or explicit threats concerning one’s grades, achievements, or other school matter.
- Demeaning jokes, stories, or activities directed at the student.

By law, what constitutes harassment is determined from the perspective of a reasonable person with the characteristic on which the harassment is based. Individuals should consider how their words and actions might reasonably be viewed by others.

The District will promptly and reasonably investigate allegations of harassment through designation of Title IX Coordinator or building based employees, who may include principals or their designees. The superintendent will recommend, in consultation with the principals, opportunities to the designated recipients for appropriate training. Where it is determined that discrimination or harassment has occurred, the District will act promptly to eliminate the conduct and will impose developmentally appropriate disciplinary, restorative and/or corrective action.

The District will respond promptly and reasonably investigate allegations of sexual harassment through designation of the Title IX Coordinator or building based employees to any reports or complaints of discrimination, including harassment and retaliation, or other violations of civil rights, pursuant to our detailed response protocol. Where it is determined that discrimination or harassment has occurred, the District will act promptly to eliminate the conduct and will impose developmentally- appropriate disciplinary, restorative, and/or corrective action.

*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.

LEGAL REF: M.G.L. 151B:3A
Title IX of the Education Amendments of 1972
BESE 603 CMR 26:00
34 CFR 106.44 (a), (a)-(b)
34 CFR 106.45 (a)-(b) (1)
34 CFR 106.45 (b)(2)-(b)(3,4,5,6,7) as revised through June 2020
Acts of 2022, Chapter 117

CROSS REF: AC, Non-Discrimination Policy Including Harassment and Retaliation

IJH - Searches and Interrogations

Searches by Staff

The right of inspection of students' school lockers is inherent in the authority granted school committees and administrators. This authority may be exercised as needed in the interest of safeguarding children, personal and school property.

Nevertheless, exercise of that authority by school officials places demands upon their judgment so as to protect each child's constitutional rights to personal privacy and protection from coercion and to act in the best interest of all students and the schools.

Searches by school officials of students' automobiles or the student will be conducted in a way that protects the students' rights consistent with the responsibility of the school system to provide an atmosphere conducive to the educational process.

Interrogations by Police

The schools have legal custody of students during the school day and during hours of approved extracurricular activities. It is the responsibility of the school administration to make an effort to protect each student's rights with respect to interrogations by law enforcement officials. Therefore:

1. When law enforcement officials find it necessary to question students during the school day or periods of extracurricular activities, the school Principal or another building administrator will be present . An effort will be made to contact the student's parent/guardian or guardian so that the responsible individual may be notified of the situation.
2. If custody and/or arrest are involved, the Principal will request that all procedural safeguards, as prescribed by law, are followed by the law enforcement officials.

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

MOU: District Attorney, Newburyport Police Department, Newburyport Public Schools

Policy References: LEGAL REF.: M.G.L. 269:17, 18, 19 MOU: DA, NPD, NPS

JII - Student Complaints and Grievances

Related Policies: JIB/JIC

The School Committee recognizes that there may be conditions in the school system that are in need of improvement and that students should have some means by which their concerns may be effectively expressed, considered, and dealt with fairly. Such means, if well-conceived, and understood in advance, can do much to maintain harmonious relationships among the schools and the students and community. Every attempt will be made to seek a satisfactory solution to any concerns in a friendly and informal manner.

Students--and their parents and/or guardians, who believe that a student has received unfair treatment may bring forward their grievance through the appropriate channels. Appeals of disciplinary cases will be required to follow the district's policy on student discipline. Any applicable provisions of the Massachusetts General Laws or federal law will be followed by school officials in conducting hearings.

CROSS REF.: JIC, Student Discipline; JIB, Student Involvement in Decision Making

II - Co-curricular and Extracurricular Activities

The School Committee believes that student activities are a vital part of the total educational program and should be used as a means for developing wholesome attitudes and good human relations and knowledge and skills. Therefore, the schools will provide a broad and balanced program of activities geared to the various ages, interests, and needs of students.

