Cambridge Public Schools
Guide to Policies *Staff Edition*

Last Updated: 7.19.2022

This handbook is not intended to be a complete directory of all laws and policies relating to Cambridge Public Schools ("CPS") staff. Federal and state laws and CPS policies, procedures, and practices are subject to change. Many of the CPS policies and the *Rights and Responsibilities Handbook* can be accessed from the school district's web site at www.cpsd.us. The Cambridge School Committee's entire policy manual can be accessed at http://z2policy.ctspublish.com/masc/Z2Browser2.html?showset=cambridgeset. The *Rights and Responsibilities Handbook* as well as copies of individual policies can be requested through Human Resources or from your school principal/head of upper school.

CPS is an equal opportunity employer and is committed to the provision of quality educational programs for all students. CPS does not discriminate on the basis of race, color, national origin, ethnicity, ancestry, religion, age, disability, genetic information, veteran status, marital status, sex, gender identity, sexual orientation, pregnancy or pregnancy related condition in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups.

Table of Contents

Student Privacy 3

Student Records 4

Release for Student Records by Non-Custodial Parents 6

Release of Basic Contact Information to Military Recruiters, Prospective Employers, Colleges and Universities 8

Notice of Rights Under the Family Educational Rights and Privacy Act (FERPA) 8

Attendance 10

Child Requiring Assistance (CRA) 12

Notice Regarding Students Who Leave School 12

Child Abuse 13

Care and Protection Actions 14

Unaccounted For or Missing Child 14

Transportation 15

Standardized Testing 15

Sexuality Education 15

Physical Restraints 15

CODES OF CONDUCT

Introduction 22

Philosophy 23

Behavior and Discipline Policies 23

Smoking: Tobacco-Free Policy 23

Statutory Prohibition Against Drugs, Weapons & Assault on School Staff 24

Drug Policy 24

Weapons Policy 25

Staff Assault 26

Student Charged with a Felony or Convicted of a Felony 26

Hazing 26

Vandalism 28

Fighting/Physical Assault 28

Anti-Bullying Policy and Bullying Prevention and Intervention Plan 29

Policy Against Teen Dating Violence 43

Discipline Proceedings (Due Process) 45

Suspensions 45
Expulsions 47
Student Searches and Questioning 47
Student Grievance Process 48
Participation in Extracurricular Activities 49

RIGHTS AND PRIVILEGES

Non-Discrimination Against Students 50
Title IV / Sexual Misconduct Policy 50
Reasonable Accommodations Policy and Procedure 66
Notice of Rights Under Section 504 of the Rehabilitation Act of 1973 67
Special Education 68
Students with IEPs and 504 Plans 68
Affirmative Action/Non-discrimination Notice ... 71
Homeless Education Liaison 71
Freedom of Assembly 71
Freedom of Expression 72
Freedom of the Person 72
Title IX Compliance 72
Non-Discrimination Policy 73
Student Marriage, Pregnancy and Parenthood 77
Title IX Coordinator 78
Freedom of Religion 78
Pledge of Allegiance Guidelines 78

GENERAL POLICIES AND ADMINISTRATIVE GUIDELINES

Acceptable Use Policy for Computer Network 79
Software Code of Ethics 82
School and District Web Pages 83
Social Media Policy 83
School Visitors 86
No Idling of Motor Vehicles 86
Student Lockers 86
Criminal Offender Record Information 86
Field Trips 87
Immunizations 89
Family Involvement 89
Promotion and Retention 89
Administration of Prescription Medication and Management of Life-Threatening Food Allergies 90
Wellness Policy 90
Sports-Related Head Injury and Concussions 93
HIV/AIDS Policy 94
Teaching Students About Drugs, Alcohol, Tobacco and Substance Abuse Prevention 95
SBIRT: Screening, Brief Intervention and Referral to Treatment 95
Anti-Violence Policy 95
Reporting of Activities, Policies or Practices that Violate Law or Pose a Risk to Public Health or Safety 96
Reporting of Fires 97
Restrictions on Political Activities 97
Compliance with Fair Labor Standards Act 94
Complaint and Grievance Procedures 98
Summary of Conflict of Interest Law (M.G.L.c. 268A) 98
Non-Discrimination in Relation to Pregnancy or a Condition Related to an Employee's Pregnancy 105
Notice Regarding Right to Domestic Violence Leave 106
Frequently Asked Questions Regarding Media Releases 107

Prohibition Against Tobacco Use on School Premises 112
Academic Freedom 112
Teaching About Controversial Issues/ Controversial Speakers 112
Community Resource Persons 113

Student Privacy

CPS seeks to ensure the privacy of students attending its schools in a manner consistent with the federal and state law, including the Federal Family Educational Rights and Privacy Act and Massachusetts student records regulations as well as the Cambridge School Committee's Student Privacy Policy. For further information on student privacy issues, contact your school principal/head of upper school.

The Protection of Pupil Rights Amendment (PPRA), section 1232h of title 20 of the United States Code, affords parents/guardians/caregivers certain rights regarding the school district's conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

- Consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED): (1) political affiliations or beliefs of the student or student's parent/guardian/caregiver; (2) mental or psychological problems of the student or student's family; (3) sex behavior or attitudes; (4) illegal, anti-social, self-incriminating, or demeaning behavior; (5) critical appraisals of others with whom respondents have close family relationships; (6) legally recognized privileged relationships, such as with lawyers, doctors, or ministers; (7) religious practices, affiliations, or beliefs of the student or parents/guardians/caregivers; or (8) income, other than as required by law to determine program eligibility.
- Receive notice and an opportunity to opt a student out of: (1) any other protected information survey, regardless of funding; (2) any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and (3) activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
- Inspect, upon request and before administration or use: (1) protected information surveys of students; (2) instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and (3) instructional material used as part of the educational curriculum.

These rights transfer from the parents/guardians/caregivers to a student who is 18 years old or an emancipated minor under State law.

CPS has adopted policies, in consultation with parents/guardians/caregivers, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal

information for marketing, sales, or other distribution purposes. CPS will directly notify parents/guardians/caregivers of these policies at least annually at the start of each school year and after any substantive changes. CPS will also directly notify, such as through U.S. Mail or email, parents/guardians/caregivers of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent/guardian/caregiver to opt his or her child out of participation of the specific activity or survey. CPS will make this notification to parents/guardians/caregivers at the beginning of the school year if the school district has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents/guardians/caregivers will be provided reasonable notification of the planned activities and surveys listed below and are provided an opportunity to opt their child out of such activities and surveys. Parents/guardians/caregivers will also be provided an opportunity to review any pertinent surveys. In accordance with CPS' Student Privacy Policy, the principal/head of upper school will notify parents/guardians/caregivers of any activities requiring parental/guardian notice and consent or opt-out during the school year. Following is a list of the specific activities and surveys covered under this requirement: (1) collection, disclosure, or use of personal information for marketing, sales or other distribution; (2) administration of any protected information survey not funded in whole or in part by ED, and (3) any non-emergency, invasive physical examination or screening as described above.

Parents/guardians/caregivers who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202-5920
800.USA.LEARN (800.872.5327)

Student Records

Under Massachusetts law, a parent/guardian/caregiver of any student, or a student who has entered ninth grade or who is at least 14 years old, has the right, upon request, to inspect the student's record. The parent/guardian/caregiver or eligible student should receive the student record no later than ten days after the request, and may ask to have the record interpreted by a qualified professional or amended by the principal/head of upper school. Additionally state law sets out specific procedures which public schools must follow before student record information is provided to non-custodial parents. All requests to see a student's record should be directed to the attention of the principal/head of upper school at the student's school. Additionally, authorized school personnel of a school to which a student seeks or intends to transfer may have access to a student's record without the consent of the eligible student and/or parent/guardian/caregiver and CPS forwards student records to schools in which a student seeks or intends to enroll.

The Family Educational Rights and Privacy Act (FERPA), a Federal law, and Massachusetts student record law, requires that the school district, with certain exceptions, obtain the parents/guardians/caregivers' written consent prior to the disclosure of personally identifiable information from a child's education records. However, CPS may disclose appropriately designated "directory information" without written consent, unless the parent/guardian/caregiver has advised CPS to the contrary in accordance with its

procedures. The primary purpose of directory information is to allow CPS to include this type of information from a child's education records in certain school publications, such as a playbill, showing a child's role in a drama production; the annual yearbook; honor roll or other recognition lists; graduation programs; and sports activity sheets.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent/guardian/caregiver's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories—names, addresses and telephone listings—unless parents/guardians/caregivers have advised the LEA that they do not want their student's information disclosed without their prior written consent.

CPS releases the following information without the consent of the parent/guardian/caregiver: student's name, dates of attendance, class or grade, participation in officially recognized activities and sports, photographs/videos, membership on athletic teams, degrees, honors and awards, major field of study and post high school plans. Additionally, pursuant to M.G.L.c. 71, §89(g), CPS, upon receipt of a request from a Commonwealth charter school, releases the names and addresses of public school students to a third party mail house that has been approved by the Massachusetts Department of Elementary and Secondary Education so that the Commonwealth charter school may send recruiting information to students who are eligible to enroll in the Commonwealth charter school.

If a parent/guardian/caregiver does not want this information released without their consent, the principal/head of upper school must be notified in writing by October 1 of each school year. Copies of state regulations on student records and parents' rights and students' rights to student records are available at each school.

Additionally, the School Committee has designated student and parents/guardian/caregiver address(es), telephone number(s), and email address(es), along with student's name as "directory information" that only may be released to parent/guardian/caregiver groups at a particular school for the specific and limited purpose of developing a school-based Family Contact Book and to school alumni groups for the specific and limited purpose of developing an Alumni Directory and the release of such information will only occur if parents/guardians/caregivers of the student have expressly given written authorization for the inclusion of this information in either a school-based Family Contact Book or a school-based Alumni Directory. If a parent/guardian/caregiver wants to participate in either of these publications, they must "opt-in" at the start of each school year.

The School Committee also has designated student name, date of birth, telephone number(s) and home address as "directory information" that only may be released to the Cambridge Public Library for the sole purpose of issuing library cards to Cambridge Public School kindergarten students. Library cards will be issued during the beginning of the school year to all kindergarten students that are five and older, and library cards also will be issued to kindergarten students as they turn five during the course of the school

year. If a parent/guardian/caregiver does not want this information released to the Cambridge Public Library, an opt out form must be completed at the start of each school year.

In addition, CPS may share student data with vendors that provide online and cloud-based instructional applications that are used with students, which is an institutional function or service, but only when the vendor signs a student data privacy agreement with the school district so that the vendor is functioning as a school official for the purposes of providing these online and cloud-based instructional applications that are institutional services and functions. A list of approved online and cloud-based instructional resources can be found at: https://sdpc.a4l.org/district_listing.php?districtID=457

Any student work that a student creates and saves on school department computers/servers will be maintained for up to seven years after the student leaves the Cambridge Public Schools and any student work that a student creates and saves through an online educational service provider that the Cambridge Public Schools utilizes is maintained in accordance with the retention and destruction requirements of that online educational service provider. In most instances, the retention period of an online service provider matches the length of the providers contract with the Cambridge Public Schools, or will be shortened in a response to a request from the Cambridge Public Schools.
In accordance with state law during the time that a student is enrolled in a school, the principal/head of upper school or designee shall periodically review and destroy misleading, outdated or irrelevant information contained a student's temporary record provided that the student and their parent/guardian/caregiver are notified in writing and are given opportunity to receive this information or a copy of it prior to destruction. Additionally, in accordance with state law the temporary record shall be destroyed no later than seven years after the student transfers, graduates, or withdraws from the Cambridge Public Schools Written notice to the student and their parent/guardian/caregiver of the approximate date of destruction and their right to receive the information, in whole or in part, shall be made at the time of transfer, graduation or withdrawal.

In accordance with state law the transcript of a student is destroyed sixty (60) years following the student's graduation, transfer or withdrawal from the Cambridge Public Schools.

Requests for Student Records by Non-Custodial Parents

Pursuant to 603 C.M.R. § 23.07(5), non-custodial parents (i.e. parents who do not have physical custody of their children) are eligible to obtain access to their children's student records unless the school or district has been given documentation evidencing:

- that the parent has been denied legal custody or has been ordered to supervised visitation, based on a threat to the safety of the student, specifically noted in the order pertaining to custody or supervised visitation;
- that the parent has been denied visitation;
- that the parent's access to the student has been restricted by a temporary or permanent protective order, unless the protective order or any subsequent order modifying the protective order specifically allows access to the information contained in the student record; or
- that there is an order of a probate and family court judge which prohibits the distribution of student records to the parent.

Non-custodial parents who fall into any of these categories may not have access to the student record and the school must place in the student record documentation in the temporary record of the student indicating that the non-custodial parent's access to the student record is limited or restricted pursuant to 603 C.M.R. § 23.07(5)(a). Additionally, the school must promptly enter a Legal Alert in the student's record in ASPEN indicating that the non-custodial parent's access to the student record information is restricted because of a court order or a restraining order in order to ensure that school personnel have ready access to this information. The alert should include the date of the order, the name of the non-custodial parent and a statement that a twenty-one (21) day written notice must be sent to the custodial parent when a request for student record information has been received from a non-custodial parent before any student record information is released to the non-custodial parent.

The non-custodial parent must submit a written request for the student record to the principal. In processing such a request the school must follow certain procedures:

1. Upon receipt of the request the school must immediately notify the custodial parent by certified and first class mail, in English and the primary language of the custodial parent, that it will provide the non-custodial parent with access after twenty-one (21) days, unless the custodial parent provides the principal/head of upper school with documentation that the non-custodial parent is not eligible to obtain access as set forth in 603 C.M.R. § 23.07(5)(a). Schools should use the CPS standard form letter that has been created for the purpose of notifying the custodial parent.

2. Additionally, if the student has an individualized education program and the request from the non-custodial parent is a request to meet with members of the student's team, the school, in addition to issuing the letter detailed above, must also issue a team meeting invitation notice that also includes the custodial parent. Any such meeting with the non-custodial parent has to be scheduled after the twenty-one (21) day notice period has expired.

3. The school must delete all contact information (e.g. address, work and/or home telephone numbers, or e-mail addresses) of the custodial parent from the student record as provided to the non-custodial parent.

4. The student record as provided to the non-custodial parent must be marked with the phrase "DOCUMENT CANNOT BE USED TO ENROLL STUDENT IN SCHOOL."

5. Upon receipt of a court order that prohibits the distribution of information pursuant to Section 34H of Chapter 71 of the Massachusetts General Laws, the school shall notify the non-custodial parent that it shall cease to provide the non-custodial parent with access to the student record. Additionally, a copy of this court order should be placed in the student's temporary record and a Legal Alert must be promptly entered into the student's record in ASPEN. The alert should include the date of the order, the name of the non-custodial parent and a

statement that the court order prohibits the non-custodial parent from having access to the student record or any information contained therein.

Release of Basic Contact Information to Military Recruiters, Prospective Employers, Colleges and Universities

A provision of the No Child Left Behind Act of 2001, a federal law, requires secondary schools, upon receipt of a request, to release the names, addresses, email addresses and telephone numbers of students attending the high school to United States military recruiters, colleges, universities and other educational institutions and prospective employers. Secondary school students and their parents/guardians/caregivers have the option of requesting that secondary schools not release their basic information when such requests are received. If, however, secondary school students and/or their parents/guardians/caregivers do not take this affirmative step to block the release of the information, the law requires that the contact information be released when a request is received.

Notice of Rights Under the Family Educational Rights and Privacy Act (FERPA)

FERPA affords parents/guardians/caregivers and students over eighteen (18) years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

- The right to inspect and review the student's education records within forty-five (45) days from the day the school receives a request for access. Parents/guardians/caregivers or eligible students should submit to the school principal/head of upper school a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent/guardian/caregiver or eligible student of the time and place where the records may be inspected.
- The right to request the amendment of the student's education records that the parent/guardian/caregiver or eligible student believes is inaccurate or misleading, or otherwise in violation of the student's privacy rights under FERPA. Parents/guardians/caregivers or eligible students who wish to ask the school to amend a record should write the school principal/head of upper school, clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent/guardian/caregiver or eligible student, the school will notify the parent/guardian/caregiver or eligible student of the decision and advise them of their right to a hearing regarding the request for the amendment. Additional information regarding the hearing procedures will be provided to the parent/guardian/caregiver or eligible student when notified of the right to a hearing.
- The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

  One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational

interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); or a person serving on the School Committee. A school official also may include a volunteer or contractor outside of the school who performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant or therapist; a parent/guardian/caregiver or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent/guardian/caregiver, student or other volunteer assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the school discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer.

- The right to file a complaint with the United States Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The name and address of the office that administers FERPA are:

  Family Policy Compliance Office
  U.S. Department of Education
  400 Maryland Avenue, S.W.
  Washington, D.C. 20202-5920
  1.800.USA.LEARN (1.800.872.5327)

FERPA permits the disclosure of PII from students' education records, without consent of the parent/guardian/caregiver or eligible student, if the disclosure meets certain conditions found in §99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent/guardian/caregiver or eligible student, §99.32 of the FERPA regulations requires the school to record the disclosure. Parents/guardians/caregivers and eligible students have a right to inspect and review the record of disclosures. A school may disclose PII from the education records of a student without obtaining prior written consent of the parents/guardians/caregivers or the eligible student.

- To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, vendors that provide online and cloud-based instructional applications that are used with students, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in §99.31(a)(1)(i)(B)(1) – (a)(1)(i)(B)(2) are met. (§99.31(a)(1))
- To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of §99.34. (§99.31(a)(2))
- To authorized representatives of the U.S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency in

the parent/guardian/caregiver or eligible student's State (SEA). Disclosure under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§99.31(a)(3) and 99.35)

- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§99.31(a)(4))
- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to §99.38. (§99.31(a)(5))
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§99.31(a)(7))
- To parents/guardians/caregivers of an eligible student if the student is a dependent for IRS tax purposes. (99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena. (99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to §99.36. (§99.31(a)(10))
- It is information the school has designated as "directory information" under §99.37. (§99.31(a)(11))
- To an agency caseworker or other representative of a State or local child welfare agency or tribunal organization who is authorized to access a student's case plan when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student in foster care placement. (20 U.S.C. §1232g(b)(1)(L))
- To the Secretary of Agriculture or authorized representatives of the Food and Nutrition Service for purposes of conducting program monitoring, evaluations and performance measurements of programs authorized under the Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966, under certain conditions. (20 U.S.C. § 1232g(b)(1)(K))

Attendance

Children learn better and achieve higher degrees of success when they consistently attend school. Regular and punctual attendance contributes to the general welfare of the entire student body by reducing disruption to the learning environment. Daily attendance and punctuality are essential to the child's future school and job success. The expectation is that all students will have, at a minimum, at least ninety-five percent (95%) attendance in school and in each class during the school day. As you know, under the Massachusetts General Laws:

ALL CHILDREN AGED 6-16
ARE MANDATED TO ATTEND SCHOOL.

It is important for all to understand that patterns for successful school attendance and

academic success are started in kindergarten and first grade. Early patterns of non-attendance tend to continue throughout a child's school life and leave a child at risk for school failure and dropping out. The school district requests the cooperation and assistance of parents/guardians/caregivers in making sure your child is in school every day and on time. When any child is absent, the parent/guardian/caregiver must call the school to give notification of the absence no later than the morning of the absence. If a call is not made, when the child returns to school, a note from his or her parent/guardian/caregiver or their medical provider stating the reason for the absence must be provided. These notes should be kept on file for the school year by the homeroom teacher.

The principal/head of upper school's office shall keep statistics and check frequent absence and tardiness for instances of chronic or irregular absences reportedly due to illness, the school's principal/head of upper school or school nurse may request a physician's statement certifying such absences to be justifiable.

If a child will have an excused absence of five (5) or more days, the parent/guardian/caregiver must notify the school so that arrangements for home assignments can be offered, and if the student will have a prolonged absence of two (2) or more weeks due to illness or injury, the parent/guardian/caregiver must notify the school to make the necessary arrangements for homebound instruction.

When excused absences become suspect, and are developing a pattern, the school will take steps to ascertain the reason by requesting medical notes and conducting home visits. If a child aged 6 through 16 does not attend school, or a child aged 6 through 18 is habitually truant or repeatedly fails to obey school rules, the school district can file a Child Requiring Assistance (CRA) petition in the courts.

Cambridge Rindge and Latin School and the High School Extension Program will treat four (4) absences in any class as an Attendance Violation (AV). Excused absences, including verified personal illness, will not be counted against a student and will not result in the issuance of an Attendance Violation (AV) if the absences fall into the following categories: (a) absences attributable to personal trauma; grieving, death in the family; (b) observance of a religious holiday; (c) medical appointments or counseling visits that absolutely cannot be made outside of school hours; (d) legal matters requiring a personal appearance; (e) suspensions in and out of school; (f) school-related trips, assemblies or meetings; (g) college visits (two days in junior year and three days in senior year); and (h) one trip or educational experience of no more than five days during a student's years at the high school.

Four (4) unexcused absences in any class, however, will result in an Attendance Violation. In this case, a grade of AV will be issued for the term grade by the Dean of Students. In addition, three (3) unexcused tardies to class will be counted as one (1) unexcused absence. Unexcused absences include: (a) truancy from school or from individual classes; (b) trips not approved in advance by the principal; (c) looking for employment without the approval of the principal; (d) staying home to avoid an examination in a given subject or to study for an examination; (e) leaving the school building during the school day without signing out in the dean's office (cutting class); (f) oversleeping or otherwise being tardy to school; (g) remaining on or near school grounds, but not attending assigned classes (cutting class); and (h) any other absence that is not excused or any excusable absence that

is not reported by a parent/guardian/caregiver by a phone call or written note from a parent/guardian/caregiver or the student's medical provider upon the student's return to school. Additionally, a student who receives twelve (12) unexcused tardies in any one class, a will receive an AV for the course.

In accordance with the school district's policy, the school will notify the parent/guardian/caregiver after each absence and/or tardy of the student and also will notify the parent/guardian/caregiver after four unexcused absences occur.
Parents/guardians/caregivers may seek a medical waiver for any chronic condition, reoccurring illness or for any illnesses that exceed four (4) days.
Parents/guardians/caregivers will have the right to appeal any AV to the Appeals Review Committee at Cambridge Rindge and Latin School or the High School Extension Program within ten (10) days of the issuance of the AV and, if the appeal is denied, the parents/guardians/caregivers may within ten (10) days of the denial, submit a written appeal to the Superintendent of Schools for review. The decision of the Superintendent of Schools shall be final.

Learning Community teams will work with students who meet AV criteria and implement one of the following three (3) supports:

a. Complete a Buy Back contract/proposal (offered to all students)
b. Enroll student in Studentship Workshops (for students who need additional time management and studentship support)
c. Individual Support Plan co-created with LC team (used for students with extenuating circumstances who need unique supports)

If a student does not successfully complete the support plan, they may receive a 10-point deduction.

Child Requiring Assistance (CRA)

The focus of the courts and school department with these offenders, regardless of age, is on early intervention. Massachusetts General Laws defines a habitual truant and repeated school offender as a child that persistently and willfully fails to attend school, is truant, or persistently violates the lawful and reasonable regulations of his or her school. Under M.G.L. c.76, §2, parents/guardians/caregivers are required to cause a child to attend school, and, if they fail to do so for seven day sessions or fourteen half-day sessions within any period of six months, the parent/guardian/caregiver shall on a complaint by the supervisor of attendance, be punished by a fine.

Additionally, schools may seek a CRA application for any child between the ages of 6 and up to 18 who is habitually truant because she/he has eight or more unexcused absences in a school quarter, or because the child has repeatedly failed to obey school rules.

When internal school intervention efforts fail to resolve a chronic absence or tardiness, habitual truancy or repeated violations of school rules, the school department may initiate a CRA action with the court. Under the law, the Juvenile Court has access to all school information relative to these cases.

Notice Regarding Students Who Leave School

CPS is committed to having students complete their elementary and secondary education. In the event that a student who is sixteen years of age or older seeks to leave

school without a high school diploma, certificate of attainment or certificate of completion, CPS adheres to the requirements of M.G.L.c. 76, §18 and follows the procedures set forth below:

1. The principal or designee issues a letter to the parent/guardian/caregiver of the student notifying the parent/guardian/caregiver that the student either (a) has expressed an intention of withdrawing from school without an intention of returning, or (b) has had fifteen (15) consecutive absences from school and indicating the student's last date of attendance at school.

   In order for the school to determine whether the student is withdrawing from school without intending to return, the school schedules a meeting with the student and the student's parent/guardian/caregiver for the purpose of discussing the reasons why the student wants to leave school and to explore alternative educational and other placements for the student prior to formally withdrawing from school. The parent/guardian/caregiver may request that the date and time of this meeting be changed provided that the extension of time shall be no longer than fourteen (14) days from the date of issuance of the letter by the principal or designee.

2. After the meeting has been held with the parent/guardian/caregiver and the student, the principal or designee issues a letter to the parent/guardian/caregiver of the student summarizing what was discussed and any decision that was reached at the meeting, including but not limited to, whether the student is returning to school, pursuing an alternative educational placement, pursuing other support services or permanently leaving school.

3. In accordance with the provisions of M.G.L.c. 76, §18, any determination that a student would be permanently leaving school shall not be construed as a permanent exclusion of the student if the student wishes to resume pursuing an education.

Child Abuse

Section 51A of Chapter 119 of the Massachusetts General Laws requires that certain persons who in their professional capacity have reasonable cause to believe that a child under the age of eighteen (18) years is suffering serious physical or emotional injury resulting from abuse, including sexual abuse, or neglect, including malnutrition, inflicted upon the child shall immediately, via telephone, report this abuse or neglect to the Department of Children and Families ("DCF"). Professionals who must report cases of child abuse or neglect to the DCF include: physicians, medical interns, nurses, teachers, educational administrators, guidance counselors, family counselors, probation officers, school attendance officers, social workers, psychologists, and policemen. The telephone report should be made either to the appropriate area office or via the 24-hour reporting hotline: 1-800-792-5200. Within forty-eight (48) hours, these professionals are required under Massachusetts law to notify DCF in writing using a standard DCF report form. A new report form must be completed for each new injury or re-injury.

Staff who have reasonable cause to believe that a child under the age of eighteen is suffering from serious physical or emotional injury resulting from abuse, including sexual abuse, or neglect, including malnutrition should notify their school principal/head of upper school immediately in order for a 51A report to be filed.

Child abuse and neglect is any incident in which there is reasonable cause to believe that a child's physical or mental health or welfare is harmed or is threatened with substantial risk of harm through abuse or neglect by a person (or persons) responsible for the child's health or welfare, including personnel in the public school system must be reported. Truancy, by itself, is not a reportable matter.

Abuse includes:

- physical, mental, or emotional injury by other than accidental means, i.e., beatings, cuttings, burns, broken bones, multiple bruises;
- physical dependency on an addictive drug at birth;
- any sexual act against another person either by force, or by threat of force or bodily injury, or against the person's will. This includes a sexual act against another person who is incapable of giving consent either because of temporary or permanent mental or physical incapacity or because the person in its place is a minor. Such crimes as indecent assault and battery, rape, rape with force, rape and abuse, assault with intent to rape and unnatural and lascivious acts constitute a sexual assault.
- Indecent assault and battery includes, but is not limited to, inappropriate and unwanted touching of private body parts. A person under the age of 14 is legally unable to consent to this type of sexual activity.
- Neglect is deemed to exist when the person or persons responsible for a child's care, although financially able to do so, fail to provide the child with:
    - adequate food, clothing, shelter, education or medical care and/or
    - proper supervision and/or guardianship.

Care & Protection Actions

If the failure to send children to school occurs with other more serious abuse and neglect problems, a care and protection action may be initiated pursuant to the provisions of M.G.L. c.119, §24. In a care and protection action if the court "is satisfied that there is a reasonable cause to believe that the child is suffering from serious abuse or neglect or is in immediate danger" the court may order immediate transfer of custody of the child.

Unaccounted For or Missing Child

There are many possible scenarios that describe the unaccounted for and missing child. Some examples are:

- A child has not returned to class and has not been located in the building or on school grounds,
- The classroom teacher cannot verify the child went with a parent or designee at dismissal,
- The classroom teacher cannot verify that the child boarded a bus, and
- The parent/guardian/caregiver has called the school to state that the child did not arrive home at the usual time.

Contact the Transportation Office for all children who ride the school bus.

Notify the Superintendent and the Office of Safety and Security.

Contact parent/guardian/caregiver.

In the event of an emergency, call police directly. Otherwise, the Office of Safety and Security will contact them with appropriate details after conferring with you.

Procedure

Interview parents/guardians/caregivers/persons who made initial report.

Verify that the child is in fact unaccounted for/ missing.

Identify the circumstances of the disappearance.

Determine when, where and by whom missing child was last seen.

Look through child's folder, keep readily available all pertinent information, emergency numbers, verify custody status. (If possible, photo)

A complete description of child including clothes, height, weight, complexion, distinguishing characteristics needs to be available.

A list of friends/acquaintances should be compiled.

Based on all of the available information, make an initial determination of the incident: non-family abduction, family abduction, runaway, lost, injured or otherwise unaccounted for or missing. The principal/head of upper school or designee will follow procedure, will maintain all information listed above and will be available until the child is located.

Transportation

Every school should have an in-house system ensuring that transported primary grade children board appropriate buses.

Contact the Department of Transportation at 617.349.6862 for all unaccounted for children who are transported.

Those who are not met at scheduled stop by parent/guardian/caregiver or designee on more than three occasions are subject to loss of bus privileges.

Standardized Testing

CPS administers, on an annual basis, MCAS 2.0 at grade levels as determined by the Massachusetts Department of Elementary and Secondary Education. Additionally, on an annual basis, CPS administers ACCESS to English Language Learner students, as appropriate, in accordance with the requirements of the Massachusetts Department of Elementary and Secondary Education.

Sexuality Education

Schools are required by law to notify parents/guardians/caregivers about curriculum which primarily involves human sexual education or human sexuality issues. Every fall a letter is sent home about the health education curriculum which describes the sexuality lessons that may occur at each grade level. Parents/guardians/caregivers do not have to give permission for their children to take these classes, and have the right to exempt their children from such classes. Parents/guardians/caregivers may do so by sending a letter to the school principal/head of upper school requesting to remove the child from the lessons. Any parent/guardian/caregiver who would like to review the material, can speak with their child's teacher or with the Program Leader for Health Education at 617.349.6851.

Physical Restraints

It is the policy of the Cambridge School Committee to promote a safe and productive workplace and educational environment for its employees and students, and to ensure that every student in CPS is free from the use of physical restraint

consistent with the Massachusetts Department of Elementary and Secondary Education's regulations,, and that physical restraint shall only be used with extreme caution as a last resort in emergency situations, after other lawful and less intrusive alternatives have failed or been deemed inappropriate. School personnel shall only administer a physical restraint as a last resort when it is needed to protect a student and/or a member of the school community from imminent, serious, physical harm. When a physical restraint needs to be administered, school personnel shall seek to prevent or minimize any harm to the student as a result of the use of the physical restraint. This policy shall not be construed to limit the protection afforded to publicly funded students under other federal and state laws, including those laws that provide for the rights of students who have been found eligible to receive special education services. Additionally, this policy shall not be construed to preclude any teacher, employee or agent of a public education program from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.

CPS has written procedures and guidelines related to this policy which are posted on the school district's website and which can be obtained in the principal/head of upper school's office, identifying: (i) appropriate responses to student behavior that may require immediate intervention; and (ii) alternative methods that should be used first when seeking to prevent student violence, self-injurious behavior and/or de-escalating potentially dangerous behavior occurring among groups of students or with an individual student, including alternative methods in emergency situations that avoid resorting to physical restraint.

Physical Restraint Procedures

Definitions

"Consent" shall mean agreement by a parent/guardian/caregiver who has been fully informed of all information relevant to the activity for which agreement is sought, in their native language or other mode of communication, that the parent/guardian/caregiver understands and agrees in writing to carrying out the activity, and understands that the agreement is voluntary and may be revoked at any time. The agreement describes the activity and lists the records (if any) which will be released and to whom.

"Restraint" shall mean limitation on a student's physical movement using force against the student's resistance.

"Physical restraint" shall mean direct physical contact that prevents or significantly restricts a student's freedom of movement. The term physical restraint does not include prone restraint, mechanical restraint or medication restraint. Additionally, physical restraint does not include: providing brief physical contact, without force, to promote student safety or limit self-injurious behavior, providing physical guidance or prompting when teaching a skill, redirecting attention, providing comfort, or a physical escort.

"Physical escort" shall mean a temporary touching or holding, without the use of force, of the hand, wrist, arm, shoulder or back for the purpose of inducing a student who is agitated to walk to a safe location.

"Mechanical restraint" shall mean the use of a physical device to restrict the movement of a student or the movement or normal function of a portion of his or her body. A protective or stabilizing device ordered by a physician shall not be considered a mechanical restraint. **The use of a mechanical restraint is prohibited unless explicitly authorized by a physician and approved in writing by the parent/guardian/caregiver of the student.**

"Seclusion" shall mean the involuntary confinement of a student alone in a room or area from which the student is physically prevented, or reasonably believes they will be prevented from leaving. Seclusion does not include a time-out as defined in 603 C.M.R. 46.02. **The use of a seclusion restraint is expressly prohibited.**

"Time-out" shall mean a behavioral support strategy in which a student temporarily separates from the learning activity or the classroom, either by choice or by direction from staff, for the purpose of calming. During time-out, a student shall not be involuntarily confined and must be continuously observed by a staff member. Staff shall be with the student or immediately available to the student at all times. Time-out shall cease as soon as the student has calmed or when thirty (30) minutes have passed, whichever is earlier. The preference is for time-out to be implemented within a classroom. Any space utilized for time-out outside of a classroom must be approved by the Office of Student Services before it is utilized.

"Medication restraint" shall mean the administration of temporarily controlling behavior. **The use of a chemical restraint is prohibited unless explicitly authorized by a physician and consented to, in writing, by the parent/guardian/caregiver of the student.**

"Prone restraint" shall mean a restraint in which a student is placed face down on the floor or another surface, and physical pressure is applied to the student's body to keep the student in a prone position. **The use of prone restraint is expressly prohibited.**

"Principal/Head of Upper School" shall mean the instructional leader of a public education school program or designee.

Use of a Restraint

If all other lawful and less intrusive alternatives have failed or been deemed inappropriate to prevent student violence, self-injurious behavior and/or de-escalating potentially dangerous behavior occurring among groups of students or with an individual student, **a physical restraint may be used as a last resort. In other words, a physical restraint can only be used as a last resort when the student's behavior poses a threat of imminent, serious physical harm to himself or herself or others and the student does not respond to verbal directives, or other lawful and less intrusive behavior interventions, or such interventions are deemed inappropriate under the circumstances.** Any physical restraint shall be limited to the use of such reasonable force as is necessary, for the least time necessary, to protect a student or another member of the school community from assault or imminent, serious, physical harm. A physical restraint may only be administered by school personnel who have been properly trained in the use of physical restraint.

Other Limitations on the Use of Restraint

The following practices are expressly prohibited: (i) use of restraint inconsistent with the provisions set forth above; (ii) use of a restraint as a means of discipline or punishment, as a response to the destruction of property, or disruption of school order, or as a response to a student's refusal to comply with a school rule or staff directive, or verbal threats when those actions do not constitute a threat of imminent, serious, physical harm; (iii) use of prone restraint, (iv) use of mechanical restraint, (v) use of medication restraint that has not been approved by a physician and consented to, in writing, by the student's parent/guardian/caregiver, (vi) use of restraint when a student cannot be safely restrained, and (vii) continued use of restraint when a student indicates that he or she

cannot breathe or appears to be in severe distress (including but not limited to: difficulty breathing, sustained or prolonged crying or coughing).

Restraint may not be included as a planned response in an individualized education program (IEP). However, for students who present with repetitive self-injurious behaviors, principals/heads of upper schools may propose to the parent/guardian/caregiver a separate written agreement for the use of restraint on an emergency basis over a limited and specified time period. In such cases the plan must include detailed reporting to the parent/guardian/caregiver on the frequency of the use and duration of restraints, and the specific time period over which the use of physical restraint will be reduced and eliminated. The principal/head of upper school shall obtain the parent/guardian/caregiver's written consent to the plan prior to implementation.

Proper Administration of a Physical Restraint

Only trained school personnel shall administer physical restraints. Trained school personnel are those individuals who have received either the in-depth training or who have received the required basic training detailed below. Whenever possible, the administration of the physical restraint shall be witnessed by at least one adult who does not participate in the physical restraint. When administering a physical restraint, school personnel shall use only the amount of force necessary to protect the student or others from physical injury. Additionally, school personnel administering a physical restraint shall use the safest method available and appropriate to the situation in accordance with the safety requirements detailed below, and shall discontinue the restraint as soon as possible. All physical restraint must be terminated as soon as the student is no longer in immediate danger to themselves or others, or the student indicates that he or she cannot breathe, or if the student is observed to be in severe distress, such as having difficulty breathing, or sustained or prolonged crying or coughing. It should be noted, however, that these training requirements shall not preclude a teacher, employee or agent of the school from using reasonable and necessary force to protect students, other persons or themselves from assault or imminent, serious, physical harm.

Safety Requirements

No restraints shall be administered in such a way that a student is prevented from breathing or speaking. During the administration of a restraint, school personnel shall continuously monitor the physical status of the student, including skin color, temperature and respiration. Any and all restraint shall be immediately released upon a determination by the school personnel administering the restraint that the student is no longer at risk of causing imminent physical harm to himself, herself or others. Additionally, restraints shall be administered in such a way as to prevent or minimize physical harm. **If, at any time during a physical restraint the student demonstrates difficulty breathing or significant physical distress, including but not limited to, trouble breathing or prolonged coughing or crying, the student shall be released from the restraint immediately, and school staff shall take steps to seek medical assistance**. School personnel shall review and consider any known medical or psychological limitations and/or behavioral intervention plans regarding the use of physical restraint on an individual student as well as known or suspected trauma history. At any time during the administration of a physical restraint, school personnel may seek to contact the Office of Student Services behavioral specialists, or the Crisis Intervention Team, or

take other steps to seek medical assistance if it appears that the student is demonstrating significant physical distress.

Follow-up Procedures and Reporting Requirements

At an appropriate time after a student has been released from a restraint, the principal/head of upper school or designee shall implement the follow-up procedures set forth below:

a. review the restraint with the student to address the behavior that precipitated the restraint;

b. review the incident with school personnel who administered the restraint to discuss whether proper restraint procedures were followed; and

c. follow-up should occur with students who witnessed the incident, including teacher debrief, counselor debrief or the use of restorative practices; and

d. written notification of the restraint should be sent to the Office of Student Services and the immediate supervisor of the principal/head of upper school.

The following are the reporting requirements followed by the school:

a. Every use of restraint shall be reported in writing including the name of the student restrained and reported to the Office of Student Services and the immediate supervisor of the principal/head of upper school.

b. The school staff member who administers a physical restraint that results in an injury to a student shall verbally inform the principal/head of upper school or designee of the restraint as soon as possible and no later than the close of the school day in which the restraint was administered. A written report shall be completed and provided to the principal/head of upper school for review of the use of restraint no later than the next working day after the restraint was administered. If the principal/head of upper school has administered the restraint, the principal/head of upper school shall prepare the report and submit it to the Superintendent for review by a team designated by the Superintendent.

c. The principal/head of upper school shall maintain an on-going record of all reported instances of physical restraint.

d. The principal/head of upper school or designee shall verbally inform the student's parents/guardians/caregivers as soon as possible but no later than twenty-four (24) hours after use of the restraint, and by a written report postmarked no later than three (3) school working days following the use of the physical restraint. The principal/head of upper school shall provide the student and the parent/guardian/caregiver an opportunity to comment in writing on the use of the restraint and on information in the written report.

e. The principal/head of upper school shall provide the Office of the Superintendent with a copy of the written report of a physical restraint when such restraint has resulted in an injury to a student as well as a copy of the school's on-going record of all reported instances of physical restraint for the thirty (30) days preceding the reported physical restraint. **This documentation must be provided to the Office of the Superintendent by no later than one (1) school working day after the written report is received by the principal/head of upper school**. The principal/head of upper school shall convene a student support team to make an assessment of an individual student's

needs if a student has been restrained on two (2) separate occasions within a seven (7) day period or three (3) times within a thirty (30) day period. Members of the grade level team and such other program staff as the principal/head of upper school may determine, shall participate in the assessment. Each member of the student support team shall read written reports of the restraint and any comments provided by the student and parent/guardian/caregiver about such reports and the use of restraints. In addition to the review and discussion of such reports by the student support team, the assessment shall include an analysis of the circumstances leading up to each restraint, including factors such as time of day, day of the week, antecedent events, and individuals involved. the assessment shall conclude with a plan for addressing any factors that may have contributed to the escalation of behaviors, consideration of alternatives to restraint, including de-escalation techniques and possible interventions, and such other strategies and decisions, as appropriate, with the goal of reducing or eliminating the use of restraint in the future. If the principal/head of upper school directly participated in the restraint, a duly qualified individual designated by the Superintendent shall lead the student support team's discussion. The principal/head of upper school shall ensure that a record of each individual student review by a student support team is maintained and made available for review by the Massachusetts Department of Elementary and Secondary Education, upon request.

The principal/head of upper school shall conduct a monthly review of school-wide restraint data. This review shall consider patterns of use of restraints by similarities in the time of day, day of the week, or individuals involved; the number and duration of physical restraints; and the number and type of injuries, if any, resulting from the use of restraint. The principal/head of upper school shall determine whether it is necessary or appropriate to modify the school's restraint prevention and management practices and procedures, conduct additional staff training or restraint reduction/prevention strategies, such as training on positive behavioral interventions or supports, or take such other action as necessary or appropriate to reduce or eliminate restraints.

District's Training Requirements

A. For All Program Staff

Within the first month of each school year, the principal/head of upper school of each school shall provide all program staff with training on restraint prevention and behavior support, the requirements of when restraint is used and this policy. Additionally, for all new school employees that are hired after the start of the school year, the principal/head of upper school shall within the first month of their employment provide the new employees with training on this policy. The training shall consist of the following: (a) this policy and related procedures and guidelines developed by the Superintendent; (b) interventions that may preclude the need for restraint, including de-escalation of problematic behaviors and other alternatives to restraint in emergency circumstances, including use of time-out as a behavior support strategy distinct from seclusion; (c) when behavior presents an emergency that requires physical restraint, the types of permitted physical restraints and related safety considerations, including information regarding the increased risk of injury to a student when any restraint is used, in particular a restraint of extended duration; (d) administering physical restraint in accordance with known medical or

psychological limitations and/or behavioral intervention plans applicable to an individual student, including known or suspected trauma history; and (e) the role of the student, staff and family in preventing use of restraint; and (f) identification of program staff who have received in-depth training pursuant to 603 C.M.R. 46.03(3) in the use of physical restraint. See 603 C.M.R. 46.03(2).

B. For Staff Authorized to Serve As A School-Wide Resource on the Proper Administration of Physical Restraints

At the beginning of each school year, the principal/head of upper school of each school shall identify program staff that is authorized to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. The content of the in-depth training shall be competency-based and at least sixteen (16) hours in length. Such individuals shall participate in at least one refresher course during subsequent school years of no less than eight (8) hours in length. Training shall include, but not be limited to: (a) appropriate procedures for preventing the use of physical restraint, including the de-escalation of problematic behavior, relationship building and the use of alternatives to restraint; (b) description and identification of dangerous behaviors on the part of students that may lead to the use of physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted; (c) the simulated experience of administering and receiving physical restraint, instruction regarding the effect(s) on the person restrained, including instruction on monitoring physical signs of distress and obtaining medical assistance; (d) instruction regarding documentation and reporting requirements and investigation of injuries and complaints; (e) instruction regarding the impact of physical restraint on the student and family, recognizing the act of restraint has impact, including but not limited to psychological, physiological and social-emotional effects; and (f) demonstration by participants of proficiency in administering physical restraint. See 603 C.M.R. 46.03(3) and 46.03(4).

Complaint Procedures

A. Informal Resolution of Concern About Use of Physical Restraint

Before initiating a formal complaint procedure, students or parents/guardians/caregivers who have concerns regarding a specific use of a physical restraint may seek to resolve their concerns regarding a specific use of a physical restraint by raising the issue with the principal/head of upper school. The student and/or their parent/guardian/caregiver should direct their concerns regarding a specific use of a physical restraint to the principal/head of upper school within ten (10) days of the parent/guardian/caregiver's receipt of the written report from the school detailed above. The principal/head of upper school shall attempt, within their authority, to work with the individual to resolve the complaint fairly and expeditiously. If the student and/or their parent/guardian/caregiver are not satisfied with the resolution, or if the student and/or their parent/guardian/caregiver does not choose informal resolution, then the student and/or their parent/guardian/caregiver may proceed with the formal complaint process detailed below.

B. Formal Resolution of Concern about Use of Physical Restraint

Students or their parent/guardian/caregiver, who have concerns regarding a specific use of a physical restraint, may seek to resolve their concerns regarding a specific use of a physical restraint by submitting a written complaint to the Office of the Superintendent. The student and/or the student's parent/guardian/caregiver should submit this

letter to the Office of the Superintendent within twenty (20) days of the parent/guardian/caregiver's receipt of the written report from the school detailed above. The written complaint shall include (a) the name of the student; (b) the name of the school where the physical restraint allegedly occurred; (c) the name of the individuals involved in the alleged physical restraint; (d) the basis of the complaint or concern; and (e) the corrective action being sought.

The Office of the Superintendent, through its designees, shall conduct an investigation into the complaint promptly after receiving the complaint. In the course of its investigation, the Office of the Superintendent and/or its designees shall contact those individuals that have been referred to as having pertinent information related to the complaint. Strict timelines cannot be set for conducting the investigation because each set of circumstances is different. The Office of the Superintendent and/or its designees will make sure that the complaint is handled as quickly as is feasible. After completing the formal investigation, the Office of the Superintendent shall contact the individual who filed the complaint regarding the outcome of its investigation and its determination as to whether any corrective action is warranted.

Other Complaint Processes Also Available

It should be noted that the provisions of this section does not preclude a student from using the complaint process set forth in CPS' Non-Discrimination Policy and Prohibition Against Sexual Harassment to seek resolution of any complaints of discrimination or harassment that is based on a characteristic protected by law such as race, color, national origin, ethnicity, ancestry, religion, age, disability, genetic information, veteran status, marital status, sex, gender identity or expression, sexual orientation, pregnancy, or pregnancy-related condition. It also should be noted that the provisions of this section does not preclude a student from using the complaint process set forth in Section 23.0 of the *Rights and Responsibilities Handbook* to seek resolution of any complaints regarding a student's deprivation of rights set forth in the *Rights and Responsibilities Handbook*.

CODES OF CONDUCT

Introduction

Each school has its own set of rules - known as school-based rules - that its students are expected to follow. If a student breaks a school-based rule, he or she may be disciplined. School-based rules are written by a committee of administrators, teachers, parents/guardians/caregivers and middle school students at each school and are reviewed in each spring. School-based rules are posted in every classroom and are sent home with students every September. In addition to following its own school-based rules, every school also must follow the code of conduct set forth in the *Rights and Responsibilities Handbook*. The *Rights and Responsibilities Handbook* lists the rules that all students are expected to follow. A student who breaks these rules may be suspended or expelled from school. Both school-based rules and the *Rights and Responsibilities Handbook* apply to behavior of students while they are in school, at a school-sponsored activity, and on their way to and from school.

A summary of the *Rights and Responsibilities Handbook* is provided below. You may obtain a copy of the school-based rules for the school from the principal/head of upper school of the school. You also may obtain a copy of the *Rights and Responsibilities Handbook* from the school principal/head of

upper school. It is also posted on the school district's website.

Additionally, provided below are brief descriptions of various policies of CPS, including anti-discrimination policies which apply to students and staff. Students or staff who violate these policies may be subject to disciplinary action. For a complete copy of any of these policies, contact the school principal/head of upper school.

Philosophy

The Cambridge School Committee's discipline policies urge all school personnel to help students solve conduct problems without resorting to extreme disciplinary measures. Student misconduct may be indicative of more complex underlying problems that a student may have with school and society, and every effort should be made by the elementary and upper schools to help the students and their parents/guardians/caregivers deal effectively with these problems. Suspensions or expulsions are usually recommended only as a last resort. School personnel are encouraged to pursue and exhaust all other available and appropriate consequences or disciplinary actions to foster the education and good conduct of a student before resorting to suspension or expulsion.

Schools shall try to work with the at-risk student on a one-to-one basis, attempting to find the source of the problem and recommend an alternative. At times it is necessary to have conferences with the parent/guardian/caregiver, or to conduct a home visit. The communication between home and school is critical to any success. School counselors or psychologists are a resource in making recommendations and finding solutions. Peer mediation, teacher mentors, Big Brothers and Sisters are also valuable assets. Cambridge is very fortunate to have social development teams in place that are responsive and critical to the needs of troubled students. Some examples of these teams are: the Student Support Teams (SSTs); the Teacher Assistance Teams (TATs); and the Administrative Response Teams (ARTs). Community agencies are critical partners in rendering valued support services. These agencies provide valuable advice to school teams and work with students individually or in groups. Such preventative services are a great deterrent to inappropriate behavior, potential suspensions, and maybe, in the long run, having the students drop out of school.

Behavior and Discipline Policies

Smoking: Tobacco-Free Policy

Massachusetts General Laws, Chapter 71, Section 37H prohibits the use of any tobacco products within the school facilities, school grounds or on school buses by any individual including all school personnel. The policy pertains to all school sponsored, school related events and athletic games. Staff and students who violate these laws will be subject to disciplinary action. Any staff member who sees an elementary and/or upper school student smoking on school property should ask for the student's name and inform him or her that smoking is prohibited on school property. The student's name will be given to the principal/head of upper school or the assistant principal who will inform both the school nurse and the parent/guardian/caregiver. Tobacco Assistance Program (TAP) is available in our public schools and is meant to assist those choosing to quit tobacco addiction.

Statutory Prohibition Against Drugs, Weapons and Assault on School Staff

Massachusetts General Laws chapter 71, section 37H provides, in pertinent part, that:

(a) Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or a knife; or a controlled substance as defined in chapter ninety-four C, including, but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from the school or school district by the principal/head of upper school.

(b) Any student who assaults a principal/head of upper school, 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/head of upper school.

(c) Any student who is charged with a violation of either paragraph (a) or (b) shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the principal/head of upper school.

After said hearing, principals/heads of upper school may, in their discretion, decide to suspend rather than expel a student who has been determined by the principal/head of upper school 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 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) When a student is expelled under the provisions of this section, no school or school district within the Commonwealth shall be required to admit such student or to provide educational services to said student. If said student does apply for admission to another school or school district, the superintendent of the school district to which the application is made may request and shall receive from the superintendent of the school expelling said student a written statement of the reasons for said expulsion.

Drug Policy

Students are in violation of the drug policy if they are found on school premises, on the bus, or at school-sponsored or school related events, including athletic games, in possession of controlled substance as defined in Chapter 94C including, but not limited to: marijuana, cocaine or heroin. In such cases, a student may be expelled by the principal/head of upper school.

Additionally, the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance or alcohol by school personnel on school premises or at school sponsored or school related events, including athletic games, or while on City property also is prohibited, or being intoxicated or under the influence of drugs or alcohol while on duty is strictly prohibited and grounds for

disciplinary action, up to and including termination. Any employee convicted or found guilty of a criminal offense involving a controlled substance is subject to disciplinary action, up to and including termination, regardless of whether the offense was on school property or during working hours.

Weapons Policy

Students are in violation of a weapons policy if they bring a weapon to school; use a weapon on school grounds or at a school activity; or have a weapon in their locker or pocket, or while they are at school, on the bus or at an after school activity.

Legally dangerous weapons include anything that is carried and used in a manner to intimidate or with the intent to cause harm to another person, is considered a dangerous weapon. Such weapons include:

- Firearms of any kind, including BB guns and air rifles;
- Any knife that has a double-edge blade, a switch blade or any knife that has an automatic spring device by which the blade is released from the handle; any stiletto or dagger;
- Metallic knuckles, nunchaku, shuriken or any other similar pointed star-like object that is intended to injure a person when thrown;
- Black jacks and blow guns;
- Any arm band or clothing that is made of leather which has metallic spikes, points or studs and any similar device made from any other substance;
- Mace, tear gas, or any other substance that is used to incapacitate another person;
- Fireworks or explosives of any kind; and
- All other such weapons as described in Massachusetts General Laws 269, Section 10.

There are other items, which are not defined as weapons under the Massachusetts General Laws 269, Section 10, but which are not permitted on school premises, at school-sponsored and/or at school related events, including athletic games. Use of these prohibited items will result in suspension and can result in expulsion from school. These include:

- Knives of any kind, shape or length, including key chain knives and drafting knives;
- Blades of any size;
- Razors, box cutters; and
- Chains, whips, or any other metal object of no academic purpose.

There also are other ordinary items that if used in a dangerous threatening way may result in suspension and expulsion from school. Such items include:

- Pencils, scissors, needles and pins, nails, carpentry tools, etc.
- Engaging in or attempting to engage in any unreasonably dangerous athletic technique that endangers the health or safety of individuals such as using a helmet or any other sports equipment as a weapon.

Note: No toy or replica weapons of any kind, including guns and knives, will be permitted on school premises, at school sponsored events or at school related events, including athletic games. Items such as these will be confiscated and may result in suspension and expulsion if they are determined by the principal/head of upper school or assistant principal to be in violation of this policy.

Staff Assault

Any student who assaults a principal/head of upper school, assistant principal, teacher, teacher's aide, or other school staff on school premises, the bus, at school-sponsored events, or at school-related events, including athletic games, may be expelled by the principal/head of upper school. An act is considered an assault if the student:

- Intentionally, knowingly, or recklessly causes bodily injury to another;
- Intentionally or knowingly threatens another with imminent bodily injury; or
- Intentionally or knowingly causes, threatens or uses physical force against another in such circumstances as to create a reasonable fear of imminent danger coupled with the apparent present ability to carry out the attempt if it is not prevented.

Students Charged With or Convicted of a Felony

If a student is charged with a felony and the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school, the student may be suspended until the matter is adjudicated by the court. If convicted, the student may be expelled by the principal/head of upper school, if the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

In either situation, the student and parent/guardian/caregiver will be notified in writing of the charges and the reasons for the discipline prior to it being imposed and will be afforded an opportunity for a hearing. Further, the student will have the right to representation at the hearing and with the opportunity to present evidence and witnesses. If discipline is imposed, the student also will be provided with written notification of their right to appeal and the processing for appealing the discipline; however, the discipline shall remain in effect prior to any appeal hearing being conducted by the Superintendent or designee.

Hazing

Hazing means any conduct or method of initiation into a student class or group, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any other student. All high school students will be required to sign a statement from the Massachusetts Department of Elementary and Secondary Education regarding hazing.

Hazing is a violation of school policy. Students involved in hazing may be suspended. A criminal complaint will be filed. Information regarding this subject is distributed to all students at the opening of school.

Massachusetts General Laws Chapter 269, Section 17: Crime of Hazing; Definition; Penalty

> Whoever is a principal organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or both such fine and imprisonment.
>
> The term hazing as used in this section and in sections eighteen and nineteen shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding,

forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or person, which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action.

Added by St. 1985, c. 536; amended by St. 1987, c. 665.

Massachusetts General Laws Chapter 269, Section 18: Duty to Report Hazing

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

Added by St. 1985, c. 536; amended by St. 1987, c. 665.

Massachusetts General Laws Chapter 269, Section 19: Statutes to be Provided to Student Groups; Compliance Statement and Discipline Policy Required

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

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

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

institution a copy of this section and sections seventeen and eighteen.

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

Added by St. 1985, c. 536; amended by St. 1987, c. 665; St. 1998, c. 161, ss. 557, 558

Vandalism

No one is to injure, destroy, deface or trespass on school property. All students and staff are urged to treat school buildings with care and respect. Parents/guardians/caregivers will be responsible for paying for any damage done to the building by their child. The school department will take parents/guardians/caregivers to court. People with any information about damage done to the building or its contents shall report it to the Office of Safety and Security. Writing or spraying inappropriately on or around the school - graffiti, carving on a desk, mishandling a book, breaking a window, destroying equipment, or damaging materials are all infringements on the right of the school community to have a clean environment. Students who have vandalized and the parents/guardians/caregivers will be held responsible.

Fighting/Physical Assault

Severe, immediate disciplinary action may be taken against individuals who participate in a fight or encourage it in any way. Absolutely no disruptive behavior of this kind will be tolerated. The penalty for this behavior may be a one-day to ten-day suspension depending on the degree of involvement, category, number of offenses and/or severity of incident.

It should be noted that an assault or an assault and battery on a person are crimes and police are notified of all physical assaults, and parents/guardians/caregivers are notified about their right to file a criminal complaint. Depending on the circumstances, CPS may, on its own accord, file a criminal complaint with the Middlesex County Court on an assault and/or assault and battery.

Students know when they are in dispute and are expected to seek assistance, if necessary, to resolve it peacefully. A student has a responsibility to avoid fighting by bringing the situation to the attention of any school official. Student-faculty mediators are available through the Safety and Security Office, to help resolve disputes.

The following guidelines may be used in disciplining students who engage in fighting or physical assault.

Category 1 – Inciter/Promoter/Instigator: A student who has been asked to leave the vicinity of a disruptive altercation or a fight and who refuses to do so falls under this category.

First Offense – Up to three-day in school suspension. Parent/guardian/caregiver notified.

Second Offense – Three-day to five- day out-of-school suspension. Parent/guardian/caregiver conference.

Third Offense – Five-day to ten-day out-of-school suspension. Parent/guardian/caregiver conference. Expulsion hearing at Principal/Head of Upper School's office.

Category 2 – Assault and Battery on a Person: An assault on a person and/or an assault and battery on a person is a crime. Police will be notified and victims will be advised of their right to file a criminal complaint. CPS may file a criminal complaint against the perpetrator.

First Offense – Three-day to five-day out-of-school suspension. Parent/guardian/caregiver conference.

Second Offense – Five-day to ten-day out-of-school suspension. Expulsion hearing at Principal/Head of Upper School's office.

Category 3 - Fight/Mutual Assault and Battery:

First Offense – Up to a three-day out-of-school suspension. Parent/guardian/caregiver conference. Mediation upon return to school available and encouraged.

Second Offense –Three-day to five-day out-of-school suspension. Parent/guardian/caregiver conference. Mediation made available and encouraged upon return to school.

Third Offense – Five-day to ten-day out-of-school suspension. Expulsion hearing at Principal/Head of Upper School's office.

Category 4 - Fight/Mutual Assault and Battery in classrooms, cafeterias, assemblies, in the corridor, during passing time, or at a school dance, etc.

Altercations (physical or verbal) create a particularly volatile situation within our school climate when they erupt at any time but especially when large numbers of people are present. This extremely disruptive and pernicious behavior warrants strict disciplinary action. Examples include: lunch time in cafeteria, outside during dismissal time or upon entering the building, at dances, sporting events, or at any school assembly or related event.

First Offense – Up to a three-day out-of-school suspension. Parents/guardians/caregivers conference. Mediation upon return to school available and encouraged.

Second Offense – Three-day to five- day out-of-school suspension. Parents/guardians/caregivers conference. Mediation made available and encouraged upon return to school.

Third Offense – Five-day to ten-day out-of-school suspension. Expulsion hearing at Principal/Head of Upper School's Office.

Anti-Bullying Policy and Bullying Prevention and Intervention Plan

CPS is committed to creating a safe, caring, respectful learning environment for all students and strictly enforces a prohibition

against bullying of any of its students by anyone and also strictly enforces a prohibition against retaliation of any person who reports bullying, provides information during an investigation of bullying or witnesses or has reliable information about bullying.

Site-based initiatives, developed collaboratively between school administration and personnel, students, families and community members will seek to: (1) help students of all ages and abilities stay safe, act wisely, and believe in themselves: and (2) help adults respond effectively to students' reports and their own observations.

Bullying is defined as the repeated use by one or more students or by 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/target or damage to the victim/target's property; (ii) places the victim/target in reasonable fear of harm to themselves or of damage to property; (iii) creates a hostile environment at school for the victim/target; (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 purposes of this policy, bullying shall include cyber bullying.

Consistent with state law, the Cambridge Public Schools recognizes that certain students may be more vulnerable to becoming a target of bullying or harassment based on actual or perceived differentiating characteristics, including: race, color, national origin, ethnicity, ancestry, religion, age, disability, genetic information, veteran status, marital status, sex, gender identity or expression, sexual orientation, pregnancy, or pregnancy-related condition, socioeconomic status, homelessness, academic status, physical appearance or parenting status or by association with a person who has or is perceived to have one (1) or more of these characteristics.

Cyber bullying is further defined as bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer or signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications. Cyber bullying shall also include (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. Cyber bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying.

Aggressor or Perpetrator is defined as a student or a member of school staff, including but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional, school volunteer or a vendor, contractor or other person working under a contract with the school district who engages in bullying, cyber bullying, or retaliation.

Hostile environment, as defined in M.G.L.c. 71, §37O, is a situation in which bullying causes the school environment to be permeated with intimidation, ridicule, or insult that is sufficiently severe or pervasive to alter the conditions of a student's education.

Retaliation is defined as any form of intimidation, reprisal, or harassment directed against a student who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying.

Staff is defined to include, but is not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, support staff, or paraprofessionals.

Target or Victim is defined as a student or an adult against whom bullying, cyber bullying, or retaliation has been perpetrated.

Bullying can take many forms and can occur in any setting. Bullying can include, but is not limited to, intimidation such as name calling or threatening; social alienation such as shunning or spreading rumors; or physical aggression such as assaults on a student or attacks on a student's property. Bullying can create an atmosphere of fear for all members of the school community. It also can create unnecessary and unwarranted anxiety that affects the ability of a student to attend school, learn in school, walk in school corridors, eat in the school cafeteria, play in the school yard or recreation areas, participate in or attend special or extracurricular activities or travel to and from school. More specifically, a "hostile environment" is defined as a situation in which bullying causes the school environment to be permeated with intimidation, ridicule or insult that is sufficiently severe or pervasive to alter the conditions of the student's education. Bullying behaviors that are not addressed can lead to devastating consequences for young people, including depression, drops in school performance and attendance. The failure to address bullying behaviors also gives other students the message that it is permissible to engage in negative behaviors.

Bullying of students occurring in the schools is prohibited by law and will not be tolerated by CPS. For purposes of this policy, "school" includes schools, school grounds, travel to and from school and/or school-sponsored events and functions, property immediately adjacent to school grounds, school-sponsored or school-related activities, functions, programs whether on or off school grounds (such as social events, trips, sports events, or similar school-sponsored events and functions), at a school bus stop, on a school bus or other vehicle owned, leased or used by the school district or a school, on the way to or from school, or through the use of technology or an electronic device owned, leased or used by the school district or a school and at a location, activity, function or program that is not school-related or through the use of technology or an electronic device that is not owned, leased or used by the school district or school, if the bullying creates a hostile environment at school for the victim or witnesses, infringes on the rights of the victim or witnesses at school or materially and substantially disrupts the education process or the orderly operation of a school.

CPS takes allegations of bullying seriously and will respond promptly to complaints and allegations of bullying. Additionally, 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.

If any student, parent/guardian/caregiver of a student, staff member or other community

member believes that the student has been subjected to bullying, or to retaliation for reporting bullying, providing information during an investigation of bullying or witnessing or having reliable information about bullying, he or she should bring the matter to the attention of the principal/head of upper school of the school where the child attends. This may be done verbally or in writing. Reports of bullying and/or reports of retaliation for reporting bullying, providing information during an investigation of bullying or witnessing or having reliable information about bullying may also be made anonymously to the principal/head of upper school of the school where the student attends. Please note; however, that no disciplinary action shall be taken against a student solely on the basis of an anonymous report having been received.

All school staff (including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities or paraprofessionals) are trained on an annual basis regarding CPS' Anti-Bullying Policy and the Bullying Prevention and Intervention Plan. The duties and responsibilities of staff are further set forth in CPS' Bullying Prevention and Intervention Plan. As detailed in the Bullying Prevention and Intervention Plan, district-wide bullying prevention efforts are coordinated by the Welcoming Schools/School Climate Coordinator, the Program Leader for Health Education, the District Conflict Mediator, in collaboration with Principals/Heads of Upper Schools, Assistant Principals/Deans of Students, Assistant Superintendent for Support Services, school-based and bilingual family liaisons, school counselors and safety specialists. The following is a list of responsibilities:

<u>Deputy Superintendent</u>

- Oversee all bullying prevention and intervention activities
- Include a summary of the anti-bullying policy in all student handbooks
- Coordinate and prioritize professional development

<u>Principals/Heads of Upper Schools</u>

The principal/head of upper school of each school will take steps to raise awareness about the importance of a safe and welcoming school climate as an underlying component of student achievement, and of the harmful effects of bullying and retaliation. Examples of steps that may be taken include but are not limited to the following:

- Oversee the development and implementation of a coordinated system of supervision during break periods, recess, lunchtime (classrooms, hallways, cafeteria, playground)
- Receive and act on reports of bullying
- Ensure that all CPS policies and procedures are followed when handling reported incidents of bullying
- Ensure that all students receive age-appropriate information and skill development on bullying prevention in each grade as well as on the potential legal consequences for engaging in acts of bullying and that this instruction is incorporated into the school's curriculum/classroom meetings
- Develop rules that prohibit bullying and retaliation
- Facilitate opportunities for ongoing bullying prevention staff training
- Report bullying incidents to CPS Safety and Security and to the School Resource Officer if criminal charges may be pursued against the aggressor

- Collaborate with Welcoming Schools/School Climate Coordinator on data collection, student surveys and program evaluation
- Incorporate bullying prevention as an on-going responsibility of a school based team (i.e. School Site Council, Principal/Head of Upper School's Leadership Team, or other school body)

Safety and Security

- Receive incident reports on bullying
- Collaborate with the Cambridge Police Department and School Resource Officers when appropriate

Health Education Program Leader

- Include bullying prevention in Health/Safe and Drug Free Schools Grants
- Collaborate with Welcoming Schools/School Climate Coordinator in development of the Bullying Prevention/Intervention Plan and associated training
- Collaborate in development and administration of K-5 Bullying Survey
- Administer bi-annual teen health and middle grades surveys which include questions on bullying and school climate

Welcoming Schools/School Climate Coordinator

- Plan and implement ongoing professional development for all school administrators and staff, in collaboration with appropriate school and district administrators
- Lead professional development efforts in collaboration with appropriate school and district administrators
- Choose and implement the materials that the school or district will use with students, staff and parents, in collaboration with appropriate school and district administrators
- Use a mapping process to identify resource gaps and significant areas of need to develop or revise current policies and protocols, in collaboration with appropriate school and district administrators
- Collaborate with school based and bilingual family liaisons to disseminate parent information materials
- Review and update the Plan each year, or more frequently if needed, in collaboration with appropriate school and district administrators and in accordance with the requirements of state law
- Collaborate with appropriate staff to create a process for recording and tracking incident reports and for accessing information related to targets and aggressors
- Analyze district-wide data on bullying to assess the present problem and to measure improved outcomes
- Collaborate with community agencies and non public schools to promote a unified approach to bullying prevention and intervention
- Collaborate with Office of Student Services to provide bullying prevention/intervention materials for special education students whom research has shown are at increased risk of being targeted for bullying
- Collaborate with principals/heads of upper schools and classroom teachers to make schools more safe and welcoming for GLBT/gender non-conforming students and families whom research has shown are at increased risk of being targeted for bullying

Assistant Superintendent for Student Services

- Implement supports that respond to the specific bullying prevention/intervention needs of students with disabilities
- Coordinate with state and federal regulations and guidelines

School Counselors/Social Workers

- Plan supports that respond to the bullying prevention/intervention needs of students

School Nurses

- Plan supports that respond to the bullying prevention/intervention needs of students

Family Liaisons

- Collaborate with Welcoming Schools/School Climate Coordinator and school staff on outreach and education for families

District Conflict Mediator

- Implement a Peer Mediation Program at CRLS for student conflicts that do not involve bullying
- Mediate conflicts between staff and parents/guardians/caregivers, or staff and staff
- Support prevention work in elementary schools that uses a conflict mediation approach

Prevention

CPS is working to implement a comprehensive, evidence-based approach to promoting positive behavior and school climate. This Positive Behavior Intervention Supports (PBIS) framework is based on a three-tiered approach that includes implementing school wide prevention activities; early intervention activities for students exhibiting problem behaviors; and intensive supports for students in need. Work in the district to create positive school climates and develop students' social competencies has been based on the Olweus Bullying Prevention Program, and Responsive Classroom/ Developmental Designs. Responsive Classroom (K-5) and Developmental Designs (6-9) promote social, emotional, and academic growth within a safe and welcoming school community. Key components to this approach are:

- Creating, teaching and modeling of school wide rules and positive behavior expectations, which include rules that prohibit bullying and retaliation
- Development and implementation of a coordinated system of supervision during break periods, recess, lunchtime (classrooms, hallways, cafeteria, playground)
- Age-appropriate information and skill development on bullying prevention and bystander empowerment
- Regular classroom meetings or advisories where bullying can be discussed
- Regular review of data regarding behavior and assessment of programs

At the start of each school year, staff are expected to review the student-related sections of the Bullying Prevention and Intervention Plan with students, including without limitation, information on prevention of bullying, reporting of bullying and the potential consequences for engaging in bullying. Additionally, information regarding the student-related sections of this Plan will be incorporated into the comprehensive prevention approach that is detailed above.

Training and Professional Development

CPS will provide annual staff training regarding CPS' Anti-Bullying Policy and the Bullying Prevention and Intervention Plan to

all school staff, including but not limited to, educators, administrators, safety specialists, substitute teachers, school counselors, school nurses, cafeteria workers, custodians, bus drivers, school volunteers, athletic coaches, advisors to extracurricular activities and paraprofessionals. The training will include, but not be limited to:

- Developmentally appropriate strategies to prevent bullying incidents
- Developmentally appropriate strategies for immediate, effective interventions to stop bullying incidents
- Information regarding the complex interaction and power differential that can take place between and among a perpetrator, victim and witnesses to the bullying
- Research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment (including students who do not conform to stereotypical gender norms and students with special needs)
- Information on the incidence and nature of cyber bullying
- Cyber safety issues as they relate to cyber bullying

CPS will continue to support staff training in Responsive Classroom and Developmental Designs as a way to support classroom and school-wide practices that help students build academic and social-emotional competencies. In addition the district will continue to implement Positive Behavior Intervention Supports (PBIS), a comprehensive, evidence-based approach to promoting positive behavior and school climate. The PBIS framework is based on a three-tiered approach that includes implementing school wide prevention activities; early intervention activities for students exhibiting problem behaviors; and intensive support for students in need.

The Welcoming Schools/School Climate Coordinator will create and facilitate extended professional development opportunities to examine bullying issues in depth, including (i) developmentally appropriate strategies to prevent bullying incidents; (ii) developmentally appropriate strategies for immediate, effective interventions to stop bullying incidents; (iii) information regarding the complex interaction and power differential that can take place between and among a perpetrator, target, and witnesses to the bullying; (iv) research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment; (v) information on the incidence and nature of cyber bullying; and (vi) internet safety issues as they relate to cyber bullying.

Staff members who work with students with disabilities will receive training in ways to prevent and respond to bullying or retaliation for students with disabilities with a special focus on factors that must be considered when developing students' Individualized Education Programs (IEPs). This will include a particular focus on the needs of students with autism or students whose disability affects social skills development.

Collaboration with Families

The Welcoming Schools/School Climate Coordinator and Family Liaisons, in conjunction with the central office and principals/heads of upper schools, will provide opportunities for parents/guardians/caregivers to learn how to recognize bullying and understand its effects on targets, bystanders and on individuals who bully.

Parents/guardians/caregivers will also be informed about the bullying curriculum of their child's school; the dynamics of bullying and online safety and cyber bullying; the impact of the law on bullying and the potential consequences that can occur if a student or staff member engages in bullying and the process for reporting complaints of bullying and the requirements of the Massachusetts student record regulations, 603 C.M.R. 23.00, and the Federal Family Educational Rights and Privacy Act regulations, 34 C.F.R. Part 99, as set forth in 603 C.M.R. 49.07 with respect to a principal/head of upper school's notification to a parent/guardian/caregiver about an incident or report of bullying or retaliation.

Resources and Services

CPS works to ensure that the underlying emotional needs of targets, aggressors, bystanders, families, and others are addressed.

A. *Identifying resources.* The Welcoming Schools/School Climate Coordinator will work with appropriate staff to identify the district's capacity to provide counseling and other services for targets, aggressors, and their families. This will include a review of current staffing and programs that support the creation of positive school environments by focusing on restorative approaches, early interventions and intensive services. Once this mapping of resources is complete, recommendations and action steps to fill resource and service gaps will be established.

B. *Counseling and other services.* The Welcoming Schools/School Climate Coordinator will work with appropriate staff to identify the availability of culturally and linguistically appropriate resources within the schools and community. The Welcoming Schools/School Climate Coordinator, in consultation with appropriate school and district administrators, will identify staff and service providers who can assist in developing safety plans for students who have been targets of bullying or retaliation, providing social skills programs to prevent bullying, and offering education and/or intervention services for students exhibiting bullying behaviors.

C. *Students with disabilities.* As required by M.G.L.c. 71B, §3, as amended by Chapter 92 of the Acts of 2010, when the IEP Team determines that the student has a disability that affects social skills development or that the student may participate in or is vulnerable to bullying, harassment, or teasing because of the student's disability, the Team will consider what should be included in the IEP to develop the student's skills and proficiencies to avoid and respond to bullying, harassment, or teasing. Teams must discuss bullying concerns for all students with a diagnosis of Autism Spectrum Disorders. In addition the team shall discuss bullying for any student for whom concerns have been raised by the student's IEP and/or Notice of Proposed School District Action.

D. *Referral to outside services.* The Welcoming Schools/School Climate Coordinator along with appropriate staff will review referral protocol for referring students and families to outside services to ensure that protocols comply with relevant laws and policies.

Intervention and Reporting Requirements

It, however, is important to note that all school staff are required to immediately report any instance of bullying or retaliation they witness or become aware of to the principal/head of

upper school or designee of the school. The requirement to report to the principal/head of upper school or designee does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with school district policies and procedures for behavior management and discipline.

When the complaint is received, the principal/head of upper school will immediately notify:

- Parents/guardians/caregivers of the alleged target
- Parents/guardians/caregivers of the alleged aggressor or the alleged aggressor if a member of the school staff
- Office of Safety and Security

The principal/head of upper school will promptly conduct an investigation of the complaint that has been received.

The principal/head of upper school may consult with the School Resource Officer but shall not share identifying information of the alleged aggressor or target.

In notifying the parents/guardians/caregivers of the target and aggressor, the principal/head of upper school must comply with the confidentiality requirements of the Massachusetts Student Record regulations, 603 C.M.R. 23.00, and the Federal Family Educational Rights and Privacy Act regulations, 34 C.F.R. Part 99, as set forth in 603 C.M.R. 49.07. More specifically, a principal/head of upper school may not disclose information from a student record of a target or aggressor to a parent/guardian/caregiver unless the information is about the parent/guardian/caregiver's own child. A principal/head of upper school may disclose a determination of bullying or retaliation to a local law enforcement agency under 603 C.M.R. 49.06 without consent of a student or the student's parent/guardian/caregiver but the principal/head of upper school shall communicate with law enforcement officials in a manner that protects the privacy of targets, student witnesses, and aggressors to the extent practicable under the circumstances. Additionally, if the aggressor is a member of the school staff, the principal/head of upper school may take appropriate disciplinary action, up to and including termination. Additionally, if the principal/head of upper school has determined that there is an immediate and significant threat to the health or safety of the student or other individuals, a principal/head of upper school may disclose student record information about a target or aggressor to appropriate parties in addition to law enforcement in connection with a health or safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals as provided in 603 C.M.R. 23.07(4)(e) and 34 C.F.R. 99.13(a)(10) and 99.36. In this latter situation, the disclosure is limited to the period of the emergency and the principal/head of upper school must document the disclosure and the reasons that the principal/head of upper school determined that a health or safety emergency exists.

The principal/head of upper school will provide a copy of CPS' Non-Discrimination Policy and Prohibition Against Sexual Harassment and Anti-Bullying Policy to all parties including the person making the complaint, the alleged student target, the parents/guardians/caregivers of the alleged student target, the alleged aggressor and the parents/guardians/caregivers of the alleged aggressor if the alleged aggressor is a student.

Reports of bullying and/or retaliation for reporting bullying may also be made anonymously to the principal/head of upper school of the school where the student

attends. Please note, however, that no disciplinary action can be taken against a student solely on the basis of an anonymous report having been received.

Complaint Investigation

When CPS receives a complaint of bullying or retaliation for reporting bullying, providing information during an investigation of bullying or witnessing or having reliable information about bullying, CPS will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances and to protect from bullying or retaliation a person who reports bullying, provides information during an investigation of bullying or witnesses or has reliable information about an act of bullying.

The investigation may include an interview with the student, parent/guardian/caregiver, staff member or community member filing the complaint, the student alleged to be a victim of bullying or retaliation, the student(s) or staff member(s) alleged to have committed the bullying or retaliation, witnesses to any alleged incidents or other individuals as determined by the school department. Upon determining that bullying or retaliation has occurred, the principal/head of upper school or designee will promptly notify the parents/guardians/caregivers of the target and the aggressor and the parents/guardians/caregivers of the aggressor if the aggressor is a student, of this and of the procedures for responding to it. There may be circumstances in which the principal/head of upper school or designee contacts parents/guardians/caregivers prior to any investigation. Notice will be consistent with state regulations at 603 C.M.R. 49.00. In notifying the parents/guardians/caregivers of the target and aggressor, the principal/head of upper school must comply with the confidentiality requirements of the Massachusetts Student Record regulations, 603 C.M.R. 23.00, and the Federal Family Educational Rights and Privacy Act regulations, 34 C.F.R. Part 99, as set forth in 603 C.M.R. 49.07 More specifically, a principal/head of upper school may not disclose information from a student record of a target or aggressor to a parent/guardian/caregiver unless the information is about parent/guardian/caregiver's own child. A principal/head of upper school may disclose a determination of a bullying or retaliation to a local law enforcement agency under 603 C.M.R. 49.06 without consent of a student or the student's parent/guardian/caregiver but the principal/head of upper school shall communicate with law enforcement officials in a manner that protects the privacy of targets, student witnesses, and aggressors to the extent practicable under the circumstances. Additionally, if the principal/head of upper school has determined that there is an immediate and significant threat to the health or safety of the student or other individuals, a principal/head of upper school may disclose student record information about a target or aggressor to appropriate parties in addition to law enforcement in connection with a health or safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals as provided in 603 C.M.R. 23.07(4)(e) and 34 C.F.R. 99.13(a)(10) and 99.36. In this latter situation, the disclosure is limited to the period of the emergency and the principal/head of upper school must document the disclosure and the reasons that the principal/head of upper school determined that a health or safety emergency exists. Additionally, consistent with state law, the parents/guardians/caregivers of the target(s) shall be notified of the results of the investigation and any actions that will be

taken to prevent any further acts of bullying or retaliation if it is determined that such conduct has occurred.

Additionally, consistent with state law and the terms of the Memorandum of Understanding between CPS and Cambridge Police Department, if it is determined that bullying or retaliation has occurred, the principal/head of upper school, in conjunction with the Director of Safety and Security, shall:

- Notify School Resource Officer if the principal/head of upper school has a reasonable basis to believe that criminal charges may be pursued against the aggressor or has determined that there is an immediate and significant threat to the health or safety of the student or other individuals
- Take appropriate disciplinary action consistent with the *Rights and Responsibilities Handbook*
- Notify the parents/guardians/caregivers of the aggressor(s) if the aggressor is a student or notify the aggressor if a staff member
- Notify the parents/guardians/caregivers of the target(s), and to the extent consistent with state and federal law and regulations, notify them of the action taken to prevent any further acts of bullying or retaliation

Moreover, if an incident of bullying or retaliation involves students from more than one school district, charter school, non-public school, approved private day or residential school or collaborative school, the school district or school first informed of the bullying or retaliation shall, consistent with state and federal law, promptly notify the appropriate administrator of the other school district or school so that both may take appropriate action.

At any point after receiving a report of bullying or retaliation, including after an investigation, if the principal/head of upper school or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the principal/head of upper school, in conjunction with the Director of Safety and Security, will notify local law enforcement. Notice will be consistent with the requirements of 603 C.M.R. 49.00 and the terms of the Memorandum of Understanding between the CPS and Cambridge Police Department. Additionally, if an incident of bullying or retaliation occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in a local school district, charter school, non-public school, approved private day or residential school or collaborative school, the school district or school informed of the bullying or retaliation shall contact law enforcement in a manner consistent with state and federal law and regulations. In making this determination the principal/head of upper school will, consistent with the Plan, applicable school district policies and procedures and the terms of the Memorandum of Understanding between CPS and Cambridge Police Department, consult with the school resource officer and other individuals the principal/head of upper school or designee deems appropriate.

Disciplinary Action/Responses to Bullying

The goal of the Cambridge Public Schools with regard to discipline is to create an atmosphere in which students learn how to repair the damage caused to the entire community when individual members harm each other. If it is determined that bullying or other inappropriate conduct has been committed, CPS will take action that is appropriate under the circumstances. The disciplinary action taken will balance the need

for accountability with the need to repair the harm done to the school community, while also teaching appropriate behavior. Using a restorative framework as appropriate, the principal/head of upper school or designee will implement appropriate strategies for protecting from bullying or retaliation a student who has reported bullying or retaliation, a student who has witnessed bullying or retaliation, a student who provides information during an investigation, or a student who has reliable information about a reported act of bullying or retaliation.

Before fully investigating the allegations of bullying or retaliation, the principal/head of upper school or designee will take steps to assess the need to restore a sense of safety to the alleged target and/or to protect the alleged target from possible further incidents. Responses to promote safety may include, but not be limited to, creating a personal safety plan; pre-determining seating arrangements for the target and/or the aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a "safe person" for the target; and altering the aggressor's schedule and access to the target. The principal/head of upper school or designee will take additional steps to promote safety during the course of and after the investigation, as necessary.

There are a range of options for teaching appropriate behavior including: offering individualized skill-building sessions; modeling and using restorative practices; providing relevant educational activities for individual students or groups of students, in consultation with school counselors and other appropriate school personnel; implementing a range of academic and non-academic positive behavioral supports to help students understand pro-social ways to achieve their goals; meeting with parents/guardians/caregivers to engage parental support and to reinforce bullying prevention and social skills building activities at home; adopting behavioral plans to include a focus on developing specific social skills.

Action for students who are found to have engaged in bullying may further include requiring the aggressor to work with school personnel to improve behavior; a recommendation of counseling, support services or other therapeutic interventions for the student and appropriate family members of the student; disciplinary consequences for the student up to and including court involvement; or school-related discipline consistent with the *Rights and Responsibilities Handbook* up to and including suspension, expulsion and/or court involvement. Action for staff who are found to have engaged in bullying may include disciplinary action, up to and including termination and/or court involvement.

All students and staff members who are found to have engaged in bullying will be informed about the prohibition against retaliation and that any acts of retaliation will result in disciplinary action.

Where it is determined that inappropriate conduct has occurred, CPS will act promptly to eliminate the conduct and will impose corrective action as necessary, which may range from requiring the offender to work with school personnel on better behavior, the recommendation for the provision of counseling or other therapeutic services and/or disciplinary action where appropriate, up to and including suspension, expulsion and/or court involvement. Additionally, consistent with state law, if it is determined that bullying or retaliation has occurred, the principal/head of upper school, in conjunction with the Director of Safety and Security, shall