

Brockton Public Schools



Elementary School Student/Parent Handbook 2018-2019



www.brocktonpublicschools.com

Table of Contents

Letter from the Superintendent of Schools.....	1
Media Release for Students.....	2
Student Record Directory Information Opt-Out.....	3
I. General Policies and Information.....	4
Academic Calendar	4
Inclement Weather Procedures	5
School Cancellations.....	5
Delayed School Openings	5
Early School Dismissals.....	5
School Attendance	6
Absence Policy.....	6
Dismissal Policy	6
Leaving School Grounds	7
Tardiness	7
Attendance at School Functions in the Evenings	7
II. Academics and Curriculum	8
Homework Policy	8
Teacher Responsibilities for Homework.....	8
Student Responsibilities	8
Parent Responsibilities	9
Student Record Regulations	9
Student Record.....	9
Special Education Student Records Policy.....	10
III. Code of Conduct.....	11
The Rights of Students.....	11
BPS Policies and Procedures Regarding Student Discipline.....	11
Extracurricular Activities	11
Malicious Damage to School or Personal Property/Theft.....	11
Bringing Novelty Items to School	11
Behaviors Meriting Corrective Action Which May Result in an Out-of-School Suspension or Expulsion.....	12
Normal Progressive Code of Conduct Procedures	12
Due Process Procedures	13
Eligibility to Participate in School Activities and Events	13
Suspensions.....	13
In-School Suspension Procedures	13
Notice of In-School Suspension	13
Parent Meeting	14
No Right to Appeal	14
Out-of-School Suspension Procedures Under M.G.L. ch. 71, § 37H¾	14
Due Process Procedures for Out-of-School Suspensions	14
Notice for Any Out-of-School Suspension	14
Emergency Removal of Student.....	15
Short-Term Suspension Procedures Under M.G.L. ch. 71 § 37H¾	15
Principal Hearing - Short-term Suspension	15
No Right to Appeal	15
Long-Term Suspension Procedures Under M.G.L. ch. 71, § 37H¾	16
Principal Hearing - Long-Term Suspension	16
Superintendent's Appeal Hearing Under M.G.L. ch. 71, § 37H¾	17
Exclusion/Expulsion Under M.G.L. ch. 71, § 37H	17
Felony Complaint or Conviction Under M.G.L. ch. 71, § 37H½	18
Education Services and Academic Progress Under M.G.L. ch. 71, §§ 37H, 37H½ and 37H¾	18
Code of Conduct Provisions for Students with Disabilities	19
Procedures for suspension(s) not exceeding 10 school days	19
Procedures for suspension(s) exceeding 10 school days.....	19
Special Circumstances for Exclusion.....	20
Procedural Requirements Applied to Students Not Yet Determined to be Eligible for Special Education or a 504 Plan	20
Massachusetts Regulations on Restraining Students	20
Use of Time Out Room	20
Bullying and Cyberbullying	20

Definition of Bullying.....	21
Definition of Cyberbullying.....	21
Bullying Shall Be Prohibited.....	21
Threats	21
Search of Persons/Property.....	21
Use of Surveillance Cameras.....	22
IV. Student Safety and Transportation.....	23
Emergency Move to an Alternative Site.....	23
Bus Behavior	23
Kindergarten Transportation Policy	23
V. Media	24
Media Release	24
Cell Phone Policy	24
Cell Phone/Electronic Device Searches	24
Internet Access: Acceptable Use Policy.....	24
VI. Health and Wellness	25
Guidelines to Assist You Decide If Your Child Should Stay Home from School	25
Food from Home	25
Medication Misuse	25
Medical Assessment	25
Dress Code	26
Fragrance Sensitivity Awareness	26
Physical Education Dress Code Guidelines	26
Drug and Alcohol Policy.....	26
Search for Contraband Materials	27
The Role of the Principal and School Police	27
Screening Brief Intervention and Referral to Treatment (SBIRT)	27
Readmission to School: Policies and Procedures	27
Smoking	28
Concussion Policy	28
Evaluation Guidelines.....	28
Comprehensive Sexuality Curriculum for Grade 5	29
No Idling Policy.....	29
EPA Warnings & Notification	30
VII. Student Rights	31
Sexual Harassment	31
Civil Rights and Harassment	31
Equal Opportunity	31
Non-Discrimination Statement	31
Equity Officer	31
The Educational Rights of Children and Youth in Homeless Situations	31



City of Brockton

BROCKTON PUBLIC SCHOOLS

Kathleen A. Smith, JD ♦ Superintendent of Schools

BROCKTON KIDS COUNT

Office of the Superintendent
Phone (508) 580-7511 Fax (508) 580-7513
KathleenSmith@bpsma.org

August 2018,

Dear Parents/Guardians:

Attached is the ***Elementary School Student/Parent Handbook*** which has been approved by the Brockton School Committee.

Please review this document with your son or daughter. Your knowledge of these codes and policies, as well as your involvement in their implementation, is essential. **For this purpose, we ask you to sign and return this page.**

The Brockton Public Schools does not discriminate on the basis of race, religion, color, national origin, age, sex, veteran's status, sexual orientation, gender identity or disability in admission to, access to, treatment in or employment in its programs and activities.

Both students and parents should be reminded of the school's use of surveillance cameras. School cameras are operated under the supervision and authority of the Brockton Police Department and access to any recordings is at the discretion of the BPD.

If you have any comments or questions, please feel free to contact your school.

Sincerely yours,

Kathleen A. Smith, JD
Superintendent of Schools

**BROCKTON PUBLIC SCHOOLS
BROCKTON, MASSACHUSETTS**

I have thoroughly read and understand the ***Elementary School Student/Parent Handbook***. I am aware of the rights and responsibilities outlined therein for both parents and students

Parent/Guardian Signature

Student's Name (printed)

Date

Student's Signature



Media Release for Students

(Parent/Guardian Release --- For School Use)

From time to time schools are asked by the media to interview and/or photograph students as part of coverage of positive school events. To allow that to happen we need to have the permission of the students' parents or guardians. By checking the "**grant**" box and signing your permission on this form, you are indicating that you are agreeing to allow the use of such materials for the 2018-2019 school year. Please sign and return this form to your child's teacher.

I hereby (please check one box)

☐

GRANT Permission

☐

DO NOT GRANT Permission

for the _____ School to publish, copyright, or use all films, photographs, computer-generated imagery, and printed and spoken words in which my son/daughter is included, whether taken by staff, students, or others. I further agree that the school can use these photographs, films and words for any exhibitions, displays, web pages and publications, without reservation or compensation, for the 2018-2019 school year.

School Name: _____

Student Name: _____ Grade: _____

Parent/Guardian Name: _____

Parent/Guardian Signature: _____ Date: _____



Student Record Directory Information Opt-Out

State law (603 CMR 23.07) permits the Brockton Public Schools to release the following directory information without the consent of the eligible student or parent: 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.

If you wish to **OPT OUT** of this information sharing and have the school withhold all or part of your student's directory information, **PLEASE FILL OUT THE FORM BELOW** and return it to your student's school.

By checking the box below, I hereby **OPT OUT** and do not permit the student's personally identifiable directory information to be released as part of its information sharing:

☐

I hereby, OPT-OUT and DO NOT PERMIT the student's personally identifiable directory information to be released as part of its information sharing.

School Name: _____

Student's Name: _____ Grade: _____

Parent/Guardian's Name _____

Parent/Guardian Signature: _____ Date: _____

I. General Policies and Information

Academic Calendar



Brockton Public Schools

2018-2019 Academic Calendar

Teachers Report	Tuesday	September 4, 2018
First Day of School for Students	Wednesday	September 5, 2018
First Day of PreK & Kindergarten	Monday	September 17, 2018

☞ Schools are closed on the following HOLIDAYS and VACATION PERIODS ☜

LABOR DAY	Monday	September 3, 2018
COLUMBUS DAY	Monday	October 8, 2018
ELECTION DAY*	Tuesday	November 6, 2018
VETERANS' DAY	Observed Monday	November 12, 2018
THANKSGIVING RECESS	Wednesday-Friday	November 21-23, 2018
CHRISTMAS RECESS	Monday-Tuesday	December 24, 2018-January 1, 2019
MARTIN LUTHER KING JR. DAY	Monday	January 21, 2019
WINTER RECESS	Monday-Friday	February 18-22, 2019
SPRING RECESS	Monday-Friday	April 15-19, 2019
MEMORIAL DAY	Monday	May 27, 2019
BHS GRADUATION EXERCISES	Saturday	June 1, 2019
LAST DAY OF SCHOOL*	Tuesday	June 25, 2019

*This calendar complies with student learning time regulations 603 CMR 27.00 by scheduling 185 school days for all students. If there are no school cancellations, the 185 scheduled days will be adjusted to 180 school days and the last day of school will be June 18, 2019.