The following will serve as guides in the organization of student activities:

1. The goal for each student will be a balanced program of appropriate academic studies and activities to be determined by the school, the parents/guardians, and the student. This should be a shared responsibility.
2. Guidance will be offered to encourage participation of all students in appropriate activities and to prevent over-emphasis on extracurricular activities at the cost of academic performance.
3. All activities will be supervised; all clubs and groups will have a faculty advisor.

LEGAL REF:

M.G.L. 71:47

603 CMR 26.06

Policy References:

SOURCE: Reading School Committee

LEGAL REF: M.G.L. 71:47

603 CMR 26.06

JIA - Student Organizations

Related Policies: JICF

Student organizations in the District shall be encouraged when they meet the criteria of contributing to student self-esteem and performance and should operate within the framework of state statutes, School Committee policies, and administrative procedures.

Each building Principal shall develop general guidelines for the establishment and operation of student organizations within the particular school. Among other provisions, such guidelines shall require the approval of the Principal prior to the formation of any club or organization in the school and the assignment of at least one faculty or designated adult advisor to each approved student organization. Within such guidelines will be provisions for a periodic review of all student organizations.

The formation of any student organization that may engage in activities of a controversial nature shall require approval by the School Committee.

All student organizations shall be required to open membership to all interested and/or eligible students. Disruptive groups, secret societies, and/or gangs shall not receive recognition in any manner under this policy.

All forms of hazing in initiations shall be prohibited in a student organization. No initiation shall be held for a student organization which will bring criticism to the school system or be degrading to the student.

The faculty or designated adult advisor must attend every meeting of the student organization whether conducted on school premises or at another location.

Student Organizations - High Schools

In addition to the above requirements, all clubs or organizations at the high school level will relate to the subject matter covered by the curriculum. The Principal is responsible for determining that the purpose of a student organization is related to the curriculum. The Principal is authorized to deny requests by unauthorized student organizations desiring to meet or form in a particular school, the Principal shall inform the group of the reasons for the denial. The students and/or group may submit a written request to the appropriate District administrator for review of the Principal's decision.

IIE - Student Fund-Raising

While the School Committee recognizes that fundraising activities have become a part of the school environment at all levels, the Committee wishes to ensure that students are not exploited by the process.

The Committee supports student involvement in the sale of tickets to scheduled athletic events, school dramatic and musical performances, and other school events where sales are required. Also, student publications which require the sale of advertising to sustain themselves and serve the student body and/or the community may involve students in such sales.

Charitable fundraising activities, especially those that are part of a community service event or program are encouraged provided such proposals are submitted to and approved by both the building Principal and the Superintendent.

Other fundraising activities that wish to involve students in the fundraising process shall be submitted to the Superintendent for approval.

For safety reasons and because the School Committee recognizes that community members receive requests for support from many worthy causes, activities such as canning and door-to-door sales are strongly discouraged.

No money collections of any kind may be held in the schools without the specific consent of the Superintendent.

Policy References: SOURCE: MASC CROSS REF: JP: Student Gifts and solicitations KHA: Public Solicitations in Schools

IIF - Student Activity Accounts

The single most important protection for any Student Activities Account is to separate the duties and responsibilities of those collecting and depositing money from those who disburse or spend it.

The School Committee shall adopt procedures for the creation, operation, and control of Student Activity Funds.

1. An interest bearing account has been created by the City Treasurer to be used as a depository for all monies raised by student organizations. The account is "Newburyport Public Schools Student Activities".
2. A sub account has been created for each (checking account) for the purpose of paying daily student activity expenditures. A limit of \$75,000 will be maintained. When these funds need to be replenished, a warrant will be produced. A voucher with verification of expenditure attached (approved by Principal) will be provided showing amounts of the requested funds that have been paid by the Student Activity Accounts. Both the Warrant and vouchers must be approved by the Assistant Superintendent of Finance or his/her designee before being presented to the School Committee for authorization.
3. All bank deposits must be evidenced by a student activity deposit slip signed by the advisor with the student organization to be credited and forwarded to the Bookkeeper in charge of the Student Activity for deposit. Any monies not deposited shall be held over in the school safe and deposited the next day.
4. Miscellaneous student earnings (such as vending machines) will be distributed for student activity benefit. The earnings will be used for the direct benefit of student at the appropriate school.
5. Fundraising events must be held in accordance with School Committee Policy. Fundraising financial results must be reported to the Principal within one week of the conclusion of the event. Funds must be deposited in accordance with prior instructions.

