

Section J
STUDENTS

File: JA
STUDENT POLICIES GOALS

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

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

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

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

LEGAL REF: 603 CMR 26:00

STUDENT POLICIES GOALS

Active Efforts

- (1) The School Committee of each school district shall establish policies, promote regulations and procedures, and implement monitoring and evaluation practices that support and promote affirmative action and stimulate necessary changes to ensure that all obstacles to equal access to school programs for all persons are removed, regardless of race, sex, gender identify, color, national origin, disability, sexual orientation, religion or limited English-speaking ability, no matter how subtle or unintended. Such policies shall include a requirement for an annual evaluation of all aspects of the K through 12 school program to insure that all students regardless of race, color, sex, gender identity, religion, disability, sexual orientation or national origin are given an opportunity to develop skills, competence, and experience, and to receive appropriate guidance so that they may be able to participate in all programs offered by the school including athletics and other extracurricular activities. Special attention shall be given to schools and programs in which students of either sex or of racial or national origin groups present in the community are markedly under-represented.
- (2) If participation in any school sponsored program or activity has previously been limited to students based on race, color, sex, gender identity, national origin, disability, sexual orientation or religion, then the School Committee shall make active efforts to insure that equal access to all school sponsored programs or activities be provided within the system.
- (3) It shall be the responsibility of the School Committee and the Superintendent to provide necessary information and in-service training for all school personnel in order to:
 - (a) Advance means of achieving educational goals in a manner free from discrimination on account of race, color, sex, gender identity, religion, disability, sexual orientation or national origin.
 - (b) Enhance consciousness of the kinds of discriminatory and prejudicial practices and behavior, which may occur in the public schools.
- (4) The Superintendent, as an agent of the School Committee, shall promote and direct effective procedures for the full implementation of 603 CMR 26.00, and shall make recommendations to the Committee for the necessary policies, program changes, and budget resource allocations needed to achieve adherence to 603 CMR 26.00.
- (5) At the beginning of the school year, the Superintendent of each school system shall be responsible for sending to the parents of all school age children, in their primary language, a notice of the existence of S. 1971 c.622 and its implications. Such notice shall include the information that all courses of study, extracurricular activities and services offered by the school are available without regard to race, color, sex, gender identity, religion, disability, sexual orientation or national origin. This notice may be included with other communications sent to parents by the school system. Upon request, the Department of Education shall provide a translation in requested languages to assist Superintendents in complying with this section. The Superintendent shall inform the community of the existence of the law and of its implications through newspaper releases or radio or television announcements.

- (6) The Superintendent shall ensure that all students are annually informed in a manner certain to reach them of the existence of St. 1971, c.622 and its implications. Students shall be informed that all courses of study, extracurricular activities, services, and facilities offered by the school are available without regard to race, color, sex, gender identity, religion, disability, sexual orientation or national origin.
- (7) The Superintendent of each school system shall make certain that employers who recruit new employees in and through the schools of that district, do not discriminate on account of race, color, sex, religion, disability, sexual orientation or national origin in their hiring and recruitment practices within the schools. Before any employer is allowed to recruit at or through any school, they shall be required to sign a statement that they do not discriminate in hiring or employment practices on account of race, color, sex, gender identity, religion, disability, sexual orientation or national origin.
- (8) Since adults serve as role models for students, school authorities shall utilize adults in a variety of jobs, and as members of policy-making committees, to the extent consistent with their contractual obligations, without regard to race, color, sex, gender identity, religion, disability, sexual orientation or national origin.
- (9) Adults serving on athletic regulatory boards shall fairly represent the interests of both male and female students.
- (10) Because selective secondary schools have had atypical student bodies in the past, such selective secondary schools, including but not limited to selective academic high schools, regional vocational-technical schools and trade schools, shall admit qualified applicants of each sex and racial and ethnic groups in numbers proportionate to the existence of members of such class in the secondary school population of the geographic area served by that school. After the period for application to the school has closed, if it is found that qualified applicants of one of the above classes have not applied in numbers sufficient to maintain this proportion, qualified students of the other categories may be selected to fill the remaining openings.
- (11) Any contributions to a school for activities and monetary awards within or sponsored by the school or for scholarships administered by the school made after the effective date of 603 CMR 26.00 by any person, group or organization shall be free from any restrictions based upon race, color, sex, gender identity, religion, disability, sexual orientation or national origin.
- (12) The opportunity to receive guidance and counseling in a student's primary language should be made available to students from homes where English is not the primary language spoken.

LEGAL REF: 603 CMR 26:00

Revision adopted: May 11, 2016

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 sympathetic understanding of their personal feelings, particularly with reference to their race, color, sex, gender identity, religion, national origin, sexual orientation or physical and intellectual differences.

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

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

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

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

LEGAL REFS: Title VI, Civil Rights Act of 1964
 Title VII, Civil Rights Act of 1964, as amended by the Equal
 Employment Opportunity Act of 1972

 Executive Order 11246, as amended by E.O. 11375
 Title IX, Education Amendments of 1972

 M.G.L. 76:5; 76:16 (Chapter 622 of the Acts of 1971)
 BESE regulations 603 CMR 26:00

 BESE regulations 603 CMR 28:00

CROSS REF: AC, Nondiscrimination

Revision Adopted: August 22, 2012

STUDENT-TO-STUDENT HARASSMENT

Harassment of students by other students will not be tolerated in the Wilmington Public Schools. 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 activities.

Harassment prohibited by the District includes, but is not limited to, harassment on the basis of race, sex, gender identity, creed, color, national origin, sexual orientation, religion, marital status or disability. 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.

Harassment means conduct of a 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;
- Submission to or rejection of such conduct by a student is used as the basis for decisions affecting the student, or;
- 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:

- Verbal, physical or written 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.

The District will promptly and reasonably investigate allegations of harassment. The Principal of each building will be responsible for handling all complaints by students alleging harassment.

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

The Superintendent will develop administrative guidelines and procedures for the implementation of this policy.

LEGAL REF: M.G.L. 151B:3A
 Title VII, Section 703, Civil Rights Act of 1964 as amended
 BESE 603 CMR 26.00

REFS: *"Words that Hurt,"* American School Board Journal, September 1999
 National Education Policy Network, NSBA

Revision Adopted: August 22, 2012

ATTENDANCE AREAS

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

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

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

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

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

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

LEGAL REFS: M.G.L. 71:37C; 71:37D; 71:37I; 71:37J

Board of Education Regulations Pertaining to Section 8 of Chapter 636 of the Acts of 1974, Regarding Magnet School Facilities and Magnet Educational Programs, adopted 2/25/75

Board of Education Regulations Pursuant to Chapter 636 of the Acts of 1974, adopted 9/10/74

Board of Education Regulations Pertaining to the Preparation of Racial Balance Plans which Involve Redistricting, adopted 4/24/73

CROSS REF: JCA, Assignment of Students to Schools

ASSIGNMENT OF STUDENTS TO SCHOOLS

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

Special permission may be granted for the following reasons:

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

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

LEGAL REFS: M.G.L. 71:37C; 71:37D; 71:37I; 71:37J

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CROSS REF: JC, Attendance Areas

RESIDENCY ENFORCEMENT POLICY FOR THE WILMINGTON PUBLIC SCHOOLS

To attend the Wilmington Public Schools, a student must actually reside in the town of Wilmington.

Every person shall have a right to attend the public schools of the City where he/she actually resides, subject to the following section. No school committee is required to enroll a person who does not actually reside in the City unless said enrollment is authorized by law or by the school committee.

Any person who violates or assists in the violation of this provision may be required to remit full restitution to the City of the improperly attended public schools. No person shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex, religion, national origin or sexual orientation. Amended by st. 1971, c.622, c.1; st.1973, c.925, s.9A, st.1993, c.282; st.2004, c.352, s.33.)

Residency Requirements for Students:

"Residence" is the place where a person actually lives. Residency also implies that the student:

- Keeps his/her personal possessions at the Wilmington address listed on the registration document and on the Affidavit of Residency.
- Returns to the address listed on the registration document and the address on the Affidavit of Residency to spend the evening or night there.
- Receives his/her mail at the address listed on the registration document and on the Affidavit of Residency
- Is listed on the Residence List in the town of Wilmington and if not listed, the parent, guardian or caregiver must fill out a census form at the time of registration.
- Homeless students residing in Wilmington under the federal **McKinney-Vento Act** shall be immediately enrolled in Wilmington Public Schools in accordance with federal law. Further information and assistance may be obtained from the Homeless Liaison for the Wilmington Public School District.

Temporary or part-time residence in the town of Wilmington solely for the purpose of attending a Wilmington public school is not considered "residency."

Proof of Wilmington Residency:

Each new student enrollee's parent, legal guardian or caregiver must provide proof of residency in the town of Wilmington upon registering in the Wilmington Public Schools. Documents must be pre- printed with the name and address of the student's parent, guardian or caregiver. These documents must be presented at the school site administrative office before the student may enter the Wilmington Public Schools. Please note that legal guardianship or guardianship in accordance

with M.G.L. c. 201F requires additional documentation from a court or agency and/or submission of required affidavits.

Procedure for Collection of Wilmington Proof of Residency:

- Each year in June with the final report card each Wilmington school shall send out a copy of this policy informing parents/guardians/caregivers of the residency enforcement policy.
- At the Superintendent's discretion, but not less than every two years, the district will reprove residency.

Each September the principals will send home with the informational packet the decision of the School Committee. These notices shall provide a brief summary of the goals of the residency policy and a list of acceptable and mandatory proof of residency documents, highlight a deadline of October 1st for the submission of acceptable copies of documents and give prominent publication to the legal and financial penalties associated with violations of the policy, including the issuance of tuition billing statements and the exact dollar amount for a full school year of tuition. The acceptable documents shall reflect a recent three-month window of time to ensure that submitted documents are relevant, accurate and valid.

- All proof of residency documentation must be submitted to the school site administrative office where a student is assigned.
- Each school's administrative office shall receive, review and maintain proof of residency records for every assigned student. Any family failing to provide the acceptable and authorized documentation by October 1st shall be reported to the Superintendent or designee for follow-up investigations.
- The Superintendent or designee shall send out written warning letters to these families informing them of the requirements of the residency enforcement policy and will request proof of residency documents to be submitted immediately or else the family will be obligated to pay full tuition billing statements.
- Parents/guardians/caregivers shall have the right to appeal to the Superintendent, but only insofar as to confirm proof of residency. The Superintendent's decision on any such appeal shall be the final decision of the Wilmington Public Schools.
- In the event that parents/guardians/caregivers acknowledge that their student is attending the school system as a non-resident student, they will be given two (2) business weeks to remove the student from the school system or be responsible for paying the tuition bill for the full school year.
- The Superintendent shall provide a written report to the School Committee at the first meeting of October that provides:
 1. number of students whose families failed to provide sufficient documentation,
 2. and overview of efforts to send out warning letters and tuition billing statements
- Lastly, the Superintendent shall send home a letter to all families that have failed to provide proof of residency informing them the last day the student(s) may attend school and of their right to file an appeal with the Superintendent.

Declaration of Wilmington Residency:

Custodial parents, legal guardians or caregivers of Wilmington Public Schools students, as well as students age 18 and older, must sign a statement saying they are actual residents of Wilmington. (See Affidavit)

Investigations of the Residency Requirement:

When the school department suspects that a family of a current Wilmington Public School student actually resides outside of Wilmington, an investigation will take place. The Wilmington Public Schools may suspect a student is not a resident if, for example, mail is returned due to an invalid address, the proofs of address submitted by the parent/guardian/caregiver are inconsistent or suspicious, a call has been made on the hotline, or for other reasons at the discretion of the Superintendent or designee.

Consequences of Violation of Residency Requirements:

Students found to be in violation of the residency policy will be disenrolled from the Wilmington Public Schools, and parent(s)/guardian(s)/caregivers will be liable to the Wilmington Public Schools for the student's tuition for the full academic year(s). (Massachusetts General Laws, Chapter 76 sec 5 provides...

If residents have concerns about a residency issue, they should contact their school principal or the Superintendent's Office to report any violations of the policy. Upon final approval of the residency enforcement policy, the Superintendent shall take every reasonable step to promote the policy language and goals via the school district channel and website, through notices and flyers sent home to parents/guardians/caregivers, through outreach to PTOs and other school-based organizations and through official press releases to area media outlets.

The main goal of the residency enforcement policy is to ensure that every parent/guardian/caregiver and student is abiding by the School Committee's vote when they choose not to participate in school choice within the district. The Wilmington School Committee votes every year at a public meeting on school choice.

LEGAL REFERENCE: M.G.L. Chapter 75, Section 5

Reviewed July 22, 2020

Wilmington Public Schools, Wilmington, MA

File: JEB
ENTRANCE AGE

In an attempt to permit children to enter school at the time most appropriate for them individually, the School Committee establishes the following policy on entrance age:

1. Children who will be five years of age prior to September 1st will be eligible to enter kindergarten for that school year.
2. Children who will be six years of age prior to September 1st will enter grade 1 for that school year.
3. Initial admission of children to kindergarten, first grade (or other grades) will involve a consideration of both chronological age and academic readiness. Parents/guardians who are seeking an exception to the entrance age policy should make this request in writing to the building principal by May 1st. The principal in consultation with the superintendent and an appointed committee will be authorized to make these determinations.

SOURCE: MASC February 2019

LEGAL REFS.: M.G.L.76:1

603 CMR 8.00

Reviewed: April 5, 2021

Adopted: April 14, 2021

VERIFICATION OF RESIDENCY

Name of School _____
 Student's Name _____
 Residence _____
 Date of Birth _____

VERIFICATION OF RESIDENCY

I understand that a student must reside in Wilmington to attend the Wilmington Public Schools. As the adult with whom this student is now residing at the address shown above, I hereby certify that I am the student's

PLEASE CHECK RELATIONSHIP BELOW

- _____ Parent
- _____ Legal Guardian*
- _____ Spouse*
- _____ Sibling*
- _____ Uncle or Aunt*
- _____ Cousin*
- _____ Other Relation* _____

Please Specify

I agree to notify school authorities of any change of address without delay.

Signed under the pains and penalties of perjury this _____ day of _____, _____.

2

 Print Name

 Signature

*If you have checked this category, please complete a "Certificate of Student Residency"

BELOW FOR OFFICIAL SCHOOL USE ONLY

Type of residency proof accepted:

- _____ Utility Receipt
- _____ Real Estate Tax Bill
- _____ Rent Receipt
- _____ Other Documentation _____

 Date

 School Staff Person Accepting Proof of Residency

_____ Referred to Attendance Officer

Disposition

PRESCHOOL REGISTRATION

Preschool registration is an important procedure which enables the School Department to expedite and maintain appropriate placement practices.

Preschool registration will take place on one or more dates each spring for children who will Kindergarten or enter Grade One the following September. These dates, as well as, sites and times, will be well-publicized through the local newspapers, appropriate postings, and notices sent home with school youngsters.

A birth certificate from town or city records is required. It is an essential part of the registration procedure and will be kept as a part of the permanent record. Under no circumstances will a child be registered without meeting this requirement.

Parents will be provided with a packet containing the necessary forms for registration. This packet is to be completed by the parents and the family doctor and returned to the school by the specified date. When the completed packet is returned, the child will be considered registered for Kindergarten or Grade One, and the parents will receive the class assignment the latter part of August.

Children that have not been registered as outlined above will not receive a class assignment and, therefore, will not be eligible to attend school until the Monday following the regular school opening. The time in between will be utilized by the principals to balance class assignments so as not to overcrowd any one classroom or school.

Current State Law requires that evidence be presented for each child entering school showing that the following immunizations have been received: Diphtheria, Whooping Cough, Tetanus, Oral Polio, Measles, Mumps, and Rubella. A Small Pox vaccination is also required.

Special clinics are often held in the community on well-publicized dates to assist parents in meeting the immunization requirement.

Preschool participants will be chosen through a lottery. Parents may apply for the lottery in the Preschool Room at Wilmington High School on dates and time to be announced.

Preschool children already in the program will not have to participate in the lottery. They may remain in the program if they choose by registering for the 1996-1997 school year. Siblings of the preschoolers will have to register for the lottery.

We will conduct an Open House in the spring. Date and time will be announced. If you are unable to attend this session, arrangements can be made for you to visit the preschool at a more convenient time.

SCHOOL ADMISSIONS

All children of school age who reside in the town will be entitled to attend the public schools, as will certain children who do not reside in the town but who are admitted under School Committee policies relating to nonresident students or by specific action of the School Committee.

Advance registration for prospective kindergarten students will generally take place in the spring. Every student seeking admission to school for the first time must present a birth certificate or equivalent proof of age acceptable to the Principal and proof of vaccination and immunizations as required by the state and the School Committee. Proof of residency of legal guardianship may also be required by the school administration.

LEGAL REFS: M.G.L. 15:1G; 76:1; 76:5; 76:15; 76:15A

603 CMR 26:01; 26:02; 26:03

CROSS REFS: JLCA, Physical Examination of Students

JLCB, Inoculations of Students

JFBB, School Choice

SCHOOL ADMISSIONS

Purpose and Construction of 603 CMR 26.00

- (1) 603 CMR 26.00 is promulgated to insure the right of access to the public schools of the Commonwealth and the equal enjoyment of the opportunities, advantages, privileges and courses of study at such schools without regard to race, color, sex, religion, disability, sexual orientation or national origin. 603 CMR 26.00 shall be liberally construed for these purposes.
- (2) The obligation to comply with 603 CMR 26.00 is not obviated or alleviated by any local law or rule or regulation of any organization, club, athletic or other league or association which would limit the eligibility or participation of any student on the basis of race, color, sex, religion, disability, sexual orientation or national origin.