Approved by the Brockton School Committee 2/6/2018

Inclement Weather Procedures

IMPORTANT INFORMATION FOR ALL STAFF MEMBERS, STUDENTS AND PARENTS/GUARDIANS REGARDING SCHOOL CANCELLATIONS, DELAYED OPENINGS, AND EARLY SCHOOL DISMISSAL UNDER ADVERSE WEATHER CONDITIONS:

School Cancellations

In the event of inclement weather, local and Boston media makes announcements regarding school cancellations. The **NO SCHOOL** announcements for the Brockton Public Schools are made locally by radio station **WATD (95.9 FM)**, by Boston radio station **WBZ (1030 AM)** and by **Boston Television Channels 4, 5 and 7**. Cancellations are also posted on our website: **www.brocktonpublicschools.com** and are reported to parents via phone notifications.

If the Brockton Public Schools are cancelled due to inclement weather, all school facilities will be closed on that day. All Community School, neighborhood school and adult evening classes will also be cancelled. There may be occasions when the Superintendent may decide to close pre-kindergarten only.

Depending upon the severity of the weather conditions and how they impact on the health and safety of students in the Brockton Public Schools, it may be necessary to delay the start of the school day or to dismiss students before their customary dismissal times. These options would be implemented only under certain conditions. As usual, parents should use their own judgment whether or not to send their children to school in severe weather.

Delayed School Openings

The Brockton Public Schools reserves the right to delay the opening of school to deal with unusual conditions that may exist on a particular school morning. The district may opt to delay school by one hour, 90 minutes or 120 minutes. Delays would affect only the opening of school with dismissals taking place at regularly scheduled times. All Smart Start Extended Day morning programs will open at 8:00 AM instead of 7:00 AM. Afternoon sessions will be held as normally scheduled. When delays are announced, the opening of school will occur one hour, 90 minutes or 120 minutes later than normal according to the following schedule (dismissal time will not be affected):

	1-hour delay start	90-Minute Delay Start	2-Hour Delay Start
Brockton High School	8:20 AM	8:50 AM	9:20 AM
Huntington Therapeutic Day School	8:20 AM	8:50 AM	9:20 AM
Gilmore School	8:45 AM	9:15 AM	9:45 AM
Champion High School	9:00 AM	9:30 AM	10:00 AM
Frederick Douglass Academy	9:00 AM	9:30 AM	10:00 AM
Middle Schools	9:05 AM	9:35 AM	10:05 AM
Davis K-8 School	9:15 AM	9:45 AM	10:15 AM
Raymond School	9:15 AM	9:45 AM	10:15 AM
Barrett Russell ECC	9:20 AM	AM Session Cancelled	
Kindergarten & Elementary Schools	10:00 AM	10:30 AM	11:00 AM
Edison Academy	According to Principal		

School transportation pickups will occur one hour, 90 minutes or 120 minutes later than normal. School lunches will be served at their regular times.

The same media that make school cancellation announcements will announce the delay.

Parents are not to send or drop off their children early on days when a delayed opening has been announced.

Early School Dismissals

In the event that severe weather conditions develop after the start of the school day, it may become necessary to release students before the scheduled dismissal time. The decision to release early will be made in the interest of the health and safety of the students and will be announced by the same media that make school cancellation announcements no later than 10:00 a.m. Early dismissals will take place according to **the early dismissal schedule for in-service days** unless unusual conditions dictate otherwise. The customary schedule for in-service early dismissals is as follows:

Barrett Russell ECC	10:40 AM
Huntington Therapeutic Day School	11:00 AM
Brockton High School	11:00 AM
Champion High School	11:00 AM
Frederick Douglass Academy	11:00 AM
Davis K-8 School	11:30 AM
Raymond School	11:30 AM
Middle Schools	11:30 AM
Kindergarten & Elementary Schools	12:15 PM
Gilmore School	12:25 PM
No Pre-K Afternoon Session	

WHEN SCHOOL IS CANCELLED, ALL IN-SCHOOL AND OUTSIDE-OF-SCHOOL ACTIVITIES WILL BE CANCELLED.

School Attendance

Absence Policy

Students must bring a note after each day they are absent, regardless of whether a phone call notification has been made. The note should include the date absent, the reason for the absence and the signature of the parent or guardian. Students will be given the opportunity to make up work for excused absences. Excused absences may be granted for:

1. A doctor, school nurse or parent verified illness or injury which prevents the student from attending school. After five consecutive days, a doctor's note is required for readmission.
2. A death in the family or other significant family crisis.
3. Religious holy days.
4. In the event of a pandemic, other credible evidence may, at the discretion of the building administrator and/or his/her designee, be accepted in lieu of a doctor's note to support a waiver of unexcused absences from school.

If a student has at least five (5) days in which he/she has missed two (2) or more periods unexcused in a school year, or if a student has missed five (5) or more school days unexcused in a school year, the school principal or his/her designee shall make reasonable effort to meet with the parent or guardian of the student to develop action steps for the student's attendance. These action steps shall be developed jointly and agreed upon by the school principal or his/her designee, the student and the student's parent or guardian and with input from other relevant school personnel and officials from relevant public safety, health and human service, housing and nonprofit agencies.

In the event of excessive absences, the Attendance Officer will be called by the school administrator to intervene to work with the family to develop a plan to help the student improve attendance and other state agencies may be notified.

Dismissal Policy

- Dismissals will not be permitted 30 minutes prior to the end of the school day
- Adults dismissing children must present a photo ID and be listed on the emergency form
- A written note, signed by the parent or guardian should be sent to the office stating the date, time, and reason for the dismissal
- Kindergarten dismissal card with the student's name and teacher
- Office dismissal log completed by person dismissing child
 - o Date
 - o Time
 - o Student name
 - o Grade/homeroom
 - o Name of adult dismissing person
 - o Add verification column for office staff to initial at time of dismissal
 - o Office administrative staff must verify child being dismissed with Infinite Campus photo
 - o Nurse Dismissals: must go through main office. If a parent/guardian sends an adult not listed on the emergency form, verbal permission may be granted. A copy of the photo ID is to be taken and filed with the child's emergency form in the office.

Please note: Dismissals will not be permitted 30 minutes prior to the end of the school day. Adults dismissing children must present a photo ID and be listed on the emergency form. A written note, signed by the parent or guardian should be sent to the office stating the date, time, and reason for the dismissal.

Students who walk home or who are picked up by a parent shall have left the premises within 15 minutes of the school's dismissal time; in the event of an emergency, parents are to notify school administrators if they cannot be on time. Grades K and 1 students must be dismissed into the custody of an adult, whether they are being picked up, walked home or arriving on a school bus.

Leaving School Grounds

Students are not permitted to leave school grounds unless they have been dismissed by a parent/guardian and are in the company of the adult stipulated in their dismissal.

Tardiness

The principal will require a meeting with a parent or guardian for excessive tardiness.

Attendance at School Functions in the Evenings

Students who are not in attendance in school during the regular school day are not eligible to attend school functions in the afternoon or evening.

II. Academics and Curriculum

Homework Policy

Homework is defined as written or non-written tasks assigned by a teacher to be completed outside the classroom. These assignments should complement classwork and be relevant to the curriculum. Homework is a natural extension of the school day and an important part of a child's educational experience. It encourages self-discipline, pride in one's work, positive self-esteem, and an interest in learning. Homework reinforces the Brockton home/school connection. Well-implemented homework activities will improve the learning process, aid in the mastery of skills, stimulate interest, and assist students to become lifelong learners.

Homework assignments may range from independent student work to group projects. Assignments should increase in complexity with the maturity of the students. The time to be devoted to homework each day should be consistent for each school at each grade, with the time requirement increasing by grade level. Homework should begin with a few minutes in kindergarten to a maximum of 75 minutes per day, four days a week, in Grade 5. At the secondary level, the complexity of assignments and the time required to accomplish them will increase again, to a maximum of two hours per day in Grades 6, 7 and 8.

Assignments should take into consideration the variables among students such as differences in health, ability, and educational resources at home. Outside resources needed to complete homework assignments should, for the most part, be limited to those available in most homes, school libraries, or the public libraries, and should be required only after students have had instruction in the use of such materials. Homework in the Brockton Public Schools will not be used as a form of punishment under any circumstances. Pleasure reading is a strong component of academic success and should be encouraged above and beyond regular homework assignments.

GRADE	EXPECTED RANGES FOR HOMEWORK
Pre-K & K	Oral language activities Shared reading 2-3 times a week
1	15-20 minutes a day 2-4 times a week
2	15-30 minutes a day 4 times a week
3	30-45 minutes a day 4 times a week
4	30-45 minutes a day 4 times a week
5	45-75 minutes a day 4 times a week

Teacher Responsibilities for Homework

- Inform parents and seek their support of expectations for homework at the start of each school year.
- Distribute the homework policies and procedures and collect the parent's signature pages.
- Provide for students' individual differences by varying homework assignments to acknowledge varied learning styles.
- Establish guidelines for the assessment of homework appropriate to each assignment.
- Give clear, concise directions, allowing time for students' questions.
- Review the progress of long-term projects periodically.
- Provide adequate time for students to prepare for tests
- Collect and record all homework assignments.
- Contact parents if assignments are not completed.

Student Responsibilities

- Develop the habit of recording directions for homework and asking questions for clarification.
- Complete homework assignments accurately, neatly, and on time. Complete assignments missed because of absence within a reasonable time.