6. A standard Request for Funds form will accompany all requests for payments. The Request for Funds form will state to whom the check is payable and the amount. The check will be prepared by the Student Activities Bookkeeper and signed by an authorized signer. A copy of the check and request/invoice will be kept on file with the Student Activity bookkeeper. All purchases are to be made under the town tax exempt number.
 - a. No check will be made payable to cash.
 - b. No check will be issued without bills or receipts.
 - c. Vendor statements shall not be accepted
 - d. All checks shall be sequentially numbered and accounted for including voids
 - e. Both accounts will have 2 signers authorized; principal and central office finance. Both signatures will be required for any amount of \$5,000 or higher

7. Student Activity Accounts shall be maintained by the Principal and Student Activity Bookkeeper. The receipts and expenditures should match to the appropriate recognized Student Activity Account. The student organization accounts should be balanced to the control accounts.

8. Bank and account reconciliations will be performed monthly by the Student Activity Bookkeeper. Copies of Student Accounts will be sent to Principals, Business Manager and to each account advisor as requested.

9. School Committee policies shall specify the use and disposition of all interest earned, which shall be for the benefit of the students participating in activities.

- a. Interest earned on deposits may be expended for operating costs related to the operation of the Student Activity Account
 - i. Bank charges, audits, forms, tickets and computer supplies
 - f. Balance of unused interest will be distributed to the Student Organization account using a distribution formula based on the average monthly balance in each account.
2. 10. Any student organization account inactive for a period of three (3) years shall be closed by the following action;
 - a. Written notification by the student activity bookkeeper to the student advisors & principal that the activity will cease to be a viable account. If an advisor or student office/treasurer is not available, such discontinuance will be authorized by the principal.
 - b. Any disposition of assets of an inactive recognized Student Activity Organization shall be determined by the School Committee, but in no case shall disposition benefit specific individuals. (the primary goal in disposition should be to benefit the student body)
 - c. Senior Class accounts shall remain open ninety (90) days after graduation to insure that all outstanding bills can be paid. Upon completion of the ninety (90) days, all funds in not withdrawn by the officers shall be forwarded to the elected treasurer of the graduation Senior Class. Once a class of student graduates, the school district is no longer responsible for these monies.
 3. Storage of checkbooks and deposits shall be in the central office, locked cabinet. Storage of documents and records shall be in a secure and confidential place.
 4. An internal audit will be conducted once a year by the Assistant Superintendent of Finance or his/her designee. An independent audit by an outside auditing firm shall be scheduled every three (3) years. The audits shall be paid for by interest earned by the Student Activity accounts. Ongoing internal reviews should be done by the Assistant Superintendent for Business and Finance or his/her designee.
 5. Faculty advisors or student offices shall not benefit from Student Activity Funds.
 6. Staff Accounts, Athletic Revolving Accounts and Scholarship Accounts may not be commingled and maintained under the student activity account.
 7. A bond is maintained which covers employees who handle Student Activity Funds.
 8. Financial advisors to other fundraising bodies not under the direct control of the Newburyport Public Schools such as all Booster, PTO and Post-Graduation Party organizers will be encouraged to purchase a

bond covering funds held on deposit. The cost of the bond will be the responsibility of the individual organization.

9. Student advisors, or others involved in purchasing, may not benefit personally from any purchasing – either directly or indirectly.
10. Reimbursement of funds are allowed only when the option to purchase through the schools purchasing process is not available. All reimbursement purchases must be pre-approved by the principal and the reason must be stated on the appropriate form, no reimbursement will be approved without the proper documentation; reimbursement form signed by principal and a detailed receipt. Policy References:SOURCE: Reading School CommitteeLEGAL REF.: M.G.L. 71:47603 CMR 26.06

JK - Student Conduct

The Massachusetts General Laws require the School Committee to adopt written policies, rules and regulations not inconsistent with law, which may relate to study, discipline, conduct, safety and welfare of all students, or any classification thereof, enrolled in the public schools of the District.

The implementation of the general rules of conduct is the responsibility of the Principal and the professional staff of the building. In order to do this, each school staff in the District shall develop specific rules not inconsistent with the law nor in conflict with School Committee policy. These building rules shall be an extension of the District policies by being more specific as they relate to the individual schools.

The purpose of disciplinary action is to restore acceptable behavior. When disciplinary action is necessary, it shall be administered with fairness and shall relate to the individual needs and the individual circumstances.

Students violating any of the policies on student conduct and control will be subject to disciplinary action. The degree, frequency, and circumstances surrounding each incident shall determine the method used in enforcing these policies. Most of the situations which require disciplinary action can be resolved within the confines of the classroom or as they occur by reasonable but firm reprimand, and/or by teacher conferences with the student and/or parents or guardians.

If a situation should arise in which there is no applicable written policy, the staff member shall be expected to exercise reasonable and professional judgment.

LEGAL REFS.: M.G.L. 71:37H; 71:37H ½; 71:37H ¾; 71:37L; 76:16; 76:17
603 CMR 53.00

Policy References:

LEGAL REF.: M.G.L. 71:37H; 71:37H ½; 71:37H ¾; 71:37L; 76:16; 76:17
603 CMR 53.00

JKAA - Physical Restraint of Students

Maintaining an orderly, safe environment conducive to learning is an expectation of all staff members of the school district. Further, students of the district are protected by law from the unreasonable use of physical restraint. Such restraint shall be used only in emergency situations of last resort after other lawful and less intrusive alternatives have failed or been deemed inappropriate, and with extreme caution.

When an emergency situation arises, and physical restraint is the only option deemed appropriate to prevent a student from injuring himself or herself, another student or school community member, a teacher or employee or agent of the school district may use such reasonable force needed to protect students, other persons or themselves from assault or imminent, serious, physical harm.

The definitions of forms of restraint shall be as defined in 603CMR 46.02.

The use of mechanical restraint, medical restraint, and seclusion is prohibited.

The power of the School Committee or of any teacher or other employee or agent of the Committee to maintain discipline on school property shall not include the right to inflict corporal punishment upon any student.

Physical restraint, including prone restraint where permitted under 603 CMR 46.03, shall be considered an emergency procedure of last resort and shall be prohibited except when a student's behavior poses a threat of assault, or imminent, serious, physical harm to themselves and/or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions are deemed inappropriate.

- The Superintendent will develop procedures identifying:
- Appropriate responses to student behavior that may require immediate intervention;
- Methods of preventing student violence, self-injurious behavior, and suicide including crisis planning and de-escalation of potentially dangerous behaviors among groups of students or individuals;
- Descriptions and explanations of alternatives to physical restraint as well as the school's method of physical restraint for use in emergency situations;
- Descriptions of the school's training and procedures to comply with reporting requirements; including, but not limited to making reasonable efforts to orally notify a parent/guardian of the use of restraint within 24 hours of its imposition;
- Procedures for receiving and investigating complaints;
- Methods for engaging parents in discussions about restraint prevention and use of restraint solely as an emergency procedure;
- A statement prohibiting: medication restraint, mechanical restraint, prone restraint unless permitted by 603 CMR 46.03(1)(b), seclusion, and the use of physical restraint in a manner inconsistent with 603 CMR 46.00,
- A process for obtaining principal approval for a time out exceeding 30 minutes.

Each building Principal will identify staff members to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. These staff members will participate in an in-depth training program in the use of physical restraint.

In addition, each staff member will be trained regarding the school's physical restraint policy and accompanying procedures. The Principal will arrange training to occur in the first month of each school year, or for staff hired after the beginning of the school year, within a month of their employment.

Physical restraint is prohibited as a means of punishment, or as a response to destruction of property, disruption of school order, a student's refusal to comply with a school rule or staff directive, or verbal threats that do not constitute a threat of imminent, serious physical harm to the student or others.

Physical restraint is prohibited when it is medically contraindicated for reasons including, but not limited to, asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting.

The use of "time out" procedures during which a staff member remains accessible to the student shall not be considered "seclusion restraint".

This policy and its accompanying procedures shall be reviewed and disseminated to staff annually and made available to parents of enrolled students. The Superintendent shall provide a copy of the Physical Restraint regulations to each Principal, who shall sign a form acknowledging receipt thereof.

LEGAL REFS.: M.G.L. 71:37G
603 CMR 46.00

Policy References:
LEGAL REF.: M.G.L. 71:37G 603 CMR 46.00

JRA - Student Records

In order to provide students with appropriate instruction and educational services, it is necessary for the school system to maintain extensive and sometimes personal information about them and their families. It is essential that pertinent information in these records be readily available to appropriate school personnel, be accessible to the student's parents or legal guardian and/or the student in accordance with law, and yet be guarded as confidential information.

The Superintendent will provide for the proper administration of student records in keeping with state and federal requirements, and shall obtain a copy of the state student records regulations. The temporary record of each student will be destroyed no later than seven years after the student transfers, graduates or withdraws from the School District. Written notice to the eligible student and his/her parent of the approximate date of destruction of the temporary record and their right to receive the information in whole or in part, shall be made at the time of such transfer, graduation, or withdrawal. The student's transcript may only be destroyed 60 years following his/her graduation, transfer, or withdrawal from the school system.

The Committee wishes to make clear that all individual student records of the school system are confidential. This extends to giving out individual addresses and telephone numbers.

LEGAL REFS.: FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974
PL 93-380, AMENDED;
PL103-382, 1994

M.G.L. 66:10, 71:34A; B; D; E; H
603 CMR 23:00

Policy References:

LEGAL REF.: FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974

PL 93-380, AMENDED; PL103-382, 1994

MSG: 66:10, 71:34A; B; D; E; H

603 CMR 23:00

IRD - Student Photographs

This policy of the Newburyport Public School District protects the rights of parents and guardians of our students to restrict the publication and public display of photographs and electronic images or video of their son/daughter in any media controlled by the NPSD, including school bulletin boards, school and PTO publications, school partner publications, and on the NPSD web site. It also protects against the release of student photographs, electronic images, or video to any media organization outside of the school system.

Students' addresses and phone numbers will not be included with any photos published in NPSD controlled media. The District recognizes the right of students eighteen years old or older to indicate their own wishes as to what restrictions are placed upon the publication or public display of photos of themselves. The school district shall take reasonable care to ensure that the school district and each school in the district complies with any written request to impose such a restriction that is received from the parent/guardian or eighteen-year-old student. If a photo does appear contrary to this policy, the school principal shall be immediately notified. The Principal and/or Superintendent of Schools will immediately make every reasonable effort to cease publication or withdraw the photo(s) from display.

At the beginning of each school year, all parents/guardians of students and all students who have reached the age of eighteen will be provided a form on which to indicate to the student's school any restriction on the publication of photos or images. Parents /Guardians must take a positive action by returning the form in order to request restriction. The Superintendent of Schools will determine the administrator(s) responsible for sending the notice(s) or shall ensure that such form is included in or with the Student/Parent Handbook published annually by each school and distributed to all parents and guardians. If any such form is not signed and returned by the parent/guardian of any student or by a student who is 18 years of age or older, then the schools will be free to use that student's photograph in school publications or release it to outside media organizations.

This policy does not apply to photos taken and published by media organizations outside the control of the Newburyport Public School District. In particular, photographs taken and published by local newspapers of any student participating in activities to which the general public is given open access, such as school sports, school plays, and school assemblies, is not restricted by this policy. Policy References: SOURCE: MASC