School Admissions

- (1) All public schools in the Commonwealth shall admit students without regard to race, color, sex, religion, disability, sexual orientation or national origin. This includes, but is not limited to regional vocational-technical schools, elementary, secondary, trade, and selective academic high schools.
- (2) No school shall discourage in any express or implied manner, applicants for admission because of race, color, sex, religion, disability, sexual orientation or national origin. Written materials used by a school to recruit students shall not contain references suggesting the predominant sex of the students presently enrolled or the anticipated sex of the students to be recruited. Pictorial representation, in the agreed, in such material shall depict students of both sexes and of minority groups. Reference to only one sex in the name of schools, programs or activities shall not be retained.
- (3) The national citizenship of any applicant shall not be a criterion for admission to any public school nor shall national citizenship be a factor in the assignment or availability of courses of study or extracurricular activities.
- (4) Any standards used as part of the admissions process to any public school, including but not limited to testing, the use of recommendations, and interviewing (as referred to in 603 CMR 26.02 (1)) shall not discriminate on the basis of race, color, sex, religion, disability, sexual orientation or national origin. Limited English-speaking ability (as defined by M.G.L.c.71A) shall not be used as a deterrent to or limitation on admissions.
- (5) If admission to any school, including but not limited to selective academic high schools, regional vocational-technical schools and trade schools, is dependent upon the participation or completion of courses or programs which were previously limited to students of one sex or if close scrutiny reveals that access mechanisms or other administrative arrangements have limited the opportunities of any racial, ethnic or religious group of students to participate in such programs, then such criteria must be abolished.

- (6) Nothing in 603 CMR 26.00 shall be construed as to control the interpretation of or interfere with the implementation of St. 1965, c. 641, as amended by St, 1974, c. 636, providing for the elimination of racial imbalance in public schools, all rules and regulations promulgated in respect thereto and all court and administrative decisions construing or relating thereto.

LEGAL REFS: M.G.L. 15:1G; 76:1; 76:5; 76:15; 76:15A
603 CMR 26:01; 26:02; 26:03

ADMISSION OF TRANSFER STUDENTS

A student may withdraw from a Commonwealth charter school at any time and enroll in the school district in which said student resides. To maintain enrollment stability, encourage promotion based on academic standards, and discourage social promotion, the school district will consult with the student's charter school regarding placement and eligibility for graduation and enroll the student at the grade level the school district determines appropriate.

The time of the school year when enrollment is sought shall be a factor in determining the student's grade level placement. The school district may determine that a student seeking enrollment after the mid-point of the academic year may not be eligible for promotion or graduation in that academic year.
SOURCE: Massachusetts Department of Elementary and Secondary Education

ADMISSION OF TRANSFER STUDENTS

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

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

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

SOURCE: MASC February 2011

Revision adopted: May 11, 2011

HOMELESS STUDENTS: ENROLLMENT RIGHTS AND SERVICES

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

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

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

Homeless Liaison

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

School Enrollment

It is presumed to be in the best interest of homeless students to remain in their school of origin, which is the school that the student was attending at the time the student became homeless, or the last school the student attended prior to becoming homeless. Homeless students may continue to

be enrolled in their school of origin for as long as they remain homeless, or until the end of the academic year in which they obtain permanent housing. When a homeless student completes the final grade level served by the school of origin, the term “school of origin” shall include the receiving school in the same district at the next grade level.

Instead of remaining in the school of origin, parents/guardians of homeless students may request enrollment in the school in the attendance area in which the student is temporarily living. If this occurs, the enrollment change shall take place immediately. Attendance rights by living in attendance areas, other student assignment policies, or intra and inter-district choice options are available to homeless families on the same terms as families who reside in the district. The proof of residency requirements in the District’s Residency Enforcement Policy (JCAC) shall not apply to students who are homeless. If a homeless student is unable to provide written proof of their temporary residence in the district, the district’s homeless liaison will work with the family seeking enrollment to determine homelessness.

If the student does not have immediate access to immunization records, the student shall be admitted under a personal exception, and the homeless liaison will assist the student and family to obtain current immunization records or immunizations as soon as possible. Emergency contact information is required at the time of enrollment consistent with district policies, including compliance with the state’s address confidentiality program when necessary. Records from the student’s previous school shall be requested from the previous school after enrollment.

Information about a homeless student’s living arrangement shall be considered a student record, and not directory information, and it may not be disclosed without the consent of the parent/guardian or application of a student records privacy exemption.

Dispute Resolution

If the district disagrees with a parent’s/guardian’s decision to keep a student enrolled in the district of origin, the district shall inform the parent/guardian, in writing and in a language the parent/guardian can understand, the rationale for the district’s determination that it is in the student’s best interest to be enrolled in the district where the students is temporarily residing, and the right to appeal the district’s determination to the Massachusetts Department of Elementary and Secondary Education. The student shall remain enrolled in the school selected by the parent/guardian during the pendency of any appeal. Additional information about the dispute resolution process is available in the DESE Advisory on Homeless Education Assistance, available at: <http://www.doe.mass.edu/sfs/mv/>

Transportation

Homeless students are entitled to transportation to their school of origin or the school where they are to be enrolled. If a homeless student is attending their school of origin, which is in a different district, or a homeless student is living in another district but will attend his or her school of origin in this district, the districts will coordinate the transportation services necessary for the student, and will divide the costs equally. Formerly homeless students, who obtain permanent housing mid-school year and who choose to remain in their school of origin until the end of the school year, will continue to receive transportation services to their school of origin until the end of the school year. Homeless students who attend school in the district in which they are temporarily

living are entitled to transportation comparable to that provided to all other students attending school in the district.

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

Reviewed: May 27, 2020

Adopted: June 24, 2020

EDUCATIONAL OPPORTUNITIES FOR MILITARY CHILDREN

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

Definitions

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

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

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

Eligible students are children of military families as well as the children of veterans who have been severely injured and medically discharged, and children of active duty personnel who died on active duty. Children of retired active duty personnel are also eligible to receive services for one year following the discharge due to severe injury, or the retirement or death of an active military parent. The Compact does not apply to children of inactive Guard or Reserves, veterans and retired personnel not included above, or U.S. Department of Defense personnel and other federal civil service employees and contract employees.

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

- Sending schools must send either official or unofficial records with the moving students and District receiving schools must use those records for immediate enrollment and educational placement.
- Upon enrollment of an eligible student, the receiving school must request official records and the sending schools shall respond within 10 days with the records.
- Immunization requirements of the District may be met within 30 days from the date of enrollment (or be in progress).
- Receiving schools must initially honor placement of students in all courses from the sending school. These include, but are not limited to, Honors, International Baccalaureate, Advanced Placement, vocational-technical, and career pathway courses if those courses are offered in the receiving school and space is available. The receiving

schools must also initially honor placement of like programs to those of the student in the sending state, including, but not limited to, Gifted and Talented programs, and English as a Second Language programs. Receiving schools are not precluded from performing subsequent evaluation to ensure the appropriate placement and continued enrollment of the student in courses and programs.

- In compliance with federal law, the district will assume financial and programmatic responsibility for the special education programs of students with existing IEPs drafted in other states.
- As appropriate, the District will exercise the right to waive prerequisites for all courses and programs, while also maintaining its right to re-evaluate the student to ensure continued enrollment, also as deemed appropriate.
- Students of active duty personnel shall have additional excused absences, as necessary, for visitations relative to leave or deployment.
- An eligible student living with a noncustodial parent or other person standing in loco parentis shall be permitted to continue to attend the school in which he or she was enrolled while living with the custodial parent or guardian, without any tuition fee imposed.
- The District high school will accept exit or end-of-year exams required from the sending state, national norm-referenced tests, or alternate testing instead of testing requirements for graduation in the District (receiving state.) If this is not possible, the alternative provision of the Interstate Compact shall be followed to facilitate the on-time graduation of the student in accordance with Compact provisions.

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

SOURCE: MASC October 2019

Adopted June 24, 2020

EDUCATIONAL OPPORTUNITIES FOR CHILDREN IN FOSTER CARE

The purpose of this policy is to ensure the educational stability of students in foster care. Educational stability has a lasting impact on students' academic achievement and well-being, and the School Committee is committed to supporting all efforts to ensure that students in foster care have equal access to high-quality, stable educational experiences from preschool (if offered) through high school graduation.

Irrespective of the location of a foster care placement, students in foster care will continue to attend their school of origin, unless after a collaborative decision-making process, it is determined to be in the student's best interest to enroll in and attend school in the district in which the student resides in foster care. Enrollment of students in the district where they reside in foster care will take place immediately upon such a determination. The District's Residency Enforcement Policy (JCAC) does not apply to students who move into a foster care residence located out of this district but continue to attend school within this district, as their school of origin.

The district has designated a point of contact for students in foster care. The district and the point of contact will collaborate with DCF to ensure that students can access transportation and the other services to which they may be entitled.

Best Interest Determination

Decisions about whether a student in foster care should continue to attend the school of origin should be made collaboratively by DCF, the student (as appropriate), the student's family and/or foster family (or, if different, the person authorized to make educational decisions on behalf of the student), the school and district of origin, and (when appropriate) the local district where the student is placed. Best interest determinations should focus on the needs of each individual student and account for unique factors about the student and his or her foster care placement. Every effort should be made to reach agreement regarding the appropriate school placement of a student in foster care; however, DCF will finalize the best interest determination if the relevant parties cannot agree on the best interest determination.

The district can seek review of DCF's decision by utilizing a Foster Care School Selection Dispute Resolution Process established by DESE and DCF, and available at <http://www.doe.mass.edu/sfs/foster>. Decisions made through this process are not subject to review. To the extent feasible and appropriate, the district will ensure that a child remains in his or her school of origin while the disputes are being resolved to minimize disruptions and reduce the number of moves between schools.

Transportation

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

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

Immediate Enrollment

If it is in the best interest of a student in foster care to leave the school of origin, the student must be immediately enrolled in the district in which he or she resides in foster care. During enrollment of students in foster care, DCF representatives will present the district with a form indicating that the student is in foster care, along with a state-agency identification badge.

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

Attendance rights by living in attendance areas, other student assignment policies, or intra and inter-district choice options are available to students in foster care (homeless families) on the same terms as families who reside in the district. Accordingly, the district will provide transportation services to school in a manner comparable to the transportation provided for all other students in the district.

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

SOURCE: MASC October 2019

Adopted June 24, 2020

FILE: JFBB
SCHOOL CHOICE

It is the policy of this School District to admit non-resident students under the terms and conditions of the Inter-District School Choice Law (M.G.L. 76:12B) and under the following local conditions:

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

The District's Residency Enforcement Policy (JCAC) shall not apply to students admitted under the School Choice Law.

LEGAL REF: M.G.L. 71:6; 71:A; 76:6; 76:12; 76:12B

DESE Regulations 603 CMR 26.00

Adopted: June 24, 2020

Reviewed: May 27, 2020

STUDENT ABSENCES AND EXCUSES

Regular and punctual school attendance is essential for success in school. The Committee does recognize 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:

1. Illness or quarantine;
2. Bereavement or serious illness in family;
3. Weather so inclement as to endanger the health of the child; and,
4. 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 and tardiness of a_child. This will be required in advance for types of absences where advance notice is possible.

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

Student Absence Notification Program

Each Principal 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 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.

Withdrawal from School

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 a 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 calendar 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.

Dropout Prevention

Any student who desires to withdraw from school must notify his/her School Counselor and the Principal of his/her intentions. The student and their parent/guardian must meet with the student's School Counselor. No student will be allowed to withdraw until he/she has checked out with all of his/her teachers and completed the withdrawal process through the School Counseling Office. Where a student seeks to withdraw from school prior to the issuance of the student's high school diploma, or in the event that a student of 16 years in age or older is absent without authorization for ten (10) consecutive school days or more, the student and parents/guardians will be contacted and invited to attend an Exit Interview meeting with the Principal or the Principal's designee and other relevant participants prior to the student's disenrollment. During the exit interview, the student shall be given information about the detrimental effects of early withdrawal from school, the benefits of earning a high school diploma and the alternative education programs and services available to the student.

SOURCE: MASC

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

NOTE: DESE'S minimum requirements for policies and protocols include the following items which are most appropriate for inclusion in student handbooks so that Districts can most effectively meet student and family needs.

- When and how absences will be reported by parents or guardians to the school, by the administrative designee to classroom teachers, and by teachers to the administrative designee for classroom attendance.
- Parent/guardian responsibilities for reporting a child's absence including method of reporting (e.g., phone, email, text), expected time of notification, any required documentation verifying the reason for the absence, and deadline for submitting said documentation.
- Timeline for school notification to parents of an absence in the event the parent or guardian did not report the absence.
- When and who from the school will check-in and follow-up with students and families (e.g., after 1 unexcused absence; after 5 excused absences) and how this will take place.
- Any academic consequences for excessive absenteeism (e.g., loss of credit).
- Interventions and services the school may use to encourage consistent student attendance and reengagement

Reviewed by subcommittee: 6/16/2023, 8/22/2023, 9/21/2023

Revision Adopted: 9/27/2023

EXCLUSIONS AND EXEMPTIONS FROM SCHOOL ATTENDANCE

Denial of Admission

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

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

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

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

Having been expelled during the same school year from this District or any district in the Commonwealth;

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

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

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

STUDENT RIGHTS AND RESPONSIBILITIES

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

Among these rights and responsibilities are the following:

1. Civil rights, including the rights to equal educational opportunity and freedom from discrimination; the responsibility not to discriminate against others
2. The right to attend free public schools; the responsibility to attend school regularly and to observe school rules essential for permitting others to learn at school
3. The right to due process of law with respect to suspension, expulsion, and decisions the student believes injure his/her 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 in 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.

STUDENT INVOLVEMENT IN DECISION-MAKING

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

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

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

Student Advisory Committee

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

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

CROSS REF: BDF, Advisory Committees to the School Committee

STUDENT DISCIPLINE

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

Any of the following actions may subject a student to expulsion by the Principal under the terms of M.G.L. 71:37H:

1. Found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon or a controlled substance.
2. Assault on a Principal, Assistant Principal, teacher, teacher's aide or other educational staff member on school premises or at school-sponsored or school-related event including athletic games.

Any of the following actions will subject a student to suspension, expulsion, , or other disciplinary measures:

1. Intentionally causing or attempting to cause damage to school property; or stealing or attempting to steal school property.
2. Intentionally causing or attempting to cause damage to private property; stealing or attempting to steal private property.
3. Intentionally causing or attempting to cause physical injury to another person except in self-defense.
4. Using or copying the academic work of another and presenting it as his own without proper attribution.
5. Repeatedly and intentionally defying the valid authority of supervisors, teachers, or administrators.

Each Principal shall include any and all prohibited actions in the student handbook or other publication which shall be made available to students and parents.

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

The Principal may, as a disciplinary measure, remove a student from privileges, such as extracurricular activities and attendance at school-sponsored events, based on the student's misconduct. Such a removal is not subject to the remainder of this policy, law, or regulation.

Suspension

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

Notice of Suspension

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

Emergency Removal

A Principal may remove a student from school temporarily when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the Principal's judgment, there is no alternative available to alleviate the danger or disruption.

The Principal shall immediately notify the Superintendent in writing of the removal including a description of the danger presented by the student.

The temporary removal shall not exceed two (2) school days following the day of the emergency removal, during which time the Principal shall: Make immediate and reasonable efforts to orally notify the student and the student's parent of the emergency removal, the reason for the need for emergency removal, and the other matters required in the notice; Provide written notice to the student and parent as required above; Provide the student an opportunity for a hearing with the Principal that complies with applicable regulations, 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; Render a decision orally on the same day as the hearing, and in writing no later than the following school day, which meets the requirements of applicable law and regulation.

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

In School Suspension – Not More Than 10 Days Consecutively or Cumulatively

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

The Principal may impose an in-school suspension for a disciplinary offense under this provision, provided that the Principal follows the process set forth in regulation and the student has the opportunity to make academic progress as required by law and regulation.

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

The hearing with the Principal shall be to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction.

At a minimum, the Principal shall discuss the disciplinary offense, the basis for the charge, and any other pertinent information.

The student also shall have an opportunity to present information, including mitigating facts, that the Principal should consider in determining whether other remedies and consequences may be appropriate as set forth in law and regulation.

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

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

The Principal shall notify the student and parent of the determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal, as required by law and regulation. The determination shall be in writing and may be in the form of an update to the original written notice.

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

Principal's Hearing – Long Term Suspension of more than 10 days but less than 90 days (consecutive or cumulative)

The hearing with the Principal shall be to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction.

At a minimum, in addition to the rights afforded a student in a short-term suspension hearing, the student shall have the following rights: In advance of the hearing, the opportunity to review the student's record and the documents upon which the Principal may rely in making a determination to suspend the student or not; The right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense; The right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so; The right to cross-examine witnesses presented by the school district; The right to request that the hearing be recorded by the Principal, and to receive a copy of the audio recording upon request. If the student or parent 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.

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

The Principal shall, based on the evidence, determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension as required by law and regulation, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension. The Principal shall send the written determination to the student and parent by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or any other method of delivery agreed to by the Principal and the parent.

If the Principal decides to suspend the student, the written determination shall: Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing; Set out the key facts and conclusions reached by the Principal; Identify the length and effective date of the suspension, as well as a date of return to school; Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school as required by law and regulation; Inform the student of the right to appeal the Principal's decision to the Superintendent or designee, but only if the Principal has imposed a long-term suspension.

Notice of the right of appeal shall be in English and the primary language of the home if other than English, and shall include the following information: 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.

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

Superintendent's Hearing

A student who is placed on long-term suspension following a hearing with the Principal shall have the right to appeal the Principal's decision to the Superintendent. The student or parent shall file a notice of appeal with the Superintendent within the time period noted above (see Principal's hearing – Suspension of more than 10 days). If the appeal is not timely filed, the Superintendent may deny the appeal, or may allow the appeal in his or her discretion, for good cause.

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

The Superintendent shall make a good faith effort to include the parent in the hearing. The Superintendent shall be presumed to have made a good faith effort if he or she has made efforts to find

a day and time for the hearing that would allow the parent and Superintendent to participate. The Superintendent shall send written notice to the parent of the date, time, and location of the hearing.

The Superintendent shall conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence shall be. The Superintendent shall arrange for an audio recording of the hearing, a copy of which shall be provided to the student or parent upon request. The Superintendent shall inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent upon request. The student shall have all the rights afforded the student at the Principal's hearing for long-term suspension.

The Superintendent shall issue a written decision within five (5) calendar days of the hearing which meets the requirements of law and regulation. If the Superintendent determines that the student committed the disciplinary offense, the Superintendent may impose the same or a lesser consequence than the Principal, but shall not impose a suspension greater than that imposed by the Principal's decision. The decision of the Superintendent shall be the final decision of the school district with regard to the suspension.

Expulsion

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

Any student alleged to have committed one of these acts shall be afforded the same due process rights as for a long term suspension. Any student expelled from school for such an offense shall be afforded an opportunity to receive educational services and make academic progress.

Academic Progress

Any student who is suspended or expelled shall have the opportunity to earn credits, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal from the classroom or school. The Principal shall inform the student and parent of this opportunity in writing, in English and in the primary language of the home, when such suspension or expulsion is imposed.

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

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

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

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

Reporting

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

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

SOURCE: MASC

LEGAL REF: M.G.L. [71:37H](#); [71:37H ½](#); 71:37H3/4; 76:17; 603 CMR 53.00

Revision Adopted: October 22, 2014

STUDENT DRESS CODE

The responsibility for the dress and appearance of the students will rest with individual students and parents.

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

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

File: JICC (also EEAE)

STUDENT CONDUCT ON SCHOOL BUSES

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

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

STUDENT PUBLICATIONS

Students will enjoy the constitutional rights of freedom of expression. They will have the right to express their views in speech, writing, or through any other medium or form of expression within limitations comparable to those imposed on all citizens but specifically designed for children and youth in a school setting.

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

All student publications will be expected to comply with the rules for responsible journalism. This means that libelous statements, unfounded charges and accusations, obscenity, defamation of persons, false statements, material advocating racial or religious prejudice, hatred, violence, the breaking of laws and school regulations, or materials designed to disrupt the educational process will not be permitted.

The Superintendent will establish guidelines that are in keeping with the above and provide for the review of the content of all student publications prior to their distribution.

Review of content prior to publication is not censorship but part of the educational process as this concerns student publications. It can be pointed out to students, as it frequently is to journalists, that a publisher (in this case, the school system) enjoys freedom to determine what it will and will not publish.

Distribution of Literature

Students have a right to the distribution of literature on school grounds and in school buildings, except that the Principal may prohibit the distribution in school buildings of a specific issue or publication if it does not comply with rules for responsible journalism. The Principal may require that no literature be distributed unless a copy is submitted to him/her in advance.

The Principal will reasonably regulate the time, place, and manner of distribution of literature.

LEGAL REF:

M.G.L. 71:82

GANG ACTIVITY/SECRET SOCIETIES

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

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

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

Symbols

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

Prevention Education

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

SECRET SOCIETIES

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

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

File: JICFA
PROHIBITION OF HAZING

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

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

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

Any student who participates in the hazing of another student or other person may, upon the approval of the Superintendent of Schools, be suspended from school for up to ten (10) school days.

Any student determined by the Principal to be the organizer of a hazing activity may be recommended for expulsion from school but will receive no less disciplinary action than that of a participant.

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

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

CH. 269, S.17. CRIME OF HAZING; DEFINITION; PENALTY

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

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

CH. 269, S.18. DUTY TO REPORT HAZING

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

CH. 269, S.19. HAZING STATUTES TO BE PROVIDED; STATEMENT OF COMPLIANCE AND DISCIPLINE POLICY REQUIRED

Each secondary school and each public and private school or college shall issue to every group or organization under its authority or operating on or in conjunction with its campus or school, and to every member, plebe, pledge or applicant for membership in such group or organization, a copy of this section and sections seventeen and eighteen. An officer of each such group or organization, and each individual receiving a copy of said sections seventeen and eighteen shall sign an acknowledgment stating that such group, organization or individual has received a copy of said sections seventeen and eighteen.

Each secondary school and each public or private school or college shall file, at least annually, a report with the regents of higher education and in the case of secondary schools, the Board of Education, certifying that such institution has complied with the provisions of this section and also certifying that said school has adopted a disciplinary policy with regards to the organizers and participants of hazing. The Board of Regents and, in the case of secondary schools, the Board of Education shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general any such institution which fails to make such a report.

BULLYING PREVENTION

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

“Bullying” is the repeated use by one or more students or school staff members (including but not limited to administrators, educators, school nurses, educational assistants, cafeteria workers, custodians, bus drivers, athletic coaches, paraprofessionals, or advisors of extracurricular activities) of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, directed at a target that:

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

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

- wire
- radio
- electromagnetic
- photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.

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

“Aggressor” means the student or staff member who engages in bullying or retaliation.

“Target” means the student who has been bullied or retaliated against.

“School grounds” for purposes of this policy means property on which a school building or facility is located and property owned, leased, or used by the school district, for any school-sponsored activities, functions, programs, instruction or training.

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

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

Bullying and 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 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 Wilmington Public Schools.

Furthermore, 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 Wilmington 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 operations of a school.

Bullying Prevention and Intervention Plan

The Superintendent and/or his/her designee shall oversee the development of a bullying 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 plan shall recognize that certain students may be more vulnerable to becoming a target of bullying or harassment based on actual or perceived differentiating characteristics including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical, developmental or sensory disability or by association with a person who has or is perceived to have one or more of these characteristics. The plan shall include specific steps that each school shall take to support vulnerable students and to provide all students with the skills, knowledge, and strategies needed to prevent or respond to bullying or harassment. 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 his or her school. This plan shall be updated biennially.

Reporting

A member of a school staff must immediately report any instance of bullying, cyberbullying and/or retaliation that the staff member has witnessed or become aware of to the school principal or principal's designee.

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

Parents or guardians, or members of the community, are strongly encouraged to promptly report an incident of bullying to the school principal or principal's designee.

Each school shall have a means for anonymous reporting by students, parents, or non-staff members of incidents of bullying. No formal disciplinary action shall, however, be taken solely on the basis of an anonymous report.

Investigation Procedures

The school principal or principal's designee shall promptly investigate all reports of bullying and shall document said investigation using a Bullying/Cyber-bullying Report Form which may include interviewing the alleged target, alleged perpetrator, staff members, students and/or witnesses.

The principal or their designee, upon confirmation 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.

Support staff shall assess an alleged target's needs for protection and, where appropriate, create and implement an individualized support plan for the purpose of restoring the target's sense of safety and wellbeing in school.

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

If the school principal or a designee determines that bullying has occurred he/she shall take appropriate disciplinary action and if it is believed that criminal charges may be pursued against the perpetrator, the

principal shall consult with the school's resource officer and the Superintendent to determine if criminal charges are warranted. If it is determined that criminal charges are warranted, the local law enforcement agency shall be notified.

The investigation of the complaint of bullying shall, in most instances, be completed within fourteen (14) school days from the date of Principal's or Designee receipt of the report or complaint of bullying. The parents or guardians of both the target and alleged aggressor shall be contacted upon completion of the investigation and provided with written notice of the Principal's or Designee's findings and determination relative to the complaint of bullying. All such notices shall comply with the requirements of Massachusetts regulations at 603 CMR 49.00. Where, due to extenuating circumstances, the investigation cannot be completed within fourteen (14) school days, the Principal or Designee shall provide written notice to the parents or guardians of the extension of the investigation timeline and identify an alternate date for the completion of the investigation. In the event that the investigation is extended for a period of time in excess of seven (7) additional school days, the Principal or designee shall contact the parents or guardians as to the status of the investigation on a weekly basis pending completion of the investigation and written notice of the Principal's or Designee's findings and determinations.

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

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, is prohibited and may result in severe disciplinary consequences including long-term suspension (students) and termination of employment (school staff).

Target Assistance

The Wilmington Public Schools 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, parents or guardians, and other members of the school community in age-appropriate terms in the district student handbooks.

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 Wilmington Public Schools website.

LEGAL REFS.: Title VII, Section 703, Civil Rights Act of 1964 as amended

Federal Regulation 74676 issued by EEO Commission

Title IX of the Education Amendments of 1972

603 CMR 26:00

M.G.L. 71:37O; 265:43, 43A; 268:13B; 269:14A

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

CROSS REFS.: AC, Nondiscrimination

ACAB, Sexual Harassment

JBA, Student-to-Student Harassment

JICFA, Prohibition of Hazing

JIC, Student Discipline

Revision Adopted: 10/22/2014

Reviewed by subcommittee: 6/16/2023

Adopted: 8/23/2023

TOBACCO USE BY STUDENTS

The Massachusetts Education Reform Act of 1993 prohibits the use of any tobacco product in school, on school grounds, on school buses, or school facilities.

The Wilmington Public Schools are committed to having a smoke free / tobacco free environment for its students, employees, and guests. Smoking or possession/use of smokeless tobacco, e-cigarette cartridges and/or tobacco products (including rolling papers) and/or paraphernalia (including e-cigarette devices / vaporizers or lighters) on school property and at all school sponsored activities, regardless of location, is prohibited.

Violation of this smoking policy will result in the following consequences:

First offense:

- Payment of a ticket issued pursuant to MGL c. 40 s. 21D in the amount of \$50 and payable to the Town of Wilmington within twenty-one (21) days. In lieu of fine, 10 hours of community service
- One (1) day In-School-Suspension and attendance in a tobacco education class
- Notification to the violator's parent or legal guardian of the infraction and mandatory parental conference.
- Mandatory one-hour tobacco education class

Second offense:

- Payment of a ticket issued pursuant to MGL c. 40 s. 21D in the amount of \$50 and payable to the Town of Wilmington within twenty-one (21) days.
- Three (3) day suspension and attendance in a tobacco education class
- Mandatory participation in a smoking cessation program
- Notification to the violator's parent or legal guardian of the infraction and mandatory parental conference

Third offense:

- Payment of a ticket issued pursuant to MGL c. 40 s. 21D in the amount of \$50 and payable to the Town of Wilmington within twenty-one (21) days.
- Three (3) day suspension and attendance in a tobacco education class
- Mandatory participation in a smoking cessation program
- Notification to the violator's parent or legal guardian of the infraction and mandatory parental conference prior to re-admission to school

In the case of four or more offenses within four years:

- Five day suspension and attendance in a tobacco education class
- Payment of a ticket pursuant to MGL c. 40 s. 21D in the amount of \$00 and payable to the Town of Wilmington within twenty-one (21) days
- Mandatory parental conference prior to re-admission to school

Violation of the policy against use of smokeless tobacco or possession of tobacco products will result in above-mentioned consequences absent the monetary fine.

Violation of the policy against the use and/or possession of tobacco-related paraphernalia will result in a one to three day In-School-Suspension. Tobacco-related paraphernalia include, but are not limited to: e-cigarette devices, vaporizers, cigarette lighters, matches, cigarette holders, pipes, packages, and cigarette papers.

LEGAL REF: M.G.L 71:37H

Revision Adopted: 2/10/2016

ALCOHOL, TOBACCO, AND DRUG USE BY STUDENTS PROHIBITED

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

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

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

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

CROSS REF: IHAMB, Teaching About Drugs, Alcohol, and Tobacco
GBEC, Drug Free Workplace Policy

Revision Adopted: October 26, 2016

CHEMICAL HEALTH REGULATIONS FOR HIGH SCHOOL STUDENTS

The regulations below are in furtherance of the Wilmington School Committee's Policies on Alcohol, Tobacco and Drug Use by Students Prohibited (File: JICH), Drug Free Workplace (File: GBEC) and Teaching About Drugs, Alcohol, and Tobacco (File: IHAMB). If there is a conflict with these regulations and these policies or the WHS Student Handbook, these regulations shall govern.

ALCOHOL AND OTHER DRUGS

Use or possession of alcohol/drugs is strictly prohibited both during school and at ANY school-sponsored event. Drugs shall include without limitation:

- Alcohol (ethyl alcohol found in liquor, beer, wine)
- Cannabinoids (marijuana, hashish)
- Opioids (heroin, opium),
Stimulants (cocaine, amphetamine, methamphetamine)
- Club Drugs (Ecstasy, GHB, Rohypnol®),
Dissociative Drugs (Ketamine, PCPC and analogs, Salvia divinorum, and DXM
(Dextromethorphan, robotripping)
Hallucinogens (LSD, mescaline, psilocybin (mushrooms))
- Other compounds (anabolic steroids, bath salts)
Inhalants
Non-prescribed prescription drugs (depressants, stimulants, opioid pain relievers)
- Other performance enhancing stimulants
Other performance enhancing supplements
Any controlled substance as defined in M.G.L. 94C.
- Non-alcohol/near beer
Any such substance, mentioned above, that is disguised in food products such as candy, baked goods, or dissolved in drinks

It is not a violation for a student to be in possession of a legally defined drug specifically prescribed for the student's own use by his/her doctor. In those instances, students shall follow proper procedures to notify the health and athletic departments.

Students in possession or deemed to be under the influence of alcohol/drugs while in school or at a school-sponsored event will be subject to suspension of 5 to 10 days and/or other disciplinary action (including expulsion) deemed appropriate by the school administration.

POSSESSION AND/OR USE OF ALCOHOL AND/OR DRUGS REGULATIONS

Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a drug or alcohol, will be suspended and may be subject to expulsion from the school or school district.

Any student who is charged with a violation of the above paragraph shall be notified in writing of an opportunity for a hearing prior to the imposition of any suspension or expulsion in excess of ten (10) consecutive school days; provided, however that the student may have representation (at private expense), along with the opportunity to present evidence and witnesses at said hearing before the Principal. After said hearing, the Principal or reviewing officer may, in his/her discretion, decide to suspend rather than expel a student who has been determined to have violated the above stated rule. Any student who has been expelled from the school district pursuant to these provisions shall have the right to appeal to the Superintendent.

The expelled student shall have ten (10) calendar days from the date of the expulsion in which to submit written notice to the Superintendent of his appeal. In any such appeal hearing, the student shall have the right to be represented by an attorney (at private expense), to examine the evidence against him, and to present evidence and witnesses in support of his appeal. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of the above stated rule.

When a student is expelled under the provisions of this section, no school or school district within the Commonwealth shall be required to admit such student or to provide educational services to said student. If said student does apply for admission to another school or school district, the superintendent of the school district to which the application is made may request and shall receive from the superintendent of the school expelling said student a written statement of the reasons for said expulsion. (M.G.L. c.71, §37H)

Nothing in this regulation or in applicable Wilmington Public Schools' policies shall be construed as limiting the authority of a building principal or the Wilmington Public Schools to impose disciplinary sanctions in accordance with district rules or policies or the laws of the Commonwealth of Massachusetts including, but not limited to, M.G.L. c.71, §37H, M.G.L. c.71, §37H1/2, M.G.L. c.71 §37H3/4, and M.G.L. c. 76, sec. 17. In the event of any suspension or expulsion of a student from school, he/she will not be allowed to participate in any school related athletics or extracurricular activities during the time he/she is suspended or expelled from school.

CHEMICAL HEALTH REGULATIONS FOR HIGH SCHOOL ATHLETICS AND EXTRA-CURRICULAR ACTIVITIES

In addition to the regulations above, the regulations below represents an expansion upon the current Massachusetts Interscholastic Athletic Association (MIAA) guidelines on Chemical Health. These revised regulations are meant to support and educate our students who participate in athletics and/or school-sponsored extra-curricular activities while providing for a safe environment for our students. The consequences and penalties below are cumulative to the regulations above.

From the point that an enrolled student concludes their 8th grade year until they graduate at Wilmington High School or the final athletic event of their senior year (whichever is latest), a student shall not, regardless of the quantity, use, consume, possess, buy/sell, or distribute any beverage containing Alcohol (ethyl alcohol found in liquor, beer, wine); Cannabinoids (marijuana, hashish); Opioids (heroin, opium); Stimulants (cocaine, amphetamine, methamphetamine); Club Drugs (Ecstasy, GHB, Rohypnol®); Dissociative Drugs (Ketamine, PCPC and analogs, Salvia divinorum, and DXM (Dextromethorphan or use of DXM for robotripping); Hallucinogens (LSD, mescaline, psilocybin (mushrooms)); Other compounds (anabolic steroids, bath salts); Inhalants; Non-prescribed prescription drugs (depressants,

stimulants, opioid pain relievers); Other performance enhancing stimulants; Other performance enhancing supplements; Any controlled substance as defined in M.G.L. c. 94c.; and/or non-alcohol/near beer. In addition, any such substance that is disguised in food products such as candy, baked goods or dissolved in drinks is prohibited under these regulations. It is not a violation for a student to be in possession of a legally defined drug specifically prescribed for the student's own use by his/her doctor. In those instances, students shall follow proper procedures to notify the health and athletic departments.

If a student is in violation of these regulations during the summer following his or her eighth grade year and prior to his or her entrance into high school, the consequences may be reduced by the high school principal after consultation with the middle school administration.

It is the duty and obligation of any coach or advisor employed by the Wilmington Public Schools to report any known violations of these regulations or other applicable policies pertaining to the possession and/or use of alcohol or drugs to the athletic director and the building Principal. Failure to report a known incident will result in disciplinary action and possible termination.

If a student in violation of this rule is unable to participate in interscholastic sports or school-sponsored extra-curricular activities due to injury/illness or academics, the penalty will not take effect until that student is able to participate again.

Notwithstanding the violations listed below, there may be other factors relating to the offense including without limitation, quantity of the chemical substance, the behavior of the student or egregious nature of the violation which the Principal may consider at his/her discretion and elevate the violation below (e.g., from a first violation to a third violation) as well as impose additional penalties or sanctions. Coaches and advisors may not impose additional penalties or sanctions without the approval of the Principal. The following are the additional consequences for students who violate the above Chemical Health regulations.

First violation:

When the Principal finds, following an opportunity for the student to be heard, that a violation of this policy occurred, the student shall lose eligibility without delay for the next consecutive interscholastic contests and meetings/events of the school-sponsored extra-curricular activity totaling 25% of all interscholastic contests and meetings/events in that *sport* or of school sponsored extra-curricular activities in which the student participates. In addition, at the discretion of the Principal, the student may be required to participate in and complete a program that focuses on one of the following areas: health education, chemical dependency, or substance abuse counseling or treatment. The content, nature, and length of the program will be determined by the building principal and based upon the nature of the violation. Such program, if required, will be paid for by the parent/guardian of the student. The high school principal, in collaboration with a chemical dependency treatment or counseling program, will verify that the student has completed such a program.

In regard to interscholastic sports and other competitive extra-curricular activities, it is recommended that the student be allowed to remain at practice or meetings for the purpose of rehabilitation. During the suspension, the disqualified student may not be in uniform and his/her attendance at the competition site will be determined by the high school principal. When calculating the number of events for which the student has lost eligibility, all fractional parts of an event will be dropped.

If the penalty period is not completed during the season of violation, the penalty shall carry over to the student's next season of actual participation, which may affect the eligibility status of the student during the next academic year. (e.g., a student plays only football: he violates the rule in winter and/or the spring of same academic year: he would serve the penalty [ies] during the fall season of the next academic year).

Second violation:

When the Principal finds, following an opportunity for the student to be heard, that a second violation has occurred, the student shall lose eligibility without delay for the next consecutive interscholastic contests and meetings/events of the school-sponsored extra-curricular activity totaling 50% of all interscholastic contests in that sport and/or of school-sponsored extra-curricular activities in which the student participates.

In addition, the student will be required to participate in an approved chemical dependency, treatment, or counseling program. The content, nature, and length of the program will be determined by the building principal and based upon the nature of the violation. Such program, if required, will be paid for by the parent/guardian of the student. In order to be reinstated, the student must submit a certificate of completion from the chemical dependence, treatment, or counseling program. The high school principal will verify that the student has completed such a program. If a student does not complete the program, the student shall lose eligibility without delay for one calendar year in all athletic and extra-curricular activities.

In regard to interscholastic sports and other competitive extra-curricular activities, it is recommended that the student be allowed to remain at practice or meetings for the purpose of rehabilitation. During the suspension, the disqualified student may not be in uniform and his/her attendance at the competition site is determined by the high school principal. When calculating the number of events for which the student has lost eligibility, all fractional parts of an event will be dropped.

If the penalty period is not completed during the season of violation, the penalty shall carry over to the student's next season of actual participation, which may affect the eligibility status of the student during the next academic year. (e.g., a student plays only football: he violates the rule in winter and/or the spring of same academic year: he would serve the penalty [ies] during the fall season of the next academic year)

A student may not participate in interscholastic competition or participate in school-sponsored extra-curricular activities until they have submitted a certificate of completion from the chemical dependence, treatment, or counseling program and have served the suspension from the sport or activity.

Third violation:

When the Principal finds, following an opportunity for the student to be heard, that a third or subsequent violation has occurred, the student shall lose eligibility without delay for one calendar year in all athletic and extra-curricular activities.

In addition, the student will be required to participate in an approved chemical dependency, treatment, or counseling program. The content, nature, and length of the program will be determined by the building principal and based upon the nature of the violation. Such program, if required, will be paid for by the parent/guardian of the student. In order to be reinstated in the subsequent calendar year, the student

must submit a certificate of completion from the chemical dependence, treatment, or counseling program. The high school principal will verify that the student has completed such a program. If a student does not complete the program, the student shall lose all eligibility to participate in all athletic and extra-curricular activities.

After a finding of a third violation, a student will not be allowed to attend any practices or extra-curricular activities in any capacity during the period of his/her loss of eligibility.

A student may not return to interscholastic competition or participate in school sponsored extra-curricular activities until they have submitted a certificate of completion from the chemical dependence or treatment program and have served the suspension from the sport or activity.

Other

1. A student entering their junior or senior year that has violated the chemical health policy may participate in an interscholastic sport or extra-curricular activity in which they have not previously participated in during high school in order to serve the loss of eligibility. The student's loss of eligibility, however, will apply to both the new interscholastic sport or school-sponsored extra-curricular activity and the interscholastic sport or school-sponsored extra-curricular activities in which the student had participated in during previous years in the manner outlined below. Students found in violation of this policy may participate in interscholastic sports and extra-curricular activities in which they have not previously participated, but will serve the suspension in both the new sport/activity and 10% of the events from next sport/activity that he or she has participated in during previous years. For example, a student who has only played ice hockey during his/her freshman and sophomore years, and then violates the policy for the first time during the spring of his/her junior year, but then decides to run Cross Country in their senior year for the first time, will serve the normal 25% penalty during the Cross Country season and then a 10% penalty during the Ice Hockey season. The high school principal will have the final decision on each situation.
2. If a student is serving a penalty during a season where he/she participates in both athletics and extra-curricular activities, the student will serve the penalty for both or all of the activities and contests. For example, if a student participates in football and the fall drama production, he/she will serve the penalty for both football and the fall drama production.
3. When a student leader has been elected for a leadership position and subsequently is found in violation of these regulations, that student will lose all rights to continue to be an officer of that organization and forfeits the right to be selected for any other leadership position for one calendar year from the date of the violation.
4. When an athlete has been designated as a team captain—and then subsequently is found in violation of these regulations, that athlete will lose all rights to continue to be a captain of that sport and forfeit the rights to be selected a captain in any other sport for one calendar year from the date of the violation.
5. If a family cannot afford to pay for a program as outlined above, the Wilmington Public Schools will work with the family to identify ways to fund the program (i.e. health insurance, financial assistance, etc.)

7. These regulations will be reviewed by the athletic department, health-wellness department, administration, police, and the Wilmington Substance Abuse Coalition on an annual basis to address changes that may be occurring in the use of illegal substances by students.

1st Offense - 25%	
# of Events / Season	# of Events / Penalty
1-7	1
8-11	2
12-15	3
16-19	4
20 or over	5
2nd Offense - 50%	
# of Events / Season	# of Events / Penalty
1-2	1
3-4	2
5-6	3
7-8	4
9-10	5
11-12	6
13-14	7
15-16	8
17-18	9
19-20	10
20 or over	11

LEGAL REF: M.G.L. 272:40A

CROSS REF: IHAMB, Teaching About Drugs, Alcohol, and Tobacco
 GBEC, Drug Free Workplace Policy
 MIAA Chemical Health Guidelines

Adopted: 2/10/2016

ELECTRONIC DEVICE USE POLICY

1. Purpose

The purpose of this policy is to outline the proper use of electronic devices by students in school or any educational setting. The Wilmington Public Schools (WPS) believe that a rounded education is one that incorporates the use of technology to support and enhance the curriculum. We want to encourage life-long learners who use critical thinking skills to efficiently and appropriately discern information and media on a global and local scale with respect for ethics and safety. To that end, we want our students to learn with a variety of tools that are available to them, including electronic devices.

2. General Statement of Policy

This policy provides an explanation, purpose and definition of acceptable technology use in the classroom and other learning environments by students in the elementary, intermediate and secondary levels. This policy is to be followed/used in conjunction with the District Acceptable Use Policy (AUP) and the District Social Media Policy (SMP) which outline acceptable use by all parties, including students.

3. Implementation of this Policy

The Superintendent of Schools, or his/her designee(s), shall develop and implement administrative regulations, procedures, terms and conditions for use, and user agreements consistent with the purposes and mission of the WPS, as well as with applicable laws and this policy. The review and update of this policy will be done annually by the Superintendent of Schools and the IT Director. The implementation of this policy will be conducted at the classroom/school level by teachers and administrators.

4. Definitions

Student: Any individual currently enrolled in the WPS

The District: The Wilmington Public Schools and its staff

Staff: All employees of the WPS and any contractor or individual employed by a contractor who provides services in or to the WPS

Devices: Any District-owned or leased electronic device, student or staff-owned electronic device, or any electronic device being used on school grounds or on the school's network. Examples include but are not limited to: mobile phones, smart phones, tablets, laptops, computers, Chromebooks, MP3 players, any electronic device with a screen or any device that connects to the network via wireless or wired or has a Bluetooth or other radio connection to another device.

5. Proper Use

- A. Students may use devices at any time and in any building, classroom or setting unless a staff member has specifically prohibited the student(s) from using the device(s). Classroom teachers have the right to allow or disallow the use of devices during instructional or examination/assessment time, not other specified on an educational plan. (Instructional time includes classroom time, assemblies, or any other time which is monitored by a teacher.
- B. Teaching staff should be aware that many students will choose to use their device(s) for normal classroom functions and that their learning experience is enhanced by using these tools. Universal prohibition of device use in a classroom at all times or for an entire course should be considered unreasonable and detrimental to the learning methods of some students. In the environment of 1:1 computing and learning, it will also be impractical for students to not use device(s) for the many educational enhancements that they offer.

Examples of acceptable use include but are not limited to:

- A Web search for classroom or related subject matter information.
 - The use of any application (app) pertaining to, or related to, the current classroom subject such as but not limited to the use of any Google Apps for Education (GAFE) application.
 - The reading of digital text or textbook on a device.
 - Connecting through social media or a “back-channel” discussion or chat initiated by the classroom teacher.
 - Asking appropriate questions of the teacher or others digitally through a learning management system or other platform.
 - Taking an assessment as instructed by the teacher.
 - Taking notes on the subject being discussed.
 - Any accommodation made for a student on an Individual Education Plan (IEP) or a 504 Plan.
- C. When inappropriate or disruptive use of a student-operated electronic device is suspected, teachers should ask that a student put the device in the student’s desk, school bag or locker for the remainder of the period. If the student refuses, a teacher reserves the right to confiscate said device for the length of a class period. Students who fail to abide by that teacher’s direction may be subject to discipline as outlined in the Student Handbook. Electronic devices should be considered a tool that the student may need to accomplish his/her schoolwork during the day just like a textbook or a notebook. Confiscation of a device may adversely affect that student’s ability to participate in other classes or simply put him/her at a disadvantage and prohibit the student from accessing the curriculum in other classes.

Examples of inappropriate or disruptive uses include but are not limited to:

1. Cheating or academic dishonesty. Students found in violation of academic honesty are subject to the consequences of cheating and plagiarism in his/her school’s student

handbook. Devices are not to be used during testing unless students are instructed to do so by the teacher or by an education plan.

2. Taking photos, recording video or audio of another person(s) (all persons including but not limited to students, teachers, substitute teachers, administrators) without gaining consent from that person(s) and unless it has been established beforehand as part of an assigned project and which will be monitored by a WPS staff member. Furthermore, students should not post anything online of another person without prior consent.
 3. Taking pictures, recording audio or video in locker rooms or bathrooms.
 4. Checking or responding to personal phone calls, emails, texts, social media applications, chats, messages etc. during class time.
 5. Listening to music or watching a video without headphones (unless directed by the teacher). Headphones must be utilized in a manner in which it does not prevent a student from missing key instruction, curriculum or emergency announcements.
- D. All devices should be set to 'vibrate' or 'silent' during class, unless otherwise directed.
- E. Students should always practice good digital citizenship and be mindful of how they use their devices with respect to ethics and consideration for their fellow students and staff/visitors of WPS. Teachers will provide a lesson on digital citizenship and provide expectations for device-use to students in some form (e.g. syllabus, written on the board, rules poster) at the start of a course. Along with expectations, a clear understanding of consequences for misuse should be provided to students in the syllabus and posted in the classroom.

PREGNANT STUDENTS

School-age mothers, unless they receive adequate assistance, might drop out of school without acquiring the necessary education or without marketable skills.

Pregnant students will be permitted to continue in school in all instances when continued attendance has the sanction of the expectant mother's physician. The physician's approval of this continued attendance must be on file at the school. The student and her physician, in cooperation with the school staff, will develop an appropriate educational plan if it is agreed she should no longer attend school regularly.

Every effort will be made to see that the educational program of the student is disrupted as little as possible; that health counseling services, as well as instruction are offered; that return to school after delivery is encouraged; and that every opportunity to complete high school is provided.

LEGAL REF:

M.G.L. 71:84

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, their own and school property.

Nevertheless, exercise of that authority by school officials places unusual 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 his/her designee will be present when possible. An effort will be made to contact the student's parent 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, be observed by the law enforcement officials.

STUDENT COMPLAINTS AND GRIEVANCES

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.

The traditional "open door" policy in the public school system will be continued. Students--and their parents and/or guardians--who believe that the students have received unfair treatment in the form of disciplinary action will have the right to appeal. Any applicable provisions of the Massachusetts General Laws or federal law will be followed by school officials in conducting hearings and reviews of student grievances. In general, appeals procedures will begin with the authority imposing the penalty (for example, Principal or teacher) and may ultimately be referred to the Superintendent and on to the School Committee, which possesses the ultimate authority for discipline in the school system.

Every attempt will be made to seek a satisfactory solution to any legitimate grievance in a friendly and informal manner. In order to keep such discussions within a practical size, no more than six student representatives will be permitted to participate with the Principal, staff members, or School Committee members who may be involved.

LEGAL REF: M.G.L. 76:17

USE OF DOGS TO SEARCH SCHOOL PROPERTY

The Wilmington School Committee shall permit the administration to invite law enforcement agencies or other qualified agencies or individuals to search school property with dogs trained for the purpose of detecting the presence of illegal substances, when necessary to protect the health and safety of students, employees or property and to detect the presence of illegal substances or contraband, including but not limited to alcohol and/or drugs. The use of trained canine sniffing dogs is subject to the following:

1. The administration shall authorize the search and the Principal or his/her designee shall be present while the search is taking place.
2. Parents and students shall be notified of this policy through its inclusion in the student and/or parent handbook.
3. All school property such as lockers, classrooms, parking areas and storage areas may be searched.
4. Individual(s) shall not be subjected to a search by dogs.
5. Once notification has been given to parents and students, through the inclusion of the policies in the student and/or parent handbook, the school district will have met its obligation to advertise the searches. Additional noticed need not be given and actual times or dates of planned searches need not be released in advance.
6. Only the dog's official handler will determine what constitutes an alert by the dog. If the dog alerts on a particular item or place, that item or place will be search by the School Administration. If anything is found, the student shall be called to the area or office by the administration. If a dog alerts on a locked or unlocked vehicle, the student who brought it onto district property shall be asked to unlock it for inspection.
7. Law enforcement agencies will be given full authorization to investigate and prosecute any person(s) found to be responsible for illegal substance(s) on school property.

Note: Cross Reference/Refer to:

Wilmington Memorial High School Handbook, Pg. 27 - Searches in the High School Policy
No. 5205 -Drug Abuse Policy

Policy No. 5206 - Interrogations and Student Locker/Desk Searches

Policy No. 5209.01 -Student Conduct/Expulsion- Education Reform Act of 1993
Wilmington Public Schools Parent & Student Handbook, Section II, Pgs. 30-31

Approved by the Wilmington School Committee: May 27, 2009

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 schools will observe a complementary relationship to the home and community, planning activities with due regard for the widespread and rich facilities already available to students.
2. The assistance of parents in planning activity programs will be encouraged.
3. The goal for each student will be a balanced program of appropriate academic studies and activities to be determined by the school, the parents, and the student. This should be a shared responsibility.
4. 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.
5. 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

CO-CURRICULAR AND EXTRACURRICULAR ACTIVITIES

1. Advantages and privileges of public schools include all extracurricular activities made available, sponsored or supervised by any public school. No school shall sponsor or participate in the organization of outside extracurricular activities conducted at such schools which restrict students' participation on the basis of race, color, sex, religion, disability, sexual orientation or national origin. 603 CMR 26.06(1) does not prohibit School Committees from allowing use of school premises by independent groups with restrictive membership.
2. No student shall be denied the opportunity in any implied or explicit manner to participate in an extracurricular activity because of the race, color, sex, religion, disability, sexual orientation, gender identity, homelessness, or national origin of the student except as provided in 603 CMR 26.06(7).
3. Each school system shall provide a fair distribution of athletic expenditures. Each school within such system shall provide equal opportunity for male and female students to participate in intramural and interscholastic sports. Factors considered in determining equal opportunity shall include budgetary allocations, the proportion of male and female students in the student body, the number and nature of activities offered, levels of competition, equipment (including rate of replacement), supplies, awards, uniforms, facilities, scheduling of games and practice times, travel opportunities and allowances, opportunities to receive equitable coaching and instruction at each level of competition and the availability of services such as medical and insurance coverage, publicity, clerical and administrative staff, scouting services and audio-visual aids.
4. In developing its athletic program, a school shall be required to demonstrate good faith determining student interest.
5. In order to insure fair distribution of athletic expenditures as defined in 603 CMR 26.06(4), each school shall indicate in the budget that is reviewed by the School Committee the anticipated expenditure for each interscholastic and intramural athletic activity and the anticipated student participation in the activity by number and sex.
6. A school may establish separate teams for males and females for interscholastic and intramural compensation in a particular sport, provided that the requirements of 603 CMR 26.06(8) are satisfied.
7. Teams comprised primarily or solely of persons of one sex shall be granted equal instruction, training, coaching, access to available facilities, equipment and opportunities to practice and compete as teams engaged in a similar activity comprised primarily or solely of persons of the opposite sex.

Reviewed: March 24, 2021

Adopted April 7, 2021

STUDENT ORGANIZATIONS

Student Organizations

Student organizations in the District shall be encouraged when they met 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 (see also Policy JICF).

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.

FUNDRAISING GUIDELINES

The Wilmington School Committee recognizes that fund-raising/solicitations enable student organizations, community/booster organizations, and adoptive partners to fulfill important, worthwhile goals. School principals will be responsible for the application process. The School Committee also recognizes a need for some constraint to prevent fund-raising activities from becoming too numerous and overly demanding on employees, students and the general public.

FUND-RAISING/SOLICITATIONS

All fund-raising projects and activities by schools or groups within the school shall contribute to the educational and extracurricular experiences of **students** and shall not be in conflict with the overall instructional program as administered by the superintendent.

1. Money derived from any school fund-raising project (excluding PACs) or activity shall be deposited in the school's activity **funds** account and shall be disbursed as prescribed by School Committee Rules.
2. Each school shall continuously evaluate its fund-raising projects and extracurricular activities, the promotion of educational experiences, the time involved for **students** and teachers and the additional demands made on the school community.
3. The determination of the fund-raising projects and activities for a school shall be the principal and the staff's responsibility and shall conform to the following conditions and any directives by the superintendent.
 - (a) Fund-raising activities and projects within all schools shall be kept within a reasonable limit. Before approving any project or activity, the principal shall require full justification of the need and explanation of the manner in which the **funds** will be expended.
 - (b) Instructional time shall not be used in planning, promoting or executing fund-raising projects unless a project is a direct part of the planned course curriculum.
 - (c) Merchandising projects shall be kept to a minimum

Students in Kindergarten to Grade 12 inclusive shall not participate in fund-raising activities requiring door-to-door solicitation or solicitation in public places. The School Committee encourages all student fund-raising activities be such as to render some service or product to the donor, as distinguished from outright contributions. Students should not utilize "canning" to raise funds for organizations.

Participation in fund-raising activities is always voluntary and no student shall be compelled to participate in fund-raising activities nor be penalized if he/she does not participate.

Charitable Organizations

The Wilmington School Committee is appreciative of staff members wanting to fund-raise for outside charitable organizations. Fund-raising shall not be conducted by non-school agencies or for non-school activities among **students** except as follows:

1. The fund-raiser or charity drive must be sponsored by a school club or organization.
2. Announcement(s) of fund-raising and charity drives and copies of posters and fliers to be posted must be authorized by the Superintendent of Schools or his/her designee.
3. Distribution of materials to **students** shall not take place during class time.
4. Teachers are not to use class time for planning or implementing drives.
5. The work of handling charity drive materials will be the responsibility of the agency or group permitted to carry out such a drive.
6. All requests for fund-raising drives for charities must be approved by the Superintendent.
7. Activities related to fund-raising shall not occur during normal school hours.
8. School-wide fund-raising activities for the benefit of charitable groups and not for the direct benefit of the school shall be clearly advertised as a non-school charity.

Each year the Leadership Team will identify one charitable organization that the school system may have a fund-raiser to support. There will be a limit placed on the amount of funds each school may raise. A school wishing to facilitate a fund-raising activity for an outside charitable organization may not use e-mail to solicit funds from staff. School hours cannot be utilized for the purpose of fund-raising.

A school wishing to facilitate a fund-raising activity for an outside charitable organization:

- (a) may assist the charitable organization by making fund-raising materials available for the use of parents (e.g., making UNICEF boxes available to parents). Such facilitation should be undertaken only with the understanding that any door-to-door or public solicitation is undertaken by the parent or another adult, and not by students.

PAC Organizations

The Wilmington School Committee is appreciative of the role parent teacher organizations play in fund-raising activities. All fund-raising must comply with district policies, guidelines and state statutes.

1. It is recognized that PAC activities are a result of meaningful dialogue between administration, parents and teachers.
2. Door-to-door solicitation by students is prohibited.
3. All donations of materials and equipment must be accepted by the Wilmington School Committee. These donations shall become the property of the Wilmington Public Schools.

BOOSTER ORGANIZATIONS

The School Committee appreciates the contributions of booster organizations. Principals and teachers should seek to support such organizations through cooperation and communication to ensure compliance with the policies and the goals of the district.

The School Committee assumes the responsibility of providing all staff and students with equipment, facilities and uniforms required for participation in approved programs. Booster organizations may seek to enhance these programs through fund-raising and volunteer assistance with the approval of the Superintendent of Schools or his/her designee if they involve students. No students will be involved in fund-raising activities where alcohol is served.

1. At the start of each school year the Building Principal shall submit to the Superintendent a list of all recognized booster organizations and all fund-raising activities planned for the school year. Additional organizations must seek approval from the Principal who will forward all changes and additions to the Superintendent.
2. All donations of materials, supplies, equipment or services shall become the property of the Wilmington Public Schools with the exception of individual awards or gifts to individual students.

Guideline updated: October 8, 2008

STUDENT ACTIVITY ACCOUNTS

Student funds may be raised to finance the activities of authorized student organizations. Student activity funds are considered a part of the total fiscal operation of the District and are subject to policies established by the School Committee and the Office of the Superintendent. The funds shall be managed in accordance with sound business practices, which include accepted budgetary and accounting practices.

In compliance with Massachusetts General Law Chapter 71, Section 47, adopted by the Wilmington School Committee on February 23, 2005) the School Committee:

1. Authorizes the Principals to accept money for recognized student activity organizations, which currently exist, or as from time to time may be revised.
2. Authorizes the Town Treasurer to establish and maintain a Student Activity Agency Account(s) which is to be audited as part of the Town's annual audit. The interest that is earned on such accounts shall be maintained in the Agency Account and distributed bi-annually based on the percentage each account represents to the total fund.
3. Authorizes Student Activity Checking Accounts for use by the Principals with specific maximum balances of \$20,000 for the High School and Middle School and \$1,000 for all other schools. The remainder of the funds shall be held in the agency account. It is understood that from time to time, because of department or bank processing functions, the balance of these accounts may temporarily exceed the maximums as noted above.
4. Directs Principals to provide the Treasurer with a bond in an amount agreeable to the Treasurer. The Director of Administration and Finance shall be the second person able to authorize checks for the Student Activity Accounts.

The activities fund of each school shall be audited by an external auditor under the supervision of the Director of Administration and Finance, who shall submit a report to the School Committee annually.

File: JJG

CONTESTS FOR STUDENTS

The schools may cooperate with community organizations and agencies desiring to sponsor activities in the District when they keep with the purposes and educational aims of the school. Such activities must be integrated into the school program without disruption or loss of instructional time for students and without imposing an unreasonable added workload on school staffs. Involvement in contests shall be approved by the appropriate administrator.

STUDENT TRAVEL

All student trips which include late night or overnight travel must have prior approval of the School Committee. Initial approval by the School Committee is required before engaging students in fundraising activities. The School Committee will also consider the educational value of the trip in relation to the cost prior to granting initial approval. Overnight trips should offer significant educational benefits to students that clearly justify the time and expense of the trip. Such trips should be appropriate for the grade level.

Final approval will not be granted until all preparations for the trip have been completed including, but not limited to, all logistical details involving transportation, accommodation arrangements and fundraising efforts. The School Committee requires that final approval be sought no later than sixty (60) days prior to the scheduled trip dates. The sixty (60) day period is effective upon the date of the Principal's sign-off and subsequent submittal to the Superintendent.

Teachers and other school staff are prohibited from soliciting for privately run trips through the school system and in the schools. Advertising for privately run trips shall not be permitted on school property. Wilmington Public School employees who may be participating in privately run trips sponsored by school affiliated groups should submit the proper conflict of interest disclosure forms if a financial benefit is being provided to them that would otherwise not be provided to a non-school employee. The School Committee will only review for approval school-sanctioned trips. The School Committee will not review or approve trips that are privately organized and run without school sanctioning.

LEGAL REFS: Chapter 346 of the Acts of 2002 (et al) approved on October 9, 2002

M.G.L. 69:1B; 71:37N

CROSS REFS: IJOA, Field Trips

GBEA, Staff Ethics/Conflict of Interest

GBEBC, Gifts to and Solicitations by Staff

KHB, Advertising in Schools

STUDENT TRAVEL REGULATIONS

1. Transportation

The use of vans or private automobiles for trips planned to include late night or overnight student travel is prohibited. Late night or overnight trips will use commercial motor coaches.

Trips planned to include late night or overnight student travel will include a pre-trip check of companies, drivers, and vehicles. CORI checks will be conducted in accordance with Massachusetts General Laws Chapter 71, section 38R.

The Superintendent or designee will ensure that the selected carrier is licensed for passenger transportation by the Federal Motor Carrier Safety Administration (FMCSA). The district will not contract with any carrier that has a safety rating of “conditional” or “unsatisfactory”. FMCSA ratings are available at <http://www.saferys.org/>.

The contract with the carrier will prohibit the use of subcontractors unless sufficient notice is given to the district that allows verification of the subcontractor’s qualifications.

2. Trip Scheduling

Overnight accommodations should be made in advance with student safety and security in mind. Whenever possible, trip schedulers should avoid planning student travel between the hours of midnight and 6:00 a.m., due to the increased risk of vehicular accidents during this time period.

Whenever possible, overnight trips should be scheduled on weekends or during school vacations to minimize lost classroom time. Non-academic field trips are considered “optional school programs” and do not count toward meeting structured learning time requirements. (Refer to the Massachusetts Department of Education publication Student Learning Time Regulations Guide)

Trip itineraries must leave enough time for drivers to rest in conformity with federal hour-of-service requirements and common sense.

Trip scheduling should take into account the likelihood of delays due to weather, traffic, stragglers, and other unanticipated factors.

If substantially all members of a class are participating in a trip, the school should provide appropriate substitute activities for any students not participating.

3. Fundraising

The amount of time to be devoted to fundraising should be reasonable and commensurate with students’ obligations for homework, after-school activities, and jobs.

Group fundraising activities are preferred. Students should not be assigned individual fundraising targets.

If students are charged individual fees for participation, every effort should be made to provide scholarships where needed.

Additional Resources

Federal Motor Carrier Safety Administration (FMCSA)

<http://www.fmcsa.gov>

United Motorcoach Association – Student Motorcoach Travel Safety Guide (includes “Motorcoach Safety Checklist)

<http://www.uma.org/consumerhelp/studentguide.asp>

Department of Defense’s approved list of motor carriers

<http://www.mtmc.army.mil/content/504/approvedlist.pdf>

CROSS REFS: IJOA, Field Trips

LEGAL REFS: Chapter 346 of the Acts of 2002 (et al) approved on October 9,
2002M.G.L. 69:1B; 71:37N; 71:38R

603 CMR 27.00

INTERSCHOLASTIC ATHLETICS

The School Committee believes that students will benefit from the experiences in self-discipline and team effort made possible through participation in inter-school sports.

Participation in interscholastic athletics will be subject to approval by the School Committee and will be in accordance with regulations and recommendations of the Massachusetts Interscholastic Athletic Association.

At the high school level, interscholastic athletic competition will include a variety of sports. Students will be allowed to participate in individual sports on the basis of their abilities and desire. Additionally, intramural athletic activities will be offered as an outgrowth of class instruction in physical education.

The School Committee is aware that team participation in athletic contests by members of the student body requires that "away games" be scheduled. It also recognizes that there is a need to regulate certain aspects of student participation in such contests. Therefore, the Superintendent will establish regulations to ensure the safety and well-being of students and staff members who participate in these activities.

LEGAL REFS: M.G.L. 71:47; 71:54A

603 CMR 26.06

CROSS REFS: AC, Nondiscrimination (and subcodes)

VARSITY LETTER AWARD CRITERIA FOR ATHLETES

Section A.

1. School Citizenship must be satisfactory.
2. Athletes must adhere to standards set by the Administration, Athletic Director, and Coaches.
3. Athletes must maintain a positive attitude throughout the season.
4. Athletes must satisfy stated school, practice, and tardiness policies and be punctual.
5. Athletes must participate in 50% of the scheduled games played in a season.

Section B.

1. A senior athlete who has been a member of a team for three years but has not received a Varsity Letter in accordance with the requirement listed in Section A.
2. Any athlete who in the opinion of the coach has made a unique or major contribution to the team but does not qualify to receive a varsity letter in accordance with other stated requirements.

Section C.

1. Principal/Athletic Director may award at his/her discretion.

LETTER AWARD CRITERIA FOR MANAGERS

1. A manager may receive a letter for serving one season in that capacity. (All duties must be performed to the satisfaction of the coach.)
2. A letter may be awarded for faithful participation and worthwhile contribution as determined by the coach.

ELIGIBILITY FOR INTERSCHOLASTIC ATHLETICS

Wilmington High School follows the rules and regulations of the Massachusetts Interscholastic Athletic Association regarding eligibility for interscholastic athletic competition. In general, these rules state that to be eligible for varsity, junior varsity, or freshman squad, a student must be passing twenty (25) credits of instruction and must have satisfactory conduct. A student who becomes nineteen (19) years of age before September 1st is not eligible to participate in organized interscholastic athletics. A pupil who has an unexcused absent from school is not permitted to practice or to participate in after school activities on the day of absence. If you have any questions concerning athletics, please contact the Athletic Director or the High School Principal.

ATHLETIC CONCUSSION POLICY

The purpose of this policy is to provide information and standardized procedures for persons involved in the prevention, training management and return to activity decisions regarding students who incur head injuries while involved in extracurricular athletic activities¹ including, but not limited to, interscholastic sports, in order to protect their health and safety as required by Massachusetts law and regulations. The requirements of the law apply to all public middle and high schools, however configured, serving grades six through high school graduation. In addition to any training required by law, the following persons shall complete one of the head injury safety training programs approved by the Massachusetts Department of Public Health (DPH) as found on its website: coaches; certified athletic trainers; trainers; volunteers; school and team physicians; school nurses; athletic directors; directors responsible for a school marching band; employees or volunteers; and students who participate in an extracurricular activity and their parents.

Upon the adoption of this policy by the School Committee, the Superintendent shall ensure that DPH receives an affirmation on school district letterhead that the district has developed policies and the School Committee has adopted a final policy in accordance with law. This affirmation shall be updated by September 30, 2013 and every two years thereafter upon review or revision of its policies.

The Superintendent shall maintain or cause to be maintained complete and accurate records of the district's compliance with the requirements of the Concussion Law, and shall maintain the following records for three years or, at a minimum, until the student graduates, unless state or federal law requires a longer retention period:

1. Verifications of completion of annual training and receipt of materials;
2. DPH Pre-participation forms and receipt of materials;
3. DPH Report of Head Injury Forms, or school based equivalents;
4. DPH Medical Clearance and Authorization Forms, or school based equivalents; and
5. Graduated reentry plans for return to full academic and extracurricular athletic activities.

This policy also applies to volunteers who assist with extracurricular athletic activities. Such volunteers shall not be liable for civil damages arising out of any act or omission relating to the requirements of law, unless such volunteer is willfully or intentionally negligent in his act or omission.

¹ Extracurricular Athletic Activity means an organized school sponsored athletic activity generally occurring outside of school instructional hours under the direction of a coach, athletic director or marching band leader including, but not limited to, Alpine and Nordic skiing and snowboarding, baseball, basketball, cheer leading, cross country track, fencing, field hockey, football, golf, gymnastics, horseback riding, ice hockey, lacrosse, marching band, rifle, rugby, soccer, skating, softball, squash, swimming and diving, tennis, track (indoor and outdoor), ultimate frisbee, volleyball, water polo, and wrestling. All interscholastic athletics are deemed to be extracurricular athletic activities.

Most student athletes who sustain a concussion can fully recover as long as their brain has time to heal before sustaining another hit; however, relying only on an athlete's self-report of symptoms to determine injury recovery is inadequate as many high school athletes are not aware of the signs and symptoms or the severity concussive injuries pose, or they may feel pressure from coaches, parents, and/or teammates to return to play as quickly as possible. One or more of these factors will likely result in under-diagnosing the injury and a premature return to play. Massachusetts General Laws and Department of Public Health regulations make it imperative to accurately assess and treat student athletes when concussions are suspected.

Student athletes who receive concussions may appear to be "fine" on the outside, when in actuality they have a brain injury and are not able to return to play. Incurring a second concussion can prove to be devastating to a student athlete. Research has shown that young concussed athletes who return to play before their brain has healed are highly vulnerable to more prolonged post-concussion syndrome or, in rare cases, a catastrophic neurological injury known as Second Impact Syndrome.

The following protocol will discuss and outline what a concussion is, the mechanism of injury, signs and symptoms, management and return to play requirements, as well as information on Second Impact Syndrome and past concussion syndrome. Lastly, this policy will discuss the importance of education for our athletes, coaches and parents and other persons required by law.

This protocol should be reviewed on a yearly basis with all staff to discuss the procedures to be followed to manage sports-related concussions. This protocol will also be reviewed on a yearly basis by the athletic department as well as by nursing staff. Any changes in this document will be approved by the school committee and given to athletic staff, including coaches and other school personnel in writing. An accurate synopsis of this policy shall be placed in the student and faculty handbooks.

LEGAL REFS: M.G.L. 111:222; 105 CMR 201.000

Revision adopted: January 25, 2012

ATHLETIC CONCUSSION REGULATIONS

Section I. What is a Concussion?

A concussion is defined as a transient alteration in brain function without structural damage, but with other potentially serious long-term ramifications. In the event of a concussion, the brain sustains damage at a microscopic level in which cells and cell membranes are torn and stretched. The damage to these cells also disrupts the brain at a chemical level, as well as causing restricted blood flow to the damaged areas of the brain, thereby disrupting brain function. A concussion, therefore, is a disruption in how the brain works; it is not a structural injury. Concussions are difficult to diagnose because the damage cannot be seen. A MRI or CT scan cannot diagnose a concussion, but they can help rule out a more serious brain injury to a student athlete. Because concussions are difficult to detect, student athletes must obtain medical approval before returning to athletics following a concussion.

Section II. Mechanism of Injury:

A concussion is caused by a bump, blow or jolt to the head or body. Any force that causes the brain to bounce around or twist within the skull can cause a concussion. A bump, blow or jolt to the head or body can be caused by either indirect or direct trauma. The two direct mechanisms of injury are coup-type and contrecoup-type. Coup-type injury is when the head is stationary and struck by a moving object such as another player's helmet, a ball, or sports implement, causing brain injury at the location of impact. Contrecoup-type injury occurs when the head is moving and makes contact with an immovable or slowly moving object as a result of deceleration, causing brain injury away from the site of impact. Indirect forces are transmitted through the spine and jaw or blows to the thorax that whip the head while the neck muscles are relaxed. Understanding the way in which an injury occurred is vital in understanding and having a watchful eye for athletes who may exhibit symptoms of a concussion so these student athletes can receive the appropriate care.

Section III. Signs and Symptoms:

Signs (what you see):

- Confusion
- Forget plays
- Unsure about game, score, opponent
- Altered coordination
- Balance problems
- Personality change
- Slow response to questions
- Forgets events after injury (anterograde amnesia)
- Loss of consciousness (any duration)

Symptoms (reported by athlete):

- Headache
- Fatigue
- Nausea or vomiting
- Double vision/blurry vision
- Sensitivity to light (photophobia)
- Sensitivity to noise (tinnitus)
- Feels sluggish
- Feels foggy
- Problems concentrating
- Problems remembering
- Trouble with sleeping/excess sleep
- Dizziness
- Sadness
- Seeing stars
- Vacant stare/ glassy eyed
- Nervousness
- Irritability
- Inappropriate emotions

If any of the above signs or symptoms are observed after a suspected blow to the head, jaw, spine or body, they may be indicative of a concussion and the student athlete must be removed from play immediately and not allowed to return until cleared by an appropriate allied health professional.

Section IV. Management and Referral Guidelines:

1. When an athlete loses consciousness for any reason, the athletic trainer will start the EAP (Emergency Action Plan) by activating EMS; check ABC's (airway, breathing, circulation); stabilize the cervical spine; and transport the injured athlete to the appropriate hospital via ambulance. If the athletic trainer is not available, the coach should immediately call EMS, check ABCs and not move the athlete until help arrives.
2. Any athlete who is removed from the competition or event and begins to develop signs and symptoms of a worsening brain injury will be transported to the hospital immediately in accordance with the EAP. **Worsening signs and symptoms requiring immediate physician referral include:**
 - A. Amnesia lasting longer than 15 minutes
 - B. Deterioration in neurological function
 - C. Decreasing level of consciousness
 - D. Decrease or irregularity of respiration
 - E. Decrease or irregularity in pulse
 - F. Increase in blood pressure
 - G. Unequal, dilated, or unreactive pupils
 - H. Cranial nerve deficits

- I. Any signs or symptoms of associated injuries, spine or skull fracture, or bleeding
 - J. Mental-status changes: lethargy, difficulty maintaining arousal, confusion, agitation
 - K. Seizure activity
 - L. Vomiting/worsening headache
 - M. Motor deficits subsequent to initial on-field assessment
 - N. Sensory deficits subsequent to initial on-field assessment
 - O. Balance deficits subsequent to initial on-field assessment
 - P. Cranial nerve deficits subsequent to initial on-field assessment
 - Q. Post-Concussion symptoms worsen
 - R. Athlete is still symptomatic at the end of the game
3. After a student athlete sustains a concussion, the athletic trainer will use the Standardized Assessment for Concussions (SAC) to assess and document the student athlete's concussion. The athletic trainer will also report on the student athlete's signs and symptoms by using the Signs and Symptoms Check-List. On the signs and symptoms checklist, the athletic trainer will also check pulse blood pressure of each student athlete with a suspected concussion. After the initial evaluation of a concussion, all signs and symptoms will be tracked on the computer using the ImPact Test.
 4. Any athlete who is symptomatic but stable is allowed to go home with his/her parent(s)/guardian(s) following the head injury.
 - A. If the head injury occurs at practice, parent(s)/guardian(s) will immediately be notified and must come pick up the student athlete and talk to the certified athletic trainer in person.
 - B. If the injury occurs at the game or event, the student athlete may go home with the parent/guardian(s) after talking with the certified athletic trainer.
 - C. Parent(s)/guardian(s) will receive important information regarding signs and symptoms of deteriorating brain injury/function prompting immediate referral to a local emergency room as well as return to play requirements. Parent(s)/guardian(s), as well as student athletes, must read and sign the Concussion Information and Gradual Return to Play form and bring it back to the certified athletic trainer before starting with the return to play protocol.

Section V. Gradual Return to Play Protocol:

1. Student athletes, with the consent of their parent(s)/guardian(s), will start taking the ImPact Test (**or other approved test identified by the School District**). The ImPact Test is a tool that helps manage concussions, determine recovery from injury, and is helpful in providing proper communication between coaches, parents and clinicians. The ImPact Test is a neurocognitive test that helps measure student athletes' symptoms, as well as test verbal and visual memory, processing speed and reaction time. It is **mandatory** for all student athletes to take the ImPact Test for a baseline score in accordance with Massachusetts State Law. The law states that all public schools must develop safety protocols on concussions and all public schools must receive information on past concussion history. The ImPact Test appears to be a promising tool in monitoring a student athlete's prior to concussions, as well as any future concussions.

2. Each student athlete will complete a baseline test at the beginning of their sport season. **All student athletes and club cheerleading members will undergo ImPact testing.** Student athletes will be re-

tested every other year. If a student athlete plays more than one sport during the academic year, their test will remain valid. For example, if a soccer student athlete also plays basketball in the winter, the student athlete will not have to take the ImPact Baseline Test again in the winter. If a student athlete posts scores below the norm, the student athlete will be re-tested at another time with either the certified athletic trainer or school nurse. Student athletes cannot begin practice until a valid baseline score is obtained during their designated time to take the test.

- A. At the beginning of every sports season, student athletes are required to complete a concussion history form and return it to the athletic department. This information will be recorded in the student information systems for tracking purposes.
- B. Following any concussions the athletic trainer must notify the athletic director and school nurses.
- C. Following a concussion the student athlete will take a post-injury test within 24 to 48 hours following the head injury. **STUDENT ATHLETES WILL NOT BE ALLOWED TO MOVE ON TO FUNCTIONAL/PHYSICAL TESTING UNTIL THEIR IMPACT TEST IS BACK TO THE BASELINE SCORE AND ASYMPTOMATIC.** After a student athlete takes their first post-injury test, the student athlete will not be re-rested again for **5 days.**
- D. If, after the first post-injury ImPact test, the athlete is not back to his/her baseline the parent/guardian(s) will be notified, and the student athlete will be referred to their healthcare provider and must have the Concussion Information and Gradual Return to Play form signed by a physician, physician assistant, licensed neuropsychologist or nurse practitioner stating when the athlete is allowed to return to play.
- E. Following a post-injury test, the certified athletic trainer will take the Concussion Information and Gradual Return to Play form signed by the parent(s)/guardian(s) and fill the date of all post-injury tests taken by each student athlete.
- F. The certified athletic trainer will also document the date on which the athlete is asymptomatic and sign the document agreeing that all the above statements are true and accurate.
- G. Once the athlete starts on the exertional post-concussion tests, the parent(s)/guardian(s) will be notified and the athlete will be sent home with all signed documents relating to head injury. At this time the parent/guardian(s) must bring the student athlete to a licensed physician, licensed neuropsychologist, licensed physician assistant, nurse practitioner or other appropriately trained or licensed healthcare professional to be medically cleared for participation in the extracurricular activity.
- H. **Student athletes who continue to exhibit concussion symptoms for a week or more must be evaluated by a physician before returning to play.**
- I. Once a student athlete's post-injury test is back at the student athlete's baseline score, the student athlete will go through 5 days of Exertional Post Concussion Tests. The student athlete must be asymptomatic for all functional and physical tests to return to play (RTP). All tests will be administered by a certified athletic trainer.

Exertional Post Concussion Tests:

- A. Test 1: (30% to 40% maximum exertion): Low levels of light physical activity. This will include walking, light stationary bike for about 10 minutes. Light isometric strengthening (quad sets, UE light hand weights, ham sets, SLR's, resistive band ankle strengthening) and stretching exercises.
- B. Test 2: (40% to 60% maximum exertion): Moderate levels of physical activity. Treadmill jogging, stationary bike, or elliptical for 20 to 25 minutes. Light weight strength exercises (resistive band exercised UE and LE, wall squats, lunges, step up/downs. More active and dynamic stretching.
- C. Test 3: (60% to 80% maximum exertion): Non-contact sports specific drills. Running, high intensity stationary bike or elliptical 25 to 30 minutes. Completing regular weight training. Start agility drills (ladder, side shuffle, zig-zags, carioca, box jumps, and hurdles).
- D. Test 4: (80% maximum exertion): Limited, controlled sports specific practice and drills.
- E. Test 5: Full contact and return to sport with monitoring of symptoms.

Section VI: School Nurse Responsibilities:

1. Assist in testing all student athletes with baseline and post-injury ImPact testing.
2. Participate and complete the CDC training course on concussions. A certificate of completion will be recorded by the nurse leader yearly.
3. Complete symptom assessment when student athlete enters Health Office (HO) with questionable concussion during school hours. Repeat in 15 minutes.
4. Observe students with a concussion for a minimum of 30 minutes.
5. If symptoms are present, notify parent/guardian(s) and instruct parent/guardian(s) that student must be evaluated by an MD.
 - a. If symptoms are not present, the student may return to class.
6. If symptoms appear after a negative assessment, MD referral is necessary.
7. Allow students who are in recovery to rest in HO when needed.
8. Develop plan for students regarding pain management.
9. School nurse will notify teachers and guidance counselors of any student or student athletes who have academic restrictions or modifications related to their concussion.
10. Educate parents and teachers about the effects of concussion and returning to school and activity.

11. If injury occurs during the school day, inform administrator and complete accident/incident form.
12. Enter physical exam dates and concussion dates into the student information system.

Section VII. School Responsibilities:

1. Review and, if necessary, revise, the concussion policy every 2 years.
2. Once the school is informed of the student's concussion, a contact or "point-person" should be identified (e.g. the guidance counselor, athletic director, school nurse, school psychologist or teacher).
3. Point person to work with the student on organizing work assignments, making up work and giving extra time for assignments and tests/quizzes.
4. Assist teachers in following the recovery stage for student.
5. Convene meeting and develop rehabilitative plan.
6. Decrease workload if symptoms appear.
7. Recognize that the student's ability to perform complex math questions may be different from the ability to write a composition depending on the location of the concussion in the brain.
8. Educate staff on the signs and symptoms of concussions and the educational impact concussions may have on students.
9. Include concussion information in student handbooks.
10. Develop a plan to communicate and provide language-appropriate educational materials to parents with limited English proficiency.

Section VIII. Athletic Director Responsibilities:

1. Provide parents, athletes, coaches, and volunteers with educational training and concussion materials yearly.
2. Ensure that all educational training programs are completed and recorded.
3. Ensure that all students meet the physical exam requirements consistent with 105 CMR 200.000 prior to participation in any extracurricular athletic activity.
4. Ensure that all students participating in extracurricular athletic activity have completed and submitted their pre-participation forms, which include health history form, concussion history form, and MIAA form.

5. Ensure that athletes are prohibited from engaging in any unreasonably dangerous athletic technique that endangers the health or safety of an athlete, including using a helmet or any other sports equipment as a weapon.
6. Ensure that all head injury forms are completed by parent/guardian(s) or coaches and reviewed by the coach, athletic trainer, and school nurse and school physician.
7. Inform parent/guardian(s) that, if all necessary forms are not complete, their child will not participate in athletic extracurricular activities.

Section IX. Parent/Guardian Responsibilities:

1. Complete and return concussion history form to the athletic department.
2. Inform school if student sustains a concussion outside of school hours. Complete new concussion history form following new injury.
3. If student suffers a concussion outside of school, complete head injury form and return it to the school nurse.
4. Complete a training provided by the school on concussions and return certificate of completion to the athletic department.
5. Watch for changes in your child that may indicate that your child does have a concussion or that your child's concussion may be worsening. Report to a physician:
 - a. Loss of consciousness
 - b. Headache
 - c. Dizziness
 - d. Lethargy
 - e. Difficulty Concentrating
 - f. Balance problems
 - g. Answering questions slowly
 - h. Difficulty recalling events
 - i. Repeating questions
 - j. Irritability
 - k. Sadness
 - l. Emotionality
 - m. Nervousness
 - n. Difficulty with sleeping
6. Encourage your child to follow concussion protocol.
7. Enforce restrictions on rest, electronics and screen time.
8. Reinforce recovery plan.

9. Request a contact person from the school with whom you may communicate about your child's progress and academic needs.
10. Observe and monitor your child for any physical or emotional changes.
11. Request to extend make up time for work if necessary.
12. Recognize that your child will be excluded from participation in any extracurricular athletic event if all forms are not completed and on file with the athletic department.

Section X. Student and Student Athlete Responsibilities:

1. Complete Baseline ImPact Test prior to participation in athletics.
2. Return required concussion history form prior to participation in athletics.
3. Participate in all concussion training and education and return certificate of completion to the athletic department prior to participation in athletics.
4. Report all symptoms to athletic trainer and/or school nurse.
5. Follow recovery plan.
6. **REST.**
7. **NO ATHLETICS.**
8. **BE HONEST!**
9. Keep strict limits on screen time and electronics.
10. Don't carry books or backpacks that are too heavy.
11. Tell your teachers if you are having difficulty with your classwork.
12. See the athletic trainer and/or school nurse for pain management.
13. Return to sports only when cleared by physician and the athletic trainer.
14. Follow Gradual Return to Play Guidelines.
15. Report any symptoms to the athletic trainer and/or school nurse and parent(s)/guardian(s) if any occur after return to play.
16. Return medical clearance from to athletic trainer prior to return to play.

17. Students who do not complete and return all required trainings, testing and forms will not be allowed to participate in sports.

Section XI. Coach & Band Instructor Responsibilities:

1. Participate in Concussion Education Course offered by the National Federation of State High School Associations (NFHS) on a yearly basis. Complete certificate of completion and return to the athletic department.
2. Ensure all student athletes have completed ImPact baseline testing before participation.
3. Ensure all student athletes have returned concussion history and health history form prior to participation in athletics.
4. Complete a head injury form if their player suffers a head injury and the athletic trainer is not present at the athletic event. This form must be shared with the athletic trainer and school nurse.
5. Ensure all students have completed a concussion educational training and returned their certificate of completion prior to participation in athletics.
6. Remove from play any student athlete who exhibits sign and symptoms of a concussion.
7. Do not allow student athletes to return to play until cleared by a physician and athletic trainer.
8. Follow Gradual Return to Play Guidelines.
9. Refer any student athlete with returned signs and symptoms back to athletic trainer.
10. Any coach, band instructor, or volunteer coach for extracurricular activities shall not encourage or permit a student participating in the activity to engage in any unreasonably dangerous athletic technique that unnecessarily endangers the health of a student athlete, including using a musical instrument, helmet or any other sports equipment as a weapon.

Section XII. Post-Concussion Syndrome:

Post-Concussion Syndrome is a poorly understood condition that occurs after a student athlete received a concussion. Student athletes who receive concussions can have symptoms that last a few days to a few months, and even up to a full year, until their neurocognitive function returns to normal. Therefore, all school personnel must pay attention to and closely observe all student athletes for post-concussion syndrome and its symptoms. Student athletes who are still suffering from concussion syndrome are:

- Dizziness
- Headache with exertion
- Tinnitus (ringing in the ears)
- Fatigue
- Irritability
- Frustration

- Difficulty in coping with daily stress
- Impaired memory or concentration
- Eating and sleeping disorders
- Behavioral changes
- Alcohol intolerance
- Decreases in academic performance
- Depression
- Visual disturbances

Section XIII. Second Impact Syndrome:

Second impact syndrome is a serious medical emergency and a result of an athlete returning to play and competition too soon following a concussion. Second impact syndrome occurs because of rapid brain swelling and herniation of the brain after a second head injury that occurs before the symptoms of a previous head injury have been resolved. The second impact that a student athlete may receive may only be a minor blow to the head or it may not even involve a hit to the head. A blow to the chest or back may create enough force to snap the athlete's head and send acceleration/deceleration forces to an already compromised brain. The resulting symptoms occur because of a disruption of the brain's blood auto regulatory system which leads to swelling of the brain, increasing intracranial pressure and herniation.

After a second impact a student athlete usually does not become unconscious, but appears to be dazed. The student athlete may remain standing and be able to leave the field under his/her own power. Within fifteen seconds to several minutes, the athlete's condition worsens rapidly, with dilated pupils, loss of eye movement, loss of consciousness leading to coma respiratory failure. The best way to handle second impact syndrome is to prevent it from occurring altogether. All student athletes who incur a concussion must not return to play until they are asymptomatic and cleared by an appropriate health care professional.

Section XIV. Concussion Education:

It is extremely important to educate coaches, athletes and the community about concussions. On a yearly basis, all coaches must complete the online course called "Concussion in Sports: What You Need to Know". This course is offered by the National Federation of High School Associations (NFHS). Student athletes also need to understand the importance of reporting a concussion to their coaches, parents, athletic trainer and other school personnel. Every year student athletes and parents will participate in educational training on concussions and complete a certificate of completion. This training may include:

- CDC Heads-Up Video Training, or
- Training provided by the school district

The school district may also offer seminars, speakers, and discussion panels on the topic of concussions. Seminars offer an opportunity for the certified athletic trainer, athletic director and nurse leader to speak about concussions on the field at practices and games and to discuss the protocol and policy that the district has enacted. Providing education within the community will offer the residents and parents of athletes an opportunity to ask questions and voice their concerns on the topic of brain injury and concussions. When it comes to concussions, everyone needs to be aware of the potential dangers and

remember that a concussion is a brain injury. Whenever anyone has a doubt about a student athlete with a concussion, **SIT THEM OUT and have them see the appropriate healthcare professional!**

Revision adopted: January 25, 2012

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.

SOURCE: MASC

LEGAL REF: M.G.L. [71:37H](#); 71:37H1/2; 71:37H3/4; 71:[37L](#); [76:16](#); 76:[17](#); 603 CMR 53.00

Revision adopted: October 22, 2014

File: JKA

CORPORAL PUNISHMENT

State law provides that:

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.

Established by law

LEGAL REF: M.G.L. 71:37G

PHYSICAL RESTRAINT OF STUDENTS

Effective 1/2016

Maintaining an orderly, safe environment conducive to learning is an expectation of all staff members of the Wilmington Public Schools. Physical restraint of students within Wilmington Public Schools is subject to the requirements and limitations set forth in Massachusetts law and the Massachusetts Physical Restraint regulations at 603 CMR 46.00. In accordance therewith, physical restraint shall be used only in emergency situations and as a last resort after other lawful and less intrusive alternatives have failed or been deemed inappropriate. Wilmington Public Schools uses an evidence based behavioral safety training and de-escalation prevention program to reverse the momentum and intensity of crisis level behaviors and decrease the likelihood of future behavioral crises. This curriculum includes specific physical management procedures.

When an emergency situation arises, and physical restraint is deemed appropriate as a last resort 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 Wilmington Public Schools complies with 603 CMR 46.00 et seq., which is incorporated herein by reference.

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

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

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:

- a. Appropriate responses to student behavior that may require immediate intervention;
- b. Methods for preventing student violence, self-injurious behavior, and suicide, including individual crisis planning and de-escalation of potentially dangerous behavior among groups of students or individuals;
- c. Descriptions and explanations of alternatives to physical restraint as well as the school's method of physical restraint in emergency situations;
- d. Description 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 and for sending written notification to the parent within three school working days following

- the restraint to an email address provided by the parent for the purpose of communicating about the student, or by regular mail to the parent postmarked within three school working days of the restraint;
- e. Procedures for receiving and investigating complaints;
 - f. Methods for engaging parents in discussions about restraint prevention and the use of restraint solely as an emergency procedure;
 - g. A statement prohibiting: medication restraint, mechanical restraint, prone restraint unless permitted pursuant to 603 CMR 46.03(1)(b), seclusion, and the use of physical restraint in a manner inconsistent with 603 CMR 46.00;
 - h. A procedure for conducting periodic review of data and documentation on the use of physical restraints as described in 603 CMR 46.05(5) and (6);
 - i. A procedure for implementing the reporting requirements as described in 603 CMR 46.06; and
 - j. 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, in accordance with 603 CMR 46.04(2). 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 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 exclusionary "time out" procedures during which a staff member remains accessible to the student in an unlocked room or space shall not be considered "seclusion."

This policy and its accompanying procedures shall be reviewed and disseminated to staff annually and made available to parents/guardians 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.

SOURCE: MASC

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

Reviewed: April 5, 2021

Adopted April 14, 2021

REGULATIONS TO PHYSICAL RESTRAINT

Description and Methodology:

The Wilmington Public Schools (WPS) utilizes the training program of the Crisis Prevention Institute, Inc. (CPI) as the foundation of its Physical Restraint Procedures and Protocols. In particular the school district follows the Nonviolent Physical Crisis Intervention and Team Intervention approach in applying our physical restraint methodology. The Nonviolent Crisis Intervention program is a safe, non-harmful behavior management system designed to help WPS staff provide for the best possible care, welfare, safety, and security of students who require intervention. Physical Restraint is recommended only when all less restrictive methods of intervening have been exhausted and when the individual presents a danger to self and others. The four methods of physical restraint that WPS staff are trained in are:

1. Children's Control Position
2. Team Control Position
3. Transport Position
4. Interim Control Position

Administration of Physical Restraint

- Physical restraint may only be used in the following circumstances:
 - When non-physical interventions would be ineffective, and
 - The student's behavior poses a threat of imminent, serious, harm to self and/or others.
- Physical restraint is prohibited in the following circumstances:
 - As a means of punishment; or
 - As a response to property destruction, 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. However, if the property destruction or the refusal to comply with a school rule or staff directive could escalate into, or could itself lead to serious, imminent harm to the student or to others, physical restraint is appropriate
- Only school personnel who have received required training or in-depth training pursuant to this policy shall administer physical restraint on students with, whenever possible, one adult witness who does not participate in the restraint. The training requirements, however, shall not preclude a teacher, employee or agent of the school from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.

- Physical restraint shall be limited to the use of such reasonable force as is necessary to protect a student or others from assault or imminent, serious, physical harm.
- A person administering physical restraint shall use the safest method available and appropriate to the situation. Floor or prone restraints may only be administered by a staff member who has received in-depth training as specified in this policy and, when in the judgment of the trained staff member, such method is required to provide safety for the student or others.

Physical restraint shall be discontinued when it is determined that the student is no longer at risk of causing imminent physical harm to self or others.

- Additional safety requirements:
 - A restrained student shall not be prevented from breathing or speaking. A staff member will continuously monitor the physical status of the student, including skin color and respiration, during the restraint.
 - If at any time during a physical restraint the student demonstrates significant physical distress, as determined by the staff member, the student shall be released from the restraint immediately, and school staff shall take steps to seek medical assistance.
 - Program staff shall review and consider any known medical or psychological limitations and/or behavioral intervention plans regarding the use of physical restraint on an individual student.
- At an appropriate time after release of a student from physical restraint, a school administrator or other appropriate school staff shall:
 - review the incident with the student to address the behavior that precipitated the restraint;
 - review the incident with the staff person(s) who administered the restraint to discuss whether proper restraint procedures were followed; and
 - Consider whether any follow-up is appropriate for students who witnessed the incident.

Staff Training

- All staff/faculty will receive training regarding the school's restraint policy within the first month of each school year, and employees hired after the school year begins will receive training within one month of starting their employment.
- Required training for all staff will include review of the following:
 - The District's restraint policy;
 - Interventions which may preclude the need for restraint, including de-escalation of problematic behaviors;
 - Types of restraints and related safety considerations, including information regarding the increased risk of injury to a student when an extended restraint is used;

- Administering physical restraint in accordance with known medical or psychological limitations and/or behavioral intervention plans applicable to an individual student; and
- Identification of program staff who have received in-depth training
- Designated staff members shall participate in at least sixteen hours of in-depth training in the use of physical restraint.
 - At the beginning of the school year, the principal will identify those staff who will participate in in-depth training and who will then be authorized to serve as school-wide resources to assist in ensuring proper administration of physical restraint.
 - In-depth training will include:
 - ✓ Appropriate procedures for preventing the need for physical restraint, including the de-escalation of problematic behavior, relationship building, and the use of alternatives to restraint;
 - ✓ A description and identification of dangerous behaviors on the part of a student that may indicate the need for physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted;
 - ✓ The simulated experience of administering and receiving physical restraint, instruction regarding the effect(s) on the person restrained, including instruction on monitoring physical signs of distress and obtaining medical assistance;
 - ✓ Instruction regarding documentation and reporting requirements and investigation of injuries and complaints; and
 - ✓ Demonstration by participants of proficiency in administering physical restraint.

Reporting Requirements:

- Program staff shall report the use of physical restraint after administration of a physical restraint that:
 - results in injury to a student or staff member; or
 - lasts longer than five minutes.
- The staff member who administered such a restraint shall verbally inform the principal of the restraint as soon as possible and by written report no later than the next school working day.
 - The written report shall be provided to the principal or his/her designee, except the principal shall prepare the report if the principal administered the restraint;
 - The principal or his/her designee shall maintain an on-going record of all reported instances of physical restraint, which shall be made available for review by the Department of Education, upon request.
- The principal or his/her designee shall verbally inform the student's parent(s)/

- guardian(s) of such restraint as soon as possible, and by written report postmarked no later than three school working days following the use of such restraint.
- If the school customarily provides school related information to the parent(s)/guardian(s) in a language other than English, the written restraint report shall be provided in that language.
 - The written report shall include:
 - Names and job title of the staff who administered the restraint, and observers, if any;
 - Date of restraint and time restraint began and ended;
 - Name of administrator who was verbally informed following the restraint;
 - Description of the activity the student, other students, and staff in the area were engaged in immediately preceding the use of physical restraint;
 - Student's behavior that prompted the restraint;
 - Efforts made to de-escalate the situation and alternatives to restraint that were attempted;
 - Justification for initiating physical restraint;
 - Description of administration of restraint including:
 - ✓ the holds used and reasons such holds were necessary
 - ✓ the student's behavior and reactions during the restraint
 - ✓ how the restraint ended and
 - ✓ documentation of injury to the student and/or staff, if any, during the restraint and any medical care provided.
 - For extended restraints (restraints lasting more than twenty minutes), description of the alternatives to extended restraint that were attempted, the outcome of those efforts, and the justification for administering the extended restraint;
 - Information regarding any further action(s) that the school has taken or may take, including any disciplinary sanctions that may be imposed on the student; and
 - Information regarding opportunities for the student's parent(s)/guardian(s) to discuss with school officials the administration of the restraint, any disciplinary sanctions, and/or other related matters.
 - The school will, within five school working days of the reported restraint, provide to the Department of Education a copy of the written report as described above and a copy of the record of physical restraints maintained by the program administrator for the thirty day period prior to the date of the reported restraint when:
 - a restraint has resulted in a serious injury to a student or program staff member; or
 - when an extended restraint has been administered.
 - Parent(s)/guardian(s) may voluntarily waive the reporting requirements as stated above for restraints that do not result in serious injury to the student or a program staff member and do not constitute extended restraint.
 - Wilmington may seek such individual waiver for students who present a high risk of frequent, dangerous behavior that may require the frequent use of restraint.

- Wilmington shall not require parental consent to such a waiver as a condition of admission or provision of services.
- Parent(s)/guardian(s) may withdraw consent to such waiver at any time without penalty.
- Extended restraints and restraints that result in serious injury to a student or program staff member must be reported as described above regardless of any individual waiver.
- The following documentation regarding individual waiver of reporting requirements will be maintained on-site in the student's file and will be made available for inspection to the Department of Education upon request:
 - ✓ Informed written consent of parent(s)/guardian(s) to the waiver, which shall specify those reporting requirements listed above that the parent(s)/guardian(s) agrees to waive; and
 - ✓ Specific information regarding when and how the parent(s)/guardian(s) will be informed regarding the administration of all restraints to the individual student.
- Staff/faculty will review any behavior plans pertaining to special techniques for identified students.

Grievance Procedures

It is the Committee's desire that grievance procedures provide for prompt and equitable adjustment of differences at the lowest possible administrative level, and that there be an opportunity for an orderly presentation and review of complaints and concerns.

1. Any and all complaints regarding the District's restraint practices or use of physical restraints within the District should be presented to the building Principal in writing, specifying in as much detail as possible the nature of the complaint.
2. The Principal or his or her designee will investigate the complaint and will issue a written reply upon completion of the investigation.
3. The complainant may appeal the ruling of the Principal to the Superintendent.
4. The complainant may appeal the ruling of the Superintendent to the School Committee.

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

Revision adopted: 12/9/2006

Supervision of Students

School personnel assigned supervision are expected to act as reasonably prudent adults in providing for the safety of the students in their charge.

In keeping with this expected prudence, no teacher or other staff member will leave his/her assigned group unsupervised except when an arrangement has been made to take care of an emergency.

During school hours or while engaging in school-sponsored activities, students will be released only into the custody of parents or other persons authorized in writing by a parent or guardian.

Reporting to Authorities - Suspected Child Abuse or Neglect

Any school official or employee shall report any suspected child abuse or neglect as required by M.G.L. Ch. 119, S 51A.

In accordance with the law, the District shall establish the necessary regulations and procedures to comply with the intent of the Act consistent with the District's responsibility to the students, parents, District personnel, and the community.

Student Safety

Instruction in courses in industrial arts, science, homemaking, art, physical education, health, and safety will include and emphasize accident prevention.

Safety instruction will precede the use of materials and equipment by students in applicable units of work, and instructors will teach and enforce all safety rules set up for the particular courses. These include the wearing of protective eye devices in appropriate activities.

Safety on the Playground and Playing Field

The District shall provide safe play areas. Precautionary measures, which the District requires, shall include:

- A periodic inspection of the school's playground and playing fields by the Principal of the school and others as may be deemed appropriate;
- Instruction of students in the proper use of equipment;
- Supervision of both organized and unorganized activity.

Fire Drills

The District shall cooperate with appropriate fire departments in the conduct of fire drills.

File: JLA

STUDENT INSURANCE PROGRAM

A noncompulsory accident insurance plan totally administered by an insurance company may be made available to students. The District does not assume any responsibility regarding service, claims, or other matters relating to the insurance program.

All students participating in competitive athletics shall be required to be covered by a medical insurance plan.

STUDENT HEALTH SERVICES AND REQUIREMENTS

Activities may include identification of student health needs, health screening tests (including eye and hearing screening tests), communicable disease prevention and control, promotion of the correction of remediable health defects, emergency care of the ill and injured, health counseling, health and safety education, and the maintenance of a healthful school environment.

The District recognizes that parents have the primary responsibility for the health of their students. The school will cooperate with appropriate professional organizations associated with maintaining individual and community health and safety.

The District shall provide the services of a medical consultant who shall render medical administrative consultative services for personnel responsible for school health and athletics.

Procedures for Emergency at School

School personnel shall give only emergency care to students who become ill or injured on school property, buses, or while under school supervision.

Each year parents shall supply information indicating where the student is to be taken in case of an emergency; the name, address, and phone number of a neighbor to be contacted in case the parent/guardian is not available; and any allergies or diseases the student might have.

The District shall maintain a Medical Emergency Response Plan, as required by law, and an Emergency Procedures Handbook, which shall be utilized by District personnel for handling emergencies. Emergency procedures shall include the following:

1. Provision for care beyond First Aid, which would enable care by the family or its physician or the local Emergency medical Services agencies. In instances when the Emergency card which lists any allergies or disease the student might have;
2. Information relative to not permitting the administration of any form of medicine or drugs to students without written approval of parents. Requests made by parents for such administration of medication shall be reviewed and approved by the Principal or designee;
3. Provisions for reporting all accidents, cases of injury, or illness to the Principal. Provisions shall be made (in all cases of injury or illness involving possible legal or public relations implications) for reporting such to the appropriate executive director of education immediately;
4. Prompt reporting by teacher to the Principal or designees any accident or serious illness and such reports will be filed with the Business Office.

Student Illness or Injury

In case of illness or injury, the parent or guardian will be contacted and asked to call for the student or provide the transportation.

Transportation of an ill or injured student is not normally to be provided by the school. If the parent cannot provide transportation and the student is ill or injured, an ambulance may be called. Expense incurred as a result of emergency ambulance use will not be borne by the District.

Transportation of a student by school personnel will be done only in an emergency and by the individual so designated by the school administrator.

LEGAL REF: M.G.L. 71:53; 54;54A;54B;55;55A;55B;56;57; 69:8A

CROSS REF: EBB, First Aid

EBC, Emergency Plans

JLCD, Administering Prescription and Non-Prescription Medication to Students

Revision Adopted: August 22, 2012

PHYSICAL EXAMINATIONS OF STUDENTS

Every student will be examined once in each school year for screening in sight or hearing and for other physical problems as provided in the laws. A record of the results will be kept by the school nurse.

Every student will be given a general physical examination four times: upon entering school and upon admittance to the fourth, seventh, and tenth grades. The results of examinations will be a basis for determining what corrective measures or modifications of school activities, if any, should be recommended. A record of all examinations and recommendations will be kept.

Every candidate for a school athletic team will present the signed consent of parent or guardian in order to participate on a squad and will, with the signed consent of parent or guardian, be thoroughly examined to determine physical fitness. The school physician will examine athletes, except when a family wishes to have the examination done by their own doctor at their own expense. A written report stating the fitness of the student to participate signed by the physician will be sent to the school Principal.

The school physician will make a prompt examination of all children referred to him/her by the school nurse. He/she will examine school employees when, in his opinion, the protection of the student's health may require it. Except in an emergency, the school physician will not prescribe for or treat any student.

Whenever the school nurse finds a child suffering from any disease or medical problem, the situation will be reported to the parent or guardian in writing, or by personal visit if remedial treatment is recommended. A copy of the report will be filed at the school.

The school nurse will make a monthly report to the Superintendent of the number of students examined; the number excluded; and the number recommended for treatment or special adjustment of work. In all cases of exclusion or recommendation, the causes will be included in the report.

LEGAL REFS: M.G.L. 71:53; 71:54; 71:56; 71:57

CROSS REF: JF, School Admissions

INOCULATIONS OF STUDENTS

Public school students entering school for the first time, whether at kindergarten or through transfer from another school system, will be required to present a physician's certificate attesting to immunization against diphtheria, whooping cough, poliomyelitis, tetanus, measles, and such other communicable diseases as may be specified from time to time by the Department of Public Health. The only exception to these requirements will be made on receipt of a written statement from a doctor that immunization would not be in the best interests of the child; or, the student's parent or guardian stating that vaccination or immunization is contrary to the religious beliefs of the student or parent.

LEGAL REF: M.G.L. 76:15

CROSS REF: JR, School Admissions

Reviewed: May 27, 2020

COMMUNICABLE DISEASES

The District is required to provide educational services to all school age children who reside within its boundaries. By law, however, admission to school may be denied to any child diagnosed as having a disease whereby attendance could be harmful to the welfare of other students and staff, subject to the District's responsibilities to disabled children under the law.

The School Committee recognizes that communicable diseases which may afflict students range from common childhood diseases, acute and short-term in nature, to chronic, life-threatening diseases such as Acquired Immune Deficiency Syndrome (AIDS).

Management of common communicable diseases shall be in accordance with Massachusetts Department of Health guidelines. A student who exhibits symptoms of a communicable disease may be temporarily excluded from school attendance. The District reserves the right to require a physician's statement authorizing the student's return to school.

The educational placement of a student who is medically diagnosed as having a life-threatening communicable disease shall be determined on an individual basis in accordance with this policy and accompanying administrative procedures. Decisions about the proper educational placement shall be based on the student's behavior, neurological development, and physical condition; the expected type of interaction with others in school setting; and the susceptibility to other diseases and the likelihood of presenting risks to others. A regular review of the placement decision shall be conducted to assess changes in the student's physical condition, or based on new information or research that may warrant a change in a student's placement.

In the event a student with a life-threatening communicable disease qualifies for services as a disabled child under state and federal law, the procedures for determining the appropriate educational placement in the least restrictive environment shall be used in lieu of the procedures designated above.

Neither this policy nor the placement of a student in any particular program shall preclude the administration from taking any temporary actions including removal of a student from the classroom as deemed necessary to protect the health, safety, and welfare of the student, staff, and others.

In all proceedings related to this policy, the District shall respect the student's right to privacy. Only those persons with a direct need to know shall be informed of the specific nature of the student's condition. The determination of those who need to know shall be made by the Superintendent.

ADMINISTERING PRESCRIPTION AND NON-PRESCRIPTION MEDICATION TO STUDENTS

Wilmington nursing staff will administer all medication required during the school day (1) under specific written request of the parent/guardian and (2) under the written directive of a prescribing physician. All medication orders are renewable at the beginning of each academic year. Medication to be dispensed should be brought to the nurse's office by a parent/guardian or responsible adult, is limited to a thirty-day supply and must be in the original prescription bottle or manufacturer packaging. All medications are stored in a securely locked cabinet used exclusively for medication in the nurse's office. Children are not permitted to have medication in the classroom or on their person, unless permission has been granted for self-administration by a parent/guardian, physician and *provided the school nurse determines it is safe and appropriate*.

Per the MA Department of Public Health, self-administered of medication is limited to the following and requires a written individualized self-administration health care plan:

1. Students with asthma or other respiratory conditions may possess and administer prescription inhalers.
2. Students with cystic fibrosis may possess and administer prescription enzyme supplements.
3. Students with diabetes may possess and administer glucose monitoring tests and prescription insulin.
4. Students with life-threatening allergies may self-carry/self-administer prescription Epinephrine.

For short-term prescription medications, i.e., those requiring administration for ten school days or fewer, the pharmacy-labeled container may be used in lieu of a licensed prescriber's order. The written request of a parent/guardian is required.

Investigational new drugs may be administered in the school with (1) a written order by a licensed prescriber, (2) written consent of the parent or guardian, and (3) a pharmacy-labeled container for dispensing or manufacturer packaging. If there is a question, the school nurse may seek consultation and/or approval from the school physician to administer the medication in a school setting.

In accordance with standard nursing practice, the school nurse may refuse to administer or allow to be administered any prescription medication which, based on her/his individual assessment and professional judgment, has the potential to be harmful, dangerous or inappropriate. In these cases, the parent/guardian and licensed prescriber shall be notified immediately by the school nurse.

Parents or guardians may retrieve prescription and non-prescription medications from the school at any time. Where possible, all unused, discontinued or outdated prescription medications shall be returned to the parent or guardian and the return appropriately documented. In extenuating circumstances, with parental consent when possible, such prescription medications may be

destroyed by the school nurse in accordance with any applicable policies of the Massachusetts Department of Public Health, Division of Food and Drugs.

The school district shall, through the district Director of Nursing Services, register for medication delegation with the MA Dept. of Public Health and train school personnel in the use of Epinephrine and medication administration on field trips. In-school medication delegation by unlicensed school personnel is not permitted.

LEGAL REF: M.G.L. 71:54B

Dept. of Public Health Regulations: 105 CMR 210.00

Revision Adopted April 26, 2017

LIFE-THREATENING FOOD AND OTHER ALLERGY

It is the policy of the Wilmington School Committee to set age-appropriate guidelines for students and schools within the Wilmington system that minimize the risk for children with life-threatening food allergies (LTA) to be exposed to offending allergens that may trigger a life-threatening reaction. Such guidelines shall include: building-based general medical emergency plans, life-threatening food allergy emergency plans, individual healthcare plans for all students diagnosed with LTA, appropriate training of staff, availability of medical equipment on site for quick response to life-threatening allergic reactions, and such other guidelines that will ensure that students with LTA can participate fully in school activities without undue fear of harm from exposure to life-threatening food allergens.

It is the School Committee's expectation that specific building-based guidelines/actions will take into account the health needs and well-being of all children without discrimination or isolation of any child. It is the School Committee's belief that education and open and informative communication are vital for the creation of an environment with reduced risks for all students and their families. In order to assist children with LTA to assume more individual responsibility for maintaining their safety as they grow, it is the policy of the School Committee that the guidelines shift as children advance through the primary grades and through secondary school.

File: JLD
GUIDANCE PROGRAM

Guidance is defined as helping individuals understand themselves in the light of their abilities, aptitudes, interests, attitudes, strengths and limitations. This process should assist students in the development of their potential; their decisions relating to personal, educational, and vocational matters, and also in becoming capable of mature self-guidance.

The school system's guidance program will be based on this definition and developed from these broad fundamental principles:

1. Individuals are different from one another in their capabilities, aptitudes, interests, needs, goals, desires and values.
2. Conditions may be improved. Equality of educational opportunity will benefit the individual and society.
3. Guidance is a continuous and developmental process. Every experience of the individual influences his performance in some way.
4. Guidance does not propose to program an individual's course of action but rather tries to assist him in arriving at his own satisfactory solutions.

Guidance services will include: educational guidance; testing programs; occupational, career, and higher education assistance and information; study aids; consultation services; and personal developmental guidance as needed. These services will be available to all students.

While some of the problems of the individual may relate to behavior and consequently entail guidance on behavior, student discipline will not be a regular function of guidance personnel.

LEGAL REFS: M.G.L. 71:38A through 71:38F; 71:46G
 603 CMR 26.04

GUIDANCE PROGRAM

Guidance Counselors and other personnel shall represent to the students a broad spectrum of education and career opportunities. Race, color, sex, national origin, disability, sexual orientation and religion shall not be considered as limiting factors in career determination.

“Career Day” programs and other occupational information shall include representatives of both sexes and of minority group members in a broad variety of occupational roles. Schools shall not permit materials including pictorial representations to be used to recruit students for employment, including training, that contain a preference of individuals of particular race, color, sex, religion, disability, sexual orientation or national origin. Any pictorial representation in such materials, in the aggregate, shall depict members of both sexes and of minority groups.

No material or tests shall be employed for guidance purposes which discriminate and/or limit choices on the basis of race, color, sex, religion, disability, sexual orientation or national origin.

LEGAL REFS: M.G.L. 71:38A through 71:38F; 71:46G
603 CMR 26.04

STUDENT FEES, FINES, AND CHARGES

The School Committee recognizes the need for student fees to fund certain school activities. It also recognizes that some students may not be able to pay these fees. No student will be denied access into any program because of inability to pay these supplementary charges.

A school may exact a fee or charge only upon Board approval. The schools, however, may:

- Charge students enrolled in certain courses for the cost of materials used in projects that will become the property of the student.
- Charge for lost and damaged books, materials, supplies and equipment.

Students who are indigent are exempt from paying fees. However, indigent students are not exempt from charges for lost and damaged books, locks, materials, supplies, and equipment.

All student fees and charges, both optional and required, will be listed and described annually in each school's student handbook or in some other written form and distributed to each student. The notice will advise students that fees are to be paid and of the penalties for their failure to pay them. Permissible penalties include the withholding of report cards until payment is made or denial of participation in extra class activities while the student is enrolled in this District.

Any fee or charge due to any school in the District and not paid at the end of the school year will be carried forward to the next succeeding school year, as such debts are considered to be debts of the student to the District and not to a particular school.

File: 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 (603 CMR 23.00). The temporary record of each student enrolled on or after June 2002 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,
 P.L. 93-380, Amended
 P.L. 103-382, 1994

 M.G.L. 66:10 71:34A, B, D, E, H

 Board of Education Student Record Regulations adopted 2/10/77, June 1995
 as amended June 2002.

 603 CMR: Dept. Of Education 23.00 through 23:12 also

 Mass Dept. Of Education publication Student Records; Questions, Answers and
 Guidelines, Sept. 1995

CROSS REF: KDB, Public's Right to Know

603 CMR 23.00 is promulgated by the Board of Education pursuant to its powers under M.G.L.c.71, s.34D which directs that “the board of education shall adopt regulations relative to the maintenance of student records by the public elementary and secondary schools of the Commonwealth,” and under M.G.L.c.71, s.34F which directs that “the board of education shall adopt regulations relative to the retention, duplication and storage of records under the control of school committees, and except as otherwise required by law may authorize the periodic destruction of any such records at reasonable times.” 603 CMR 23.00 was originally promulgated on February 10, 1975, and was reviewed and amended in June 1995. 603 CMR is in conformity with federal and state statutes regarding maintenance of and access to student records, and is to be construed harmoniously with such statutes.

Application of Rights

603 CMR 23.00 is promulgated to insure parents’ and students’ rights of confidentiality, inspection, amendment, and destruction of students’ records and to assist local school systems in adhering to the law. 603 CMR 23.00 should be liberally construed for these purposes.

- (1) These rights shall be the rights of the student upon reaching 14 years of age or upon entering the ninth grade, whichever comes first. If a student is under the age of 14 and has not yet entered the ninth grade, these rights shall belong to the student’s parent.
- (2) If a student is from 14 through 17 years or has entered the ninth grade, both the student and his/her parent, or either one acting alone, shall exercise these rights.
- (3) If a student is 18 years of age or older, he/she alone shall exercise these rights, subject to the following. The parent may continue to exercise the rights until expressly limited by such student. Such student may limit the rights and provisions of 603 CMR 23.00 which extend to his/her parent, except the right to inspect the student record, by making such request in writing to the school Principal or Superintendent of Schools who shall honor such request and retain a copy of it in the student record. Pursuant to M.G.L. c.71, s.34E, the parent of a student may inspect the student record regardless of the student’s age.
- (4) Notwithstanding 603 CMR 23.01(1) and 23.01(2), nothing shall be construed to mean that a school committee cannot extend the provisions of 603 CMR 23.00 to students under the age of 14 or to students who have not yet entered the ninth grade.

Definition of Terms

The various terms as used in 603 CMR 23.00 are defined below:

Access: shall mean inspection or copying of a student record, in whole or in part.

Authorized school personnel: shall consist of three groups:

- (1) School administrators, teachers, counselors and other professionals who are employed by the School Committee or who are providing services to the student under an agreement between the School Committee and a service provider, and who are working directly with the student in an administrative, teaching, counseling and/or diagnostic capacity. Any such personnel who are not employed directly by the School Committee shall have access only to the student record information that is required for them to perform their duties.
- (2) Administrative office staff and clerical personnel, including operators of data processing equipment or equipment that produces microfilm/microfiche, who are either employed by the School Committee or are employed under a School Committee service contract, and whose duties require them to have access to student records for purposes of processing information for the student record. Such personnel shall have access only to the student record information that is required for them to perform their duties.
- (3) The evaluation team that evaluates a student.

Eligible student: shall mean any student who is 14 years of age or older or who has entered 9th grade, unless the School Committee acting pursuant to 603 CMR 23.01(4) extends the rights and provisions of 603 CMR 23.00 to students under the age of 14 or to students who have not yet entered 9th grade.

Evaluation Team: shall mean the team, which evaluates school-age children pursuant to M.G.L.c.71B (St. 1972, c.766) and 603 CMR 28.00.

Parent: shall mean a student's father or mother, or guardian, or person or agency legally authorized to act on behalf of the child in place of or in conjunction with the father, mother, or guardian. Any parent who by court order does not have physical custody of the student, is considered a non-custodial parent for purposes of M.G.L. c. 71, s.34H and 603 CMR 23.00. This includes parents who by court order do not reside with or supervise the student, even for short periods of time.

Release: shall mean the oral or written disclosure, in whole or in part, of information in a student record.

School-age child with special needs: shall have the same definition as that given in M.G.L. c. 71B (St. 1972, c.766) and 603 CMR 28.00.

School committee: shall include a school committee, a board of trustees of a charter school, a board of trustees of a vocational-technical school, a board of directors of an educational collaborative and the governing body of an M.G.L. c.71B (Chapter 766) approved private school.

Student: shall mean any person enrolled or formerly enrolled in a public elementary or secondary school or any person age three or older about whom a school committee maintains information. The term as used in 603 CMR 23.00 shall not include a person about whom a school committee maintains information relative only to the person's employment by the School Committee.

The student record: shall consist of the transcript and the temporary record, including all information, recording and computer tapes, microfilm, microfiche, or any other materials, regardless of physical form or characteristics concerning a student that is organized on the basis of the student's name or in a way that such student may be individually identified, and that is kept by the public schools of the Commonwealth. The terms as used in 603 CMR 23.00 shall mean all such information and materials regardless of where they are located, except for the information and materials specifically exempted by 603 CMR 23.04.

The temporary record: shall consist of all the information in the student record which is not contained in the transcript. This information clearly shall be of importance to the educational process. Such information may include standardized test results, class rank (when applicable), extracurricular activities, and evaluations by teachers, counselors, and other school staff.

Third party: shall mean any person or private or public agency, authority, or organization other than the eligible student, his/her parent, or authorized school personnel.

Log of Access: A log shall be kept as part of each student's record. If parts of the student record are separately located, a separate log shall be kept with each part. The log shall indicate all persons who have obtained access to the student record, stating: the name, position and signature of the person releasing the information; the name, position and, if a third party, the affiliation if any, of the person who is to receive the information; the date of access; the parts of the record to which access was obtained; and the purpose of such access. Unless student record information is to be deleted or released, this log requirement shall not apply to:

- (a) Authorized school personnel under 603 CMR 23.02(9)(a) who inspect the student record;
- (b) Administrative office staff and clerical personnel under 603 CMR 23.02(9)(b), who add information to or obtain access to the student record; and
- (c) School nurses who inspect the student health record

Access of Third Parties. Except for the provisions of 603 CMR 23.07(4)(a) through 23.07(4)(h), no third party shall have access to information in or from a student record without the specific, informed written consent of the eligible student or the parent. When granting consent, the eligible student or parent shall have the right to designate which parts of the student record shall be released to the third party. A copy of such consent shall be retained by the eligible student or parent and a duplicate placed in the temporary record. Except for the information described in 603 CMR 23.07(4)(a), personally identifiable information from a student record shall only be released to a

third party on the condition that he/she will not permit any other third party to have access to such information without the written consent of the eligible student or parent.

- (a) A school may release the following directory information: a student's name, address, telephone listing, date and place of birth, major field of study, dates of attendance, weight and height of members of athletic teams, class, participation in officially recognized activities and sports, degrees, honors and awards, and post-high school plans without the consent of the eligible student or parent; provided that the school gives public notice of the types of information it may release under 603 CMR 23.07 and allows eligible students and parents a reasonable time after such notice to request that this information not be released without the prior consent of the eligible student or parent. Such notice may be included in the routine information letter required under 603 CMR 23.10.

Access Procedures for Non-Custodial Parents. As required by M.G.L. c.71, s.34H, a non-custodial parent may have access to the student record in accordance with the following provisions.

- (a) A non-custodial parent is eligible to obtain access to the student record unless:
 - 1. The parent has been denied legal custody based on a threat to the safety of the student or to the custodial parent, or
 - 2. The parent has been denied visitation or has been ordered to supervised visitation, or
 - 3. The parent's access to the student or to the custodial parent has been restricted by a temporary or permanent protective order, unless the protective order (or any subsequent order modifying the protective order) specifically allows access to the information contained in the student record.
- (b) In order to obtain access, the non-custodial parent must submit a written request for the student record to the high school principal annually. The initial request must include the following:
 - 1. A certified copy of the court order or judgment relative to the custody of the student that either indicates that the requesting parent is eligible to receive access as set forth in 603 CMR 23.07(5)(a), or a certified copy of a court order specifically ordering that the student records be made available to the non-custodial parent, and
 - 2. An affidavit from the non-custodial parent that said court order or judgment remain in effect and that there is no temporary or permanent order restricting access to the custodial parent or any child in the custodial parent's custody.
- (c) The non-custodial parent must submit a written request for a access each year stating that said parent continues to be entitled to unsupervised visitation with the student and is eligible to obtain access as set forth in 603 CMR 23.07(5)(a).
- (d) Upon receipt of the request (initial and annual) the school must immediately notify the custodial parent by certified and first class mail, in English and the primary language of the custodial parent, that it will provide the non-custodial parent with access after 21

days, unless the custodial parent provides the principal with documentation that the non-custodial parent is not eligible to obtain access as set forth in 603 CMR 23.07(5)(a).

- (e) The school must delete the address and telephone number of the student and custodial parent from student records provided to non-custodial parents. In addition, such records must be marked to indicate that they shall not be used to enroll the student in another school.
- (f) Upon receipt of a court order which prohibits the distribution of information pursuant to M.G.L. c.71, s.34H, the school shall notify the non-custodial parent that it shall cease to provide access to the student record to the non-custodial parent.

At least once during every school year, the school shall publish and distribute to students and their parents in their primary language a routine information letter informing them of the following:

- (a) The standardized testing programs and research studies to be conducted during the year and other routine information to be collected or solicited from the student during the year.
- (b) The general provisions of 603 CMR 23.00 regarding parent and student rights, and that copies of 603 CMR 23.00 are available to them from the school.

LEGAL REFS:

Family Educational Rights and Privacy Act of 1974,

P.L. 93-380, Amended

P.L. 103-382, 1994

M.G.L. 66:10 71:34 A, B, D, E, H

Board of Education Student Record Regulations adopted 2/10/75, as amended June 2002

603 CMR: Dept. Of Education 23.00 through 23:12

Mass Dept. Of Education publication Student Records; Questions, Answers and Guidelines, Sept. 1995

CROSS REF: KDB, Public's Right to Know

STUDENT PHOTOGRAPHS

Individual schools may arrange, in cooperation with the school's parent organization, student council, designated student committee, or a staff committee, to take individual student and/or classgroup pictures. Awarding of the photographic services shall be conducted through bidding procedures.

Individual and/or class group pictures may be taken at the school facility and during the regular school day hours. The pictures shall be made available for purchase by students and/or parents on a voluntary basis. The building Principal or his/her designee shall have final authority in authorizing the picture-taking program and will be responsible for overseeing the process.

Students may be required to have an individual picture taken for the cumulative file or identification purposes; however, no student shall be pressured or required to purchase photographs.

Photographs taken for student records or identification purposes are considered confidential school property and will be treated as such.

The purpose of the policy is to:

- Enhance the safety of students through visual identification in an emergency situation.
- Facilitate the social, educational, and administrative activities conducted in the school.
- Provide a service to parents and students.
- Allow the profits gained from the picture-taking program to be used by the sponsoring group and authorized by the building Principal.