Parent Responsibilities

- Sign and return the parent's signature page after reviewing the homework policy.
- Respond to the school's request for support of stated expectations for homework for a given year.
- Expect daily assignments beginning with grade two and insist that students complete them regularly.
- Review progress on long-term assignments periodically.
- Provide a suitable study atmosphere for students where it is quiet, well-lighted, and supervised periodically.
- Maintain the home/school connection through calls and conferences.
- Show interest in the homework being done and assist when needed.
- Insure that the product is the child's own work.
- Take part in the child's learning by providing enriching experiences outside the school day.
- Encourage pleasure reading above and beyond specific homework assignments.

Student Record Regulations

Student Record

The Family Educational Rights and Privacy Act (FERPA) is a federal law that provides two basic rights to parents with regard to student records.

1. The right to inspect and review their child's education records
2. The right to prevent unauthorized persons from seeing the same records

The Commonwealth's student record regulations are designed to ensure parents and students the right to confidentiality, inspection, amendment and destruction of student records, and to assist school authorities in carrying out their responsibilities under state and federal law. To request records, please send a written request to your child's school and/or to the Student Support Services department.

A student's record is any information that is kept about the student in school (examples: grades, test scores, attendance). It is made up of the "transcript" (name, address, courses taken, credits, and grades) and the "temporary record" (progress reports, test scores, class rank, extracurricular activities, and any other relevant education information).

For students 14 years old or older, the rights below belong to the students and their parents or guardian. For students 18 years old or older, the rights below belong to the students alone if they request in writing that only they, and not their parents or guardians, should have these rights.

For students under 14 the rights below belong only to their parents or guardians.

- a. Seeing a student's records - Parents or guardians have the right to see and have copies made of all materials in the record within two weekdays of the request. The school may not charge more than the cost of the copies. As required by M.G.L. ch. 71, § 34H, a non-custodial parent may have access to the student record in accordance with law and Department of Education Regulations. The school district will follow the law and the attachments recommended by the MA Department of Education to standardize the process by which public schools provide student records to parents who do not have physical custody of their children ("non-custodial parents"). The implementation of this policy will hopefully encourage parents to be involved in and informed about the education of their children, while protecting the rights and safety of all parties.
- b. Privacy of a student's records - Certified staff members who work directly with a student may see a student's records when it is necessary to perform their duties. With very few exceptions, no one else may see these records without the written permission of a student/parent or guardian.
- c. Destroying a student's records - The school system must keep a student's transcript for at least 60 years after the student leaves the school system. Temporary records must be destroyed within five years after the student leaves the system. Before any records are destroyed, the student/parent or guardian must be given notice and an opportunity to get a copy.
- d. Amending a Student's Record and Appealing it - A student/parent or guardian may add any relevant written material to the student's record. If there is information in the record that the student/parent or guardian feels is inaccurate, misleading, or irrelevant and the student wants it removed, the student may ask the principal to remove it. If the request is denied, or if the student has any other objections to the school records, there is an appeals process. The Chief Officer for Student Support Services Pupil will supply information about the appeals process.
- e. Notice is given that, under Massachusetts law, Brockton schools will allow access to student records to authorized school personnel of the school to which a student seeks or intends to transfer. (603 CMR 23.00)

Special Education Student Records Policy

State regulations have been adopted regarding the retention and destruction of student records, including special education records. It is the policy of the Brockton Public Schools to comply with all state and federal statutes and regulations regarding student records. Special education records are considered by state regulation to be part of a student's temporary record. The temporary record contains the majority of the information maintained by the school about the student. The information may include such things as standardized test results, class rank, Individualized Educational Programs (IEPs), student progress reports, assessment/evaluation reports, extracurricular activities, and comments by teachers, counselors and other school staff. By state regulation, the temporary record must be kept by the school district for a period not exceeding seven (7) years after the student graduates, transfers or withdraws from the district. Before the records are destroyed, the parent and student will be notified and have an opportunity to receive a copy of any information before its destruction.

III. Code of Conduct

The Rights of Students

A Code of Conduct is a set of policies and rules that, by its enforcement, helps to establish order for the benefit of all.

Qualities of a Code of Conduct are based on

1. An understanding of the student
2. Fairness
3. Consistency

DISCIPLINE IS A SHARED RESPONSIBILITY AND A MUTUAL TRUST. THE INTENT OF ANY CORRECTIVE ACTION SHOULD BE TO ENFORCE THE CODE OF CONDUCT WITH INTEGRITY AND RESPECT.

Administrators, teachers, staff, students and parents shall both verbally and physically treat each other with kindness, courtesy, and respect, which will contribute to a positive and safe learning atmosphere.

- A. Students have the right to take part in school and class activities providing that they are not interfering with the learning process or the rights of other students.
- B. Students have the right to kindness, courtesy and respect from all children and adults.
- C. Students have the right to mental and physical safety, protection of property and environment.
- D. Students have the right to due process, which provides them with the following procedures before any action is taken:
 1. A written or oral notice of the charge(s)
 2. An explanation of the facts which led to the charge(s)
 3. An opportunity to present their side of the story

The Brockton Public Schools adheres to the regulations regarding student discipline and access to education that are embodied in Chapter 222 of the Acts of 2012, and made effective July 1, 2014.

BPS Policies and Procedures Regarding Student Discipline

- Require the use of discretion and professional judgment;
- Respect the rights of students and families to due process, including the right to notice, opportunity to be heard before consequences are imposed, and fairness, including consideration of the unique circumstances presented;
- Consider the use of alternatives to suspension;
- Allow students the opportunity to make academic progress during time of suspension;

Overall, BPS practice regarding student discipline seeks to provide a supportive school environment in which students have opportunities to mature and develop into responsible citizens, while respecting the need to maintain a safe and orderly school community.

Students are subject to the Code of Conduct in school, on school property, on the way to or from school, on field trips, at athletic contests, at PAC/PTA and school-sponsored events, and on school- provided transportation.

Extracurricular Activities

Students have the privilege of participating in school-sponsored activities. They have the responsibility to adhere to rules, standards and qualifications set forth in order to participate in those extracurricular activities. At the discretion of the principal, students who have chronic school offenses or who commit serious acts against the Code of Conduct or other reasons, in addition to the discipline penalty, may also lose the privilege of participating in extracurricular events, such as field trips or other activities.

Malicious Damage to School or Personal Property/Stealing

Misappropriation, misuse of school or personal property will not be tolerated. Restitution shall be made for the full amount of loss.

Bringing Novelty Items to School

Students occasionally bring items to school which not only interfere with the educational process, but also present potential danger and may cause injury to fellow students. Lasers, caps, fun snaps, iPods, Gameboys and other electronic games and devices, toys of any kind, and collectible cards are just a few examples of what are considered novelty items. Students are advised that these and similar types of items are not to be brought to school. This will ensure the safety of students as well as eliminate disruption to the educational environment. **The School Is Not Responsible for Any of These Lost or Stolen Items.**

Behaviors Meriting Corrective Action Which May Result in an Out-of-School Suspension or Expulsion

Behaviors which are Unacceptable are included in, but are not limited to the following:

1. Use of alcohol and/or a controlled substance
2. Possession or use of tobacco products
3. Fighting
4. Endangering the physical safety of another by the use of force or threat of force
5. Acting in a way that endangers the health and safety of students or other members of the school community, including verbal or written threats, including all electronic messages
6. Assault of a student
7. Assault of a staff member
8. Verbal, physical, sexual or written harassment of any kind against another individual
9. Stealing or damaging another's property
10. Stealing or damaging school property
11. Forcing another to surrender his/her belongings
12. Wanton and malicious vandalism
13. Endangering others by unauthorized use of lighters, matches, fireworks, flammables, extinguishers
14. Arson on school property
15. Possession or use of a dangerous weapon (real or simulated)
16. Abusive language to staff
17. Accessing, possessing, or distributing inappropriate material (print, graphic, audio, visual)
18. Wearing clothing which could be disruptive or distracting to the educational process, or which could affect student safety
19. Wearing or displaying clothing which has explicitly violent, obscene or sexually suggestive language or designs, which advertises alcohol or illegal substances, or which identifies students as members in a gang
20. Cursing, swearing, making obscene remarks or gestures
21. Disrespect to staff
22. Unauthorized selling of materials
23. Excessive rough playing
24. Interfering with the teaching/learning process
25. Pulling a false fire alarm
26. Entering or leaving the building or classroom without permission (except in emergency or a threatened emergency)
27. Being anywhere in the building or on school property without authorization
28. Using racial slurs
29. Using or throwing objects as a means of physical abuse
30. Bullying and/or cyberbullying

It is unnecessary to specify a particular penalty for each offense because under Normal Progressive Disciplinary Procedures, the principal has the discretion to choose among a variety of procedures listed according to varying circumstances.

Normal Progressive Code of Conduct Procedures

Circumstances will determine the particular order and selection of procedures as noted below.

- A. Teacher - The teacher will employ classroom behavior management techniques with appropriate consequences/rewards.
 1. Correction of student by teacher
 2. Informal teacher-student conference: confer privately with student at the earliest opportunity
 3. Detention (prior notification to parent)
 4. Telephone call to the parent/guardian with notification to the principal
 5. Approved letter home
 6. Informal teacher-parent conference
 7. Referral to principal: written and concise
- B. Principal
 1. Conference with both student and teacher
 2. Warning to student of possible subsequent actions
 3. Telephone call to the parent/guardian
 4. Letter home
 5. Loss of privileges
 6. Principal-parent conference
 7. Restitution of damaged or stolen items in money or time
 8. Make referrals to appropriate staff

- a) School Adjustment Counselor
 - b) Instructional Support Team
 - c) Crisis Intervention
 - d) Other appropriate referrals such as medical, court, outside agencies
9. In-house suspension
 10. Out-of-school suspension. The parent must accompany the child back to school at the end of the suspension.
 11. Recommendation for expulsion after discussion with appropriate personnel

Due Process Procedures

Eligibility to Participate in School Activities and Events

Extra-curricular activities and events are an important part of the educational experience for our students, but participation in these activities is a privilege, not a right. The variety of clubs, activities and events is extensive and students are encouraged to become involved in one or more of these opportunities.

Participation in clubs and activities at Brockton Public Schools and attending school-sponsored, school-related events is a privilege afforded to students who remain in good standing. To participate in school activities, events and clubs, students are expected to maintain good attendance and demonstrate good behavior and citizenship during school and at school-sponsored events. Eligibility for participation in activities, events, clubs, awards, scholarships and honorary positions at Brockton Public Schools is limited to students who are currently enrolled in and attending Brockton Public Schools in good standing. Students not meeting these expectations may be excluded at the discretion of the Principal or his/her designee. A student's removal from extracurricular activities and attendance at school sponsored events is not subject to the procedural requirements of M.G.L. ch. 71, § 37H¾ (Principal's Hearing). The removal is not a suspension for the purpose of counting the school days that a student is suspended. Parents will be notified when a student is removed or excluded from extracurricular activities.

Suspensions

The Brockton Public Schools adheres to the Student Discipline Laws and Regulations as set forth in M.G.L. ch. 71, §§ 37H, 37H½ and 37H¾ and 603 CMR 53.00 et seq.

In-School Suspension Procedures

In accordance with 603 CMR 53.10, In-School Suspension under M.G.L. ch. 71, § 37H¾, a student may be removed from regular classroom activities, but not from the school premises, for up to ten (10) consecutive school days or up to ten (10) school days cumulatively for multiple infractions during the school year. Students who are placed in in-school suspension shall have the opportunity to earn credits, make up assignments, tests, papers, and other school work as needed to make academic progress during the in-school suspension.

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

Notice of In-School Suspension

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

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

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

Parent Meeting

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

No Right to Appeal

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

Out-of-School Suspension Procedures Under M.G.L. ch. 71, § 37H¾

Due Process Procedures for Out-of-School Suspensions

There are two types of out-of-school suspensions, Short-Term Suspensions and Long-Term Suspensions under ch. 71, § 37H¾. The principal or his/her designee shall determine the extent of the rights to be afforded the student at a disciplinary hearing based on the anticipated consequences for the disciplinary offense. If the consequence may be long-term suspension from school, the principal or his/her designee shall afford the student, additional rights as described below, in addition to those rights afforded to students who may face a short-term suspension from school. All students facing out-of-school suspension shall have the right to oral and written notice, as described below.

Notice for Any Out-of-School Suspension

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

- a) the disciplinary offense;
- b) the basis for the charge;
- c) the potential consequences, including the potential length of the student's suspension;
- d) (d) the opportunity for the student to have a hearing with the principal or his designee concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident, and for the parent to attend the hearing;
- e) the date, time, and location of the hearing;
- f) the right of the student and the student's parent to interpreter services at the hearing if needed to participate;
- g) if the student may be placed on long-term suspension following the hearing with the principal:
 - 1. the rights set forth in 603 CMR 53.08(3)(b); and
 - 2. the right to appeal the principal's decision to the superintendent.

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

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

Emergency Removal of Student

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

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

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

Short-Term Suspension Procedures Under M.G.L. ch. 71 § 37H¾

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

Principal Hearing - Short-term Suspension

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

No Right to Appeal

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

Long-Term Suspension Procedures Under M.G.L. ch. 71, § 37H½

A Long-Term Suspension is the removal of a student from the school premises and regular classroom activities for more than ten (10) consecutive school days, or for more than ten (10) school days cumulatively for multiple disciplinary offenses in any school year. The principal or his/her designee, may, in his or her discretion, may allow a student to serve a long-term suspension in school. Except for students who are charged with a disciplinary offense set forth in M.G.L. ch. 71, § 37H, or in M.G.L. ch. 71, § 37H½, no student may be placed on long-term suspension for one or more disciplinary offenses for more than ninety (90) school days in a school year beginning with the first day that the student is removed from school. No long-term suspension under M.G.L. ch. 71, § 37H½ shall extend beyond the end of the school year in which such suspension is imposed. Any student facing a potential long-term suspension is entitled to a hearing with the Principal or his/her designee with the following process

Principal Hearing - Long-Term Suspension

- a) The purpose of the hearing with the principal or his/her designee is to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction. At a minimum, the principal or his/her designee shall discuss the disciplinary offense, the basis for the charge, and any other pertinent information. The student also shall have an opportunity to present information, including mitigating facts, that the principal should consider in determining whether other remedies and consequences may be appropriate as alternatives to suspension. The principal or his/her designee shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the principal should consider in determining consequences for the student.
- b) In addition to the rights afforded a student in a short-term suspension hearing, the student shall have the following additional rights:
 1. In advance of the hearing, the opportunity to review the student's record and the documents upon which the principal may rely in making a determination to suspend the student or not;
 2. the right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense; 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;
 3. the right to cross-examine witnesses presented by the school district;
 4. the right to request that the hearing be recorded by the principal, and to receive a copy of
 5. the audio recording upon request. If the student or parent requests an audio recording, the principal shall inform all participants before the hearing that an audio record will be made and a copy will be provided to the student and parent upon request.
- c) The principal or his/her designee shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the principal should consider in determining consequences for the student.
- d) Based on the evidence, the principal or his/her designee shall determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension. The principal or his/her designee shall send the written determination to the student and parent by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or any other method of delivery agreed to by the principal and the parent. If the principal or his/her designee decides to suspend the student, the written determination shall:
 1. Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing;
 2. Set out the key facts and conclusions reached by the principal;
 3. Identify the length and effective date of the suspension, as well as a date of return to school;
 4. Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school;
 5. Inform the student of the right to appeal the principal's decision to the superintendent or designee, but only if the principal has imposed a long-term suspension. Notice of the right of appeal shall be in English and the primary language of the home if other than English as determined by the home language survey, or other means of communication where appropriate, and shall include the following information stated in plain language:
 - a) the process for appealing the decision, including that the student or parent must file a written notice of appeal with the superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent may request and receive from the superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days; and that the long-term suspension will remain in effect unless and until the superintendent decides to reverse the principal's determination on appeal.

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

Superintendent's Appeal Hearing Under M.G.L. ch. 71, § 37H^{3/4}

- a) 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.
- b) The student or parent shall file a notice of appeal with the superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent may request and receive from the superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days. If the appeal is not timely filed, the superintendent may deny the appeal, or may allow the appeal in his or her discretion, for good cause.
- c) 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.
- d) 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.
- e) 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.
- f) The student shall have all the rights afforded the student at the principal's hearing for long-term suspension.
- g) The superintendent shall issue a written decision within five (5) calendar days of the hearing which meets the requirements of 603 CMR 53.08(3)(c)1 through 5. If the superintendent determines that the student committed the disciplinary offense, the superintendent may impose the same or a lesser consequence than the principal, but shall not impose a suspension greater than that imposed by the principal's decision.
- h) The decision of the superintendent shall be the final decision of the school district, with regard to the suspension.

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

Exclusion/Expulsion Under M.G.L. ch. 71, § 37H

In accordance with M.G.L., ch. 71, § 37H, a student may be excluded or expelled from school under the following circumstances:

- a) Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun, a knife, or their facsimile, or anything used in the commission of assault and battery; or a controlled substance as defined in Chapter 94 C, including, but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from the school or school district by the principal.
- b) Any student who assaults a principal, assistant principal, teacher, teacher's aide, or other educational staff on school premises or at school-sponsored or school-related events, including athletic games, may be subject to expulsion from the school or school district by the principal.
- c) Any student who is charged with a violation of either paragraph (a) or (b) shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at a hearing before the principal. After said hearing, a principal may, in his/her discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraph (a) or (b).
- d) Any student who has been expelled from a school district pursuant to these provisions shall have the right to appeal to the superintendent. The expelled student shall have ten days from the date of the expulsion in which to notify the superintendent of his/her appeal. The student has the right to counsel at a hearing before the superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section.
- e) If the student moves to another district during the period of suspension or expulsion, the new district of residence shall either admit the student to its schools or provide educational services to the student in an education service plan.

- f) Any student who is suspended or expelled pursuant to this section shall have the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal.
- g) Any student who is suspended or expelled pursuant to this statute for more than ten (10) consecutive days shall have the opportunity to receive education services and made academic progress toward meeting state and local requirements, through the school-wide education service plan.

Felony Complaint or Conviction Under M.G.L. ch. 71, § 37H½

Pursuant to M.G.L. ch. 71, § 37H½, the following procedures shall be implemented for students charged with or convicted of a felony:

- a) Upon the issuance of a criminal complaint charging a student with a felony or upon the issuance of a felony delinquency complaint against a student, the principal or headmaster of a school in which the student is enrolled may suspend such student for a period of time determined appropriate by said principal or headmaster if said principal or headmaster determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of this right to appeal and the reasons for such suspension taking effect. Upon expulsion of such student, no school or school district shall be required to provide educational services to the student shall also receive written notification of this right to appeal and the process for appealing such suspension; provided however, that such suspension shall remain in effect prior to any appeal hearing conducted by the superintendent.
- b) The student shall have the right to appeal the suspension to the superintendent. The student shall notify the superintendent in writing of his request for an appeal no later than five calendar days following the effective date of the suspension. The superintendent shall hold a hearing with the student and the student's parent or guardian within three calendar days of the student's request for an appeal. At the hearing, the student shall have the right to counsel. The superintendent shall have the authority to overturn or alter the decision of the principal or headmaster, including recommending an alternate educational program for the student. The superintendent shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the city, town, or regional school district with regard to the suspension.
- c) Upon a student being convicted of a felony or upon an adjudication or admission in court of guilt with respect to such felony or felony delinquency, the principal or headmaster of a school in which the student is enrolled may expel said student if such principal or headmaster determines that the student's continued presence in school would have a detrimental effect of the general welfare of the school. The student shall receive written notification of the charges and reasons for such expulsion prior to such expulsion taking effect. The student shall also receive written notification of his right to appeal and the process for appealing such expulsion; provided, however, that the expulsion shall remain in effect prior to any appeal hearing conducted by the superintendent.
- d) The student shall have the right to appeal the expulsion to the superintendent. The student shall notify the superintendent, in writing, of his request for an appeal no later than five calendar days following the effective date of the expulsion. The superintendent shall hold a hearing with the student and the student's parent or guardian within three calendar days of the expulsion. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The superintendent shall have the authority to overturn or alter the decision of the principal or headmaster, including recommending an alternate educational program for the student. The superintendent shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the city, town, or regional school district with regard to the expulsion.
- e) Any student who is suspended or expelled pursuant to this section shall have the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal.
- f) Any student who is suspended or expelled pursuant to this statute for more than ten (10) consecutive days shall have the opportunity to receive education services and made academic progress toward meeting state and local requirements, through the school-wide education service plan.

Education Services and Academic Progress Under M.G.L. ch. 71, §§ 37H, 37H½ and 37H¾

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

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

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

Please note: in some cases, after a disciplinary hearing, the principal has the prerogative to refer students to the Deputy Superintendent for placement in an alternative school setting.

Please note: the school department reserves the right to transfer students for the safety and general well-being of the student population.

Code of Conduct Provisions for Students with Disabilities

Procedures for suspension(s) not exceeding 10 school days

- Any student with a disability may be suspended for up to ten (10) school days during a school year. Disciplinary decisions are the same as for students without disabilities and in accordance with the due process procedures in this handbook.
- The school provides additional procedural safeguards for students with disabilities prior to any suspension beyond 10 consecutive days or more than 10 cumulative days (if there is a pattern of suspension) in any school year.

Procedures for suspension(s) exceeding 10 school days

- If your child is suspended for more than 10 school days in a school year, this removal is considered a “change of placement”. A change of placement invokes certain procedural protections under federal special education law and Section 504.
- Prior to any removal that constitutes a change of placement, the school may convene a Team meeting to develop a plan for conducting a functional behavioral assessment (FBA) that will be used as the basis for developing specific strategies to address your child’s problematic behavior.
- Prior to any removal that constitutes a change in placement, the school must inform you that the law requires the school district consider whether or not the behavior that forms the basis of the disciplinary action is related to your child’s disability. This consideration is called a “manifestation determination”. Parents have a right to participate in this process. All relevant information will be considered including the IEP or Section 504 Plan, teacher observations, and evaluations reports.
- At a manifestation determination meeting, the Team will consider:
 - Did the student’s disability cause or have a direct and substantial relationship to the conduct in question?
 - Was the conduct a direct result of the district’s failure to implement the IEP?
- If the manifestation determination decision is that the disciplinary action was related to the disability, then your child may not be removed from the current educational placement (unless under the special circumstances or parents agree). The Team will review the IEP or Section 504 Plan and any behavioral intervention plans and may amend those plans as appropriate. The Team will complete a functional behavior assessment and behavior intervention plan if it has not already done so.
- If the manifestation determination decision is that the disciplinary action was not related to the disability, then the school may suspend or otherwise discipline your child according the school’s code of conduct. The Team may, as appropriate, complete a functional behavioral assessment and behavioral intervention services and modification, to address the behavior so that it does not recur. For students with IEPs, during the period of time of removal from school that exceeds 10 school days, the school district must provide educational services that allow your child to continue to make educational progress. For students with Section 504 Plans, there is no automatic right to receive educational services beyond the 10th school day of suspension under federal law, however, state law does provide all students with the rights to receive educational services during periods of suspensions lasting longer than ten days.

Special Circumstances for Exclusion

- Special circumstances exist if your child: possesses, uses, sells or solicits illegal drugs on school grounds or at a school-sponsored event; carries a weapon to school or a school-sponsored event; or inflicts serious bodily harm upon another person at school or a school-sponsored event. Under these circumstances, the principal may place your child in an interim alternate educational setting (IAES) for up to 45 school days. Your child may remain in this IAES for a period of time not to exceed 45 school days. Thereafter, your child will return to the previously agreed-upon placement unless a hearing officer has ordered another placement, or you and the school agree to another placement. For students with Section 504 Plans, there is no automatic right to receive educational services beyond the 10th school day of suspension under federal law, however, state law does provide all students with the rights to receive educational services during periods of suspensions lasting longer than ten days.

School personnel will provide Parent's Notice of Procedural Safeguards (Special Education) or Notice of Parent and Student Rights Under Section 504 for students with disabilities prior to any suspension exceeding 10 school days in one school year. These notices will provide an explanation of the process should there be disagreement regarding the manifestation determination or any placement decision. Parent, guardian and/or student may petition Bureau of Special Education Appeals for a hearing or the Office for Civil Rights (Section 504).

Procedural Requirements Applied to Students Not Yet Determined to be Eligible for Special Education or a 504 Plan

- a) If, prior to the disciplinary action, a district had knowledge that the student may be a student with a disability, then the district makes all protections available to the student until and unless the student is subsequently determined not to be eligible. The district may be considered to have prior knowledge if:
 1. The parent had expressed concern in writing; or
 2. The parent had requested an evaluation; or specific concerns about a pattern of behavior demonstrated by the student. The district may not be considered to have had prior knowledge if the parent has not consented to evaluation of the student or has refused special education services, or if an evaluation of the student has resulted in a determination of ineligibility.
- b) If the district had no reason to consider the student disabled, and the parent requests an evaluation subsequent to the disciplinary action, the district must have procedures consistent with federal requirements to conduct an expedited evaluation to determine eligibility.
- c) If the student is found eligible for an IEP or 504 Plan, then one receives all procedural protections subsequent to the finding of eligibility.

Massachusetts Regulations on Restraining Students

The Massachusetts Legislature has enacted regulations regarding the physical restraint of students. A copy of the Brockton Public Schools' procedure will be available at the main office of your school. The District's use of physical restraints is consistent with 603 CMR 46.00.

Use of Time Out Room

Building staff may utilize a time-out room in cases where students exhibit behaviors that are unsafe to themselves or others. Procedures governing the use of time-out rooms are available upon request. They include a log for documentation purposes and require parental notification. The District's use of time-outs is consistent with 603 CMR 46.00.

Bullying and Cyberbullying

It is the policy of the School Committee to prohibit any and all forms of bullying in all schools in compliance with M.G.L. ch. 71, § 37O. The School Committee is committed to providing an educational environment which is free from bullying and cyberbullying. Bullying/cyber-bullying is the unwelcome, written, electronic, verbal or physical act or gesture where a student feels intimidated, coerced, harassed, or threatened by students or school staff members. Parents/ guardians who feel that their child is the victim of bullying/cyberbullying, or the students themselves, may contact any member of the school staff who will immediately report the incident to the school leadership team. The designated member of the leadership team will conduct an investigation and will communicate with the parents/guardians of the victim(s) and perpetrator(s) throughout the process. At the conclusion of the investigation process at the school level, the investigation form will be sent to the school system's Equity Officer. The Chief Officer for Student Support Services is the designated Equity Officer for cases involving students.

Definition of Bullying

Bullying is defined as “the repeated use by one or more students or a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a victim that: (i) causes physical or emotional harm to the victim or damage to the victim’s property; (ii) places the victim in reasonable fear of harm to oneself or of damage to one’s property; (iii) creates a hostile environment at school for the victim; (iv) infringes on the rights of the victim at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school. For the purposes of this section, bullying shall include cyberbullying.”

Definition of Cyberbullying

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

Bullying Shall Be Prohibited

(i) on school grounds, property immediately adjacent to school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a school district or school, or through the use of technology or an electronic device owned, leased or used by a school district or school and (ii) at a location, activity, function or program that is not school-related, or through the use of technology or an electronic device that is not owned, leased or used by a school district or school, if the bullying creates a hostile environment at school for the victim, infringes on the rights of the victim at school or materially and substantially disrupts the education process or the orderly operation of a school.

Nothing contained herein shall require schools to staff any non-school related activities, functions, or programs.

Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying shall be prohibited. Making false allegations, providing discriminatory statements, and making defamatory statements is prohibited and engaging in such activity will be reported to the appropriate authorities.

The Brockton Public School District understands that members of certain student groups, such as students with disabilities, students who are gay, lesbian, bisexual, or transgender, and homeless students may be more vulnerable to becoming targets of bullying, harassment, or teasing. The Brockton Public Schools will take specific steps to create a safe, supportive environment for vulnerable populations in the school community, and provide all students with the skills, knowledge, and strategies to prevent or respond to bullying, harassment or teasing.

Threats

Making any threats verbally, written, through a third party, through any Social Media platform, text messages, or with gestures will result in a due process hearing with a possibility of long term suspension or other disciplinary consequences.

Search of Persons/Property

To safeguard the property and lives of our students, staff and administration, to help prevent the possession, sale and use of illegal drugs on the school premises, and to support the school’s prohibition of possessing weapons on the school premises, the Brockton Public Schools reserves the right to search the person and/or property of students and visitors. Therefore, any person entering the premises of our school will be deemed to have conceded to a reasonable search of their person and effects therefore, school administrators and officials may conduct reasonable searches on the school property of lockers, desks, vehicles and personal belongings such as purses, book bags, wallets and satchels with or without probable cause.

Use of Surveillance Cameras

The Brockton Public Schools is committed to providing a safe and secure learning environment. The district uses surveillance cameras when necessary in school buildings, buses, and/or on school grounds. The purpose of the surveillance cameras within the school district is to promote discipline, health, welfare and safety of staff and students, as well as that of the general public. Surveillance cameras are only utilized in public areas where there is no reasonable expectation of privacy. Students observed by video surveillance in acts which break school district policy, procedures, or disciplinary guidelines will be subject to the consequences or sanctions imposed for violating those policies, procedures or disciplinary guidelines, which may include criminal charges. Surveillance cameras are monitored by district staff and local law enforcement.

IV. Student Safety and Transportation

Emergency Move to an Alternative Site

In rare circumstances of an emergency nature, such as loss of heat, water, etc., a school may be required to move students from the home school to a pre-arranged alternate site without prior notification to the parent/guardian. In the event of such an occurrence, the school will make an automated phone call to parents and will also send home a notice explaining the emergency.

Bus Behavior

Violation of any item listed below may result in the immediate suspension of the bus privilege and/or suspension from school by the principal.

Since riding the school bus is a privilege and not a right, the following is expected:

1. The student code of conduct applies to behavior on the school bus.
2. The students shall remain back from the roadway and behave in an orderly manner while waiting for the bus.
3. Upon entering the bus, students must go directly to a seat and remain seated until told to leave. They shall obey the directions of the bus driver at all times. Disorderly conduct, shouting or throwing things on the bus will not be tolerated.
4. The students shall keep their arms, heads, hands, and legs inside the bus. They shall not throw anything out of the window. They shall not litter or deface the bus. They must keep aisles clear. If seat belts are available, they must be worn.
5. The emergency door is to be used for emergencies only.
6. The students shall not ride any buses other than the one to which they have been assigned.
7. After a series of warnings, both written and verbal, the student can be temporarily or permanently suspended from bus privileges.

Kindergarten Transportation Policy

- Transportation will be provided for kindergarten students.
- Children can walk to the nearest bus stop.
- No bus monitors are available on the elementary bus for supervision of students
- Students in Kindergarten through grade five ride the elementary buses (Davis School – K-8)
- **Parents of kindergarten children are expected to make sure that someone meets their child at the bus stop each day. Parents should make sure that contingency plans are in place for the rare instance when an adult cannot meet the bus.**

If parents of kindergarten students object to, or are concerned about any of these conditions, it is their responsibility to provide transportation for their children. Many parents solve the transportation dilemma by walking or driving their children to school, carpooling with other parents at the school, hiring private transportation for their children or having their children attend the Smart Start Extended Day at their school (if available). Smart Start begins at 7:00 a.m. and is fee-based. Parents may drop their children at the school at 7:00 a.m. and pick them up by 6:00 p.m. Child care vouchers are accepted by the Smart Start Program. You may contact the Smart Start Program at the individual schools for more information.

V. Media

Media Release

Sometimes schools receive requests from media outlets to interview, audio tape and videotape students as part of their reporting of programs and events at the school. Additionally, Brockton Public Schools has a web page, and occasionally digitized images of students are displayed, again, as part of the reporting of positive events at schools. **Should you as parent/guardian object to the inclusion of your son/daughter in such media events, you should notify school administration of your wishes in writing, and they will be honored.**

Because of the size of the Internet, many kinds of materials eventually find their way onto the system. Should a user happen to find materials that may be deemed inappropriate while using the Brockton Public Schools Internet account, the user shall refrain from downloading this material, and shall not identify or share the location of this material. Be aware that the transfer of certain kinds of materials is illegal and punishable by fine or jail sentence. In addition, the Brockton Public Schools take no responsibility for any information or materials that are transferred through the Internet.

Cell Phone Policy

Students may not use cell phones inside the building at any time. **Phones and all functions must be kept turned off at all times inside the building.** A student who fails to follow this policy will be subject to disciplinary action and the phone will be confiscated and returned at a later date.

Cell Phone/Electronic Device Searches

The search of cell phones or electronic devices for pictures, text messages, video, audio, uploaded and downloaded online materials, pertinent to a specific investigation regarding a violation of Brockton Public Schools policy or procedure is permissible if the search is reasonable in its inception and justified in its scope. Acceptable searches may include, but are not limited to:

- Video and pictures of assaults and fighting
- Evidence of harassment/intimidation/bullying
- Graffiti/destruction of property
- Possession, use, or distribution of controlled substances, illegal drugs, or alcohol
- Identification of ownership of stolen or lost devices

If a search of an electronic device is found to contain evidence pertinent to an investigation, the school administration has the sole discretion to hold on to the device, contact the police, or give the device to law enforcement officials.

Internet Access: Acceptable Use Policy

The purpose of these guidelines regarding network access, email and Internet usage is to make certain that all who use these resources, both students and faculty, do so in an appropriate manner. The use of the network is a privilege, not a right, which may be revoked at any time for abuse of this privilege. Violations of this policy may result in a loss of access as well as other disciplinary or legal action.

The primary purpose of the Internet connection is educational. Network administrators may review file and communications to maintain system integrity and ensure that users are using the system responsibly. All data stored or transmitted on any district electronic device or transmitted from any device on the district network may be monitored, retrieved, downloaded, printed, copied at any time and without notice, as staff and students have no right to privacy with regard to such data. This information may be disclosed to others, including law enforcement agencies.

Users **are not** permitted to:

- harass, insult, threaten, bully or attack others from home or school computers
- send or display offensive materials
- use the network to perform any illegal or unethical act
- violate copyright laws or plagiarize
- use another's password or access another's folders, files or documents

The Brockton Public Schools complies with FCC regulations as specified in the Children's Internet Protection Act (CIPA-P.L. 106-554) by providing filtering on all computers that students use.

VI. Health and Wellness

Guidelines to Assist You Decide If Your Child Should Stay Home from School

- **Fever of 100 or more** - Stay home for 24 hours after fever is gone and encourage fluids.
- **Vomiting or diarrhea** - Stay home 24 hours after last episode and encourage fluids.
- **Sore throat** - Note that strep throat may be present without a fever, and may have symptoms of headache and stomachache.
- **Runny nose, cough** - A day or two of rest, light diet with extra fluids and less dairy products will help resolve a cold, and will be a help in minimizing the spread of cold virus at school. A child who is feeling run down, losing sleep due to their cold, or sneezing and coughing is not going to be able to attend to learning.
- **Earaches** - If these last more than a day or if pain is severe, please see your health provider.
- **Impetigo or other skin rash** - Please have these identified and treated for 24 hours before returning to school. Consult with the school nurse with any questions.
- **"Pinkeye" or conjunctivitis** - A draining, itchy eye that is red must be treated with antibiotic eye medicine before child returns to school.

Preventative Health Care Is Most Important. Talk to your child about the importance of hand washing and encourage it at home and school. Remember, hand washing is the single most important thing we can all do to stay healthy.

Make certain that your child gets the appropriate amount of sleep. Please feel free to contact the nurse at your child's school and discuss any health issues that may be causing you concern.

Food from Home

In an effort to support the BPS Wellness Policy and in response to the occurrence of students with food based allergies in our schools, parents/guardians should refrain from sending in outside food/candy/drinks to share with the class. As part of the district-wide initiative to discourage the use of food as a reward, both teachers and parent/guardians are encouraged to recognize and celebrate students by methods that do not involve food.

Medication Misuse

In every case where a student is required to take medication in school, a parent or guardian shall refer to and follow the regulations regarding the taking of medication in school. In this way the student will have no justification for carrying medication of any kind. Therefore, any medication found on a student's person will constitute a violation of the school policies and regulations, with the exceptions of the following prescription medications upon prior approval of the school nurse and with the appropriate physician's orders:

1. Students with asthma or other respiratory diseases may possess and self-administer prescription inhalers under the rules for Student Self-Administration of Medication.
2. Students with cystic fibrosis may possess and self-administer prescription enzyme supplements under the rules for Student Self-Administration of Medication.
3. Students with diabetes may possess and self-administer glucose monitoring tests and an insulin delivery system under the rules for Student Self-Administration of Medication.

Therefore, if medication is prescribed to a student, parents must hand deliver the medication to the school nurse with a doctor's prescription and a timetable for its dispensation.

The school district will, through the district nurse leader, register with the Department of Public Health and train designated personnel in the use of Epi-pens.

Medical Assessment

The Brockton Public Schools reserves the right to obtain a second opinion in the event of a serious injury and will follow the procedure outlined in the Health Services Manual, i.e., the school will get help immediately, including an ambulance.

Dress Code

Students should be dressed so that it does not interfere with their health, safety and welfare or is not distracting to the educational process:

- a) **HATS, SCARVES, BANDANAS, HEADBANDS, WAVE CAPS, ROLLER BLADE SNEAKERS, COATS AND OUTER GARMENTS are not to be worn in the building at any time. They are to be placed in assigned lockers. Sweatshirt and shirts with hoods may be worn but students are not permitted to wear the hoods up or covering their heads or faces at school or on school property.**
- b) Cutoffs, tank tops, halter-tops, tube tops, muscle shirts, pajamas, spandex clothing or any garment that reveals the midriff are not allowed.
- c) Skirts and shorts must measure to at least mid-thigh length. Nothing shorter is allowed. Shorts that are cut off should be reasonably hemmed. (Physical Education teachers and coaches will advise students on the proper dress for their activities.)
- d) Pants must be worn at or above the waist and undergarments must not be showing. Ripped pants and pants with holes are not permitted.
- e) Transparent and/or low-cut blouses and shirts are not permitted.
- f) Flip flops are not permitted.
- g) Any item of clothing that has been intentionally torn or cut above the knee to create holes is not allowed. (Dress regulations for Physical Education classes and Athletics may differ.)
- h) Any student in violation of the dress code may call a parent for appropriate clothing or sign out sweatpants and a T-shirt from the Principal's office.

Fragrance Sensitivity Awareness

Perfume, cologne, and scented body sprays and lotion are common irritants that can adversely affect the health of certain individuals. Exposure to fragrance can trigger asthma, migraine headaches, and other severe health ailments in people who are sensitive to chemicals. BPS is committed to the health and safety of all students and staff. Minimizing the use of fragrances within our schools is a crucial step in creating and maintaining a healthy environment for everyone. Therefore, we kindly ask that you refrain from wearing strong smelling fragrances at school.

Physical Education Dress Code Guidelines

Safety is a primary concern, and for that reason all Brockton Public Schools students are to be dressed appropriately for physical education class. Clothing should be appropriate for the activity and non-restrictive. Footwear will be non-skid sneakers. No jewelry of any kind will be allowed on a student's body during physical education classes.

Drug and Alcohol Policy

The Brockton School Committee policy is to uphold and enforce the laws of the Commonwealth of Massachusetts relating to the unlawful possession and unlawful distribution of controlled substances and alcoholic beverages.

The School Drug/Alcohol Policy established for the Brockton Public Schools is based upon the concept that the role of the school is basically educational and rehabilitative. Consequently, the major concerns of the school with regard to drug and alcohol use and abuse are the welfare of the individual student and the general welfare of the school population; however, in order to safeguard individual and general welfare and safety, the school may at times initiate medical, psychological, social and legal safeguards in the case of drug and alcohol abuse.

School Related Activities -All drug policies adopted for the regular school day are in force in school, on the way to and from school, and during all school related activities, including on school buses. Occasionally a student may disrupt a school function or activity by an acutely abnormal or bizarre personality display. If the disruption persists and no reason can be determined for the obvious and sudden personality change, the parent will be called immediately.

(If any of the following infractions occur at the primary grade level, it may be assumed that the child is not responsible but rather the parent/guardian has some level of responsibility whether it be child neglect and/or abuse. In these cases, the matter will be reported to the School Police and the Department of Children and Families.)

Search for Contraband Materials

1. **Search of Lockers** - According to an opinion by the Attorney General, under the circumstances of a clear and present danger to individual and general well-being and to the maintenance of discipline and order in the school, the principal or designee shall have the right and duty to inspect students' lockers and the contents therein without prior judicial authorization or police participation. Courts have generally held that the school principal has a reasonable right of inspection of school property and premises including student lockers and desks.
2. **Search of Students** – If there is reasonable suspicion to believe that a student is in possession of a controlled substance, and if the circumstances permit, a member of the school administrative staff may search, in the presence of a witness, an individual student's person or any belongings which are on his/her person. This includes clothing, pockets, wallets, purses, backpacks, lunch boxes, etc.
3. **Rights of Questioned Students** – Parental notification will be made in any police interrogation situation which carries an implication of possible allegation of guilt, or the furnishing of information leading to an indictment. The designated official of the school will maintain an informal record of the interview showing the time, place, persons, and summary of discussion and findings.

The Role of the Principal and School Police

The principal bears the responsibility for the welfare of the student body. It is, therefore, required that the principal be informed of drug and alcohol abuse in the school. The principal and/or designee will decide on a follow-up plan in each case of reported drug and alcohol abuse. The school adjustment counselor will be involved. The Brockton School Police will assist the principal's office whenever this assistance is needed.

Screening Brief Intervention and Referral to Treatment (SBIRT)

Brockton Public Schools will participate in SBIRT, which is a public health approach to delivering early intervention to anyone who uses alcohol and/or drugs in unhealthy ways. Because school nurses and counselors are uniquely positioned to discuss substance use among young people, it is recommended that schools allow for opportunities for appropriately trained staff to reinforce prevention, screen for substance use, provide counseling and make referrals as necessary to all adolescents, including students in upper elementary and middle school grades. Adolescent Screening, Brief Intervention, and Referral to Treatment (SBIRT) focuses on prevention, early detection, risk assessment, brief counseling and referral intervention that can be utilized in the school setting. School nurses will use a validated screening tool to detect risk for substance use-related problems and to address them at an early stage in adolescents. If a student's parent/guardian does not want their child to be screened, the parent/guardian should contact the school in writing by October 1 of the academic year to opt-out of the screening.

Readmission to School: Policies and Procedures

Students suspended from school have the right to be readmitted unless they have been expelled in accordance with M.G.L. ch. 71, § 37H and/or M.G.L. ch. 71, § 37H½

For those students permitted readmission to school, the following applies:

- A. Conditions for readmission
 1. Mandatory meeting with parents before readmission
 2. There should be evidence that the student and family have taken steps to seek solutions for the problems that were the basis for the suspension.
 3. The terms of the student's readmission should be evaluated with regard to continued treatment, counseling, medical care, and other rehabilitative efforts.
 4. The school staff has an obligation to work closely with medical and/or psychiatric personnel, social workers, probation officers, and any other agencies that have been working with the student.
 5. Readmissions should be predicated primarily on the basis that:
 - a) readmission constitutes a positive benefit to the student.
 - b) readmission will not adversely affect the school population.

In serious cases of abuse, students will be readmitted to school only after proof of medical and/or psychiatric clearance. The Brockton Public Schools reserves the right to obtain a second medical opinion.

- B. Parental Involvement

Where medical or psychiatric treatment of the student is indicated, the primary responsibility for making such arrangements and carrying them out shall lie with the parents. However, the school is ready to assist the parent, at any stage, in securing whatever care is indicated, and will follow the procedure outlined in the Health Services Protocol Manual: by getting help immediately, including an ambulance.

C. Confidentiality

All school staff must make it clear to students who confide in them that information about their personal drug or alcohol problems must be reported to the school principal or designee. This is done confidentially and only in order to further the goal of promoting the students' personal welfare and the security of the school.

In all instances where the principal or designee has received information of drug/alcohol involvement on the part of students, steps should be taken to advise the student that parents must be notified and consulted about further actions that are appropriate in the particular situation.

Smoking

M.G.L. ch. 71, § 37H expressly prohibits the use of any tobacco products within school buildings, school facilities, school grounds, school buses by any individual, including school personnel. This includes any form of "Vaping" and/or the use of e-cigarettes or JUULs, which are strictly prohibited. Possession of tobacco products (cigarettes, cigars, chewing tobacco, snuff or any other form of tobacco), tobacco related paraphernalia (cigarette lighters, pipes, papers and cigarette holders), or vaping products (vapor liquid or vaporizers, e-cigarettes or JUULs of any kind) on school property will result in the confiscation of the tobacco related item by the Administration or Faculty and these items will not be returned.

Concussion Policy

The Brockton Public Schools is committed to ensuring the health and safety of all students. The following concussion policy is in compliance with MIAA policy and with the Commonwealth of M.G.L. c. 111 § 222: Head Injuries and Concussion in Extracurricular Athletic Activities.

The Principal or Athletic Director shall be the person responsible for the implementation of these policies and protocols at his/her school.

As specified in the law, the Brockton Public Schools shall require annual training in the prevention and recognition of sports-related head injuries, including second impact syndrome, and keep documentation of said training on file for the following persons:

- Coaches
- Certified athletic trainers
- Volunteers
- School physicians
- School nurses
- Athletic directors
- Anyone leading an on-field activity (i.e. directors of band, cheerleading, JROTC, dancers, majorettes, color guard, etc.)
- Parents of a student who participates in an extracurricular activity
- Students who participate in an extracurricular activity

Parents and students will be required to sign a form certifying that they have read the concussion fact sheet in order to participate in extracurricular activities.

Coaches, trainers and volunteers will use techniques and skills that minimize sports-related head injuries and share that information with student athletes. Documentation of an annual physical examination of students participating in extracurricular athletic activities consistent with 105 CMR 200.000 is kept in the student's health record, which will be kept on file in the school nurse's office.

The pre-participation information required by the Department of Public Health concerning head injuries and concussions is included in the Brockton Public Schools parent consent form required of each athlete and kept on file with the trainer and the coach.

The Brockton Public Schools Concussion Policy shall be published in all Student-Parent Handbooks and on the district website, www.brocktonpublicschools.com.

Evaluation Guidelines

- Any time a concussion is suspected to have occurred on school grounds or in the course of school-sponsored activity, the student will be removed from participation and will not be allowed to return the same day.

- Parents will be notified so the parent may take the student to a medical provider for appropriate medical evaluation and treatment. All head injuries and suspected concussions will be reported to the school nurse, and for high school athletes, to the certified athletic trainer on staff.
- Any time a head injury is suspected to have occurred, the coach, trainer or program director will notify the school nurse.
- The school nurse will notify the academic teachers of the affected student and provide a form with guidelines for concussion accommodation plans.
- Evaluation and clearance by a medical provider will be required.
- Student-athletes will not return to play without the note from the medical provider and only after completion of the Return to Play Protocol followed by the athletic trainer.
- The Return to Play Protocol is a stepwise progression consistent with guidelines published by the Centers for Disease Control and Prevention (see <http://www.cdc.gov/concussion/>).

All staff, coaches, volunteers, trainers, etc... who are involved with Brockton Public Schools students are responsible for following the procedures and protocols associated with this policy.

Comprehensive Sexuality Curriculum for Grade 5

As part of the Wellness Curriculum, students in grade 5 will be studying human growth and development, which introduces the concepts of puberty and the emotional and physical changes involved in this period of their life. The program will be presented by the wellness teacher with added support from the school nurse and the classroom teacher. Under Massachusetts law and the School Committee policy, you may exempt your child from any portion of the curriculum that primarily involves human sexual education or human sexuality issues. Parents who want their child exempted must send a letter to the principal requesting an exemption. No student who is exempted from this portion of the curriculum will be penalized. We will provide an alternate assignment to students who are exempted. If you would like to review these materials at the school, you are welcome to do so. Please call the principal to arrange a convenient time.

Note: Parents will be notified in writing by the school when this curriculum will be presented.

No Idling Policy

Brockton School Committee Policy EEF prohibits drivers from idling their vehicle for more than 5 minutes outside a school or school-supported event. The "No Idling" policy is in accordance with MGL, Chapter 90, 16A and 310 CMR, 7:11, the Commonwealth's idling reduction law, which seeks to reduce the health and environmental effects of vehicle exhaust and decrease our use of fuel by reducing unnecessary idling.

EPA Warnings & Notification

Brockton Public Schools Public Notice

ATTENTION: Principals, Parents, Teachers, Students and Building Occupants

REFERENCE: Asbestos Inspections and Management Plans Compliance with The Environmental Protection Agency (EPA)
Asbestos Hazard Emergency Response Act (AHERA)

EPA Warnings & Notification

AHERA 40 CFR 763.1 11

The Brockton School Department as a local education agency (LEA), has posted in the primary administrative and custodial offices and in the faculty common rooms of each school under its authority, a completed copy of a Notice to School Employees which indicates that the school has been inspected and has friable asbestos containing materials in it. This posted notice shall remain in place indefinitely in all schools that have friable asbestos containing material.

AHERA regulations, to wit, 40 CFR Part 763, "to protect users of school buildings from unwitting exposure to concentrations of airborne asbestos which occurs when friable asbestos containing materials are damaged or disturbed. Compliance with this rule will both ensure that these materials are identified, and that the school users are notified of their presence so that they can prevent or reduce release of asbestos."

All Brockton Public Schools were inspected for friable and non-friable asbestos containing materials in late 1988, in response to the EPA Asbestos Hazard Emergency Response Act (400 CFR 763m AHERA, 1987). As a result of information obtained from the inspections of each school, a Management Plan was developed in February of 1989 to manage the asbestos in the school in a manner that protects human health and the environment. This plan contains the locations, by room or building area, of all friable and non-friable asbestos containing materials, sample results and an estimate of the percent of asbestos content.

In each school a Management Plan is available for public inspection in the Principal's Office and at the Office of the Director of Facilities for the Brockton Public Schools. Copies of the Management Plan are available upon written request, with a nominal fee for the cost of reproduction of the document(s).

VII. Student Rights

Sexual Harassment

It is the policy of the Brockton Public Schools to promote and maintain an educational environment that is free from any type of harassment, including inappropriate touching, sexual harassment, and sexual assault. Cases of inappropriate sexualized behavior by young children will be handled sensitively, professionally, and on an individual basis by all school staff.

When students under the age of seven exhibit sexually inappropriate behaviors, including intentionally inappropriate touching, parents will be informed of the incident and invited to be present when the student is questioned, if feasible. Students under the age of seven are usually considered victims of, or witnesses to, the inappropriate sexual behavior of others, rather than perpetrators, and cannot be criminally prosecuted. However, depending upon the nature and severity of the behavior, certain cases of sexual assault may be reported to the School Police for further investigation and eventual referral to the District Attorney's office for prosecution. A 51A may be filed with the Department of Children and Families.

When elementary school students (over the age of seven) exhibit sexually inappropriate behaviors, including intentionally inappropriate touching, parents will be informed of the incident and invited to come to school, if feasible, before the student is questioned further. In all cases, parents will be requested to attend a school conference where the behaviors will be discussed by the building administrator and the school adjustment counselor. A home visit will be scheduled if requested by the parent.

Civil Rights and Harassment

It is the policy of the Brockton Public Schools to provide an educational environment which is free from discrimination. Parents who feel that their young children have been victimized because of race, color, sex, religion, gender identity, national origin, disability or sexual orientation may contact any member of the school staff who will assist in reporting the incident to the school system's Equity Officer. Disciplinary measures in response to civil rights/harassment cases may include, but not be limited to office referral, parental conference/notification, notification of School Police, detention, suspension and/or exclusion, depending on the severity of the case. During the course of the investigation, students shall be provided with interim supportive measures as appropriate. The Brockton Public Schools' Civil Rights Discrimination Grievance Procedure can be accessed by contacting your school office or through our website at <https://www.brocktonpublicschools.com/departments/student-support-services>.

Equal Opportunity

Students have the right to a full and adequate education that enables them to develop an understanding of themselves and their environment.

Non-Discrimination Statement

The Brockton Public School System does not discriminate on the basis of race, religion, color, national origin, age, sex, veteran's status, sexual orientation, gender identity or disability in admission to, access to, treatment in or employment in its programs and activities, in accordance with M.G.L. ch. 76, § 5. If parents or students are not satisfied with the results of the investigation and the action taken, a formal complaint may be filed with the U.S. Department of Education, Office for Civil Rights, 5 Post Office Square, Boston, MA 02109, (617) 289-0111.

Equity Officer

Sharon R. Wolder, Chief Officer for Student Support Services, is the designated Equity Officer for cases involving students. Ms. Wolder is vested with the authority and responsibility of processing all complaints of discrimination, including harassment complaints. Ms. Wolder's office is located in the Crosby Administration Building at 43 Crescent Street, Brockton, MA 02301-4311, (508) 894-4341. If the student prefers, one may file the complaint with any teacher or counselor, who will then bring the complaint to the attention of the Equity Officer.

The Educational Rights of Children and Youth in Homeless Situations

The Brockton Public School district complies with federal and state laws and regulations in the identification and education of children who are in homeless situations. The intent of this policy is to provide each child and youth equal access to the same free appropriate public education, including public preschool, as provided to other children and youth. In accordance with requirements of the McKinney-Vento Act, the Superintendent has designated Karen McCarthy as the Homeless Education Liaison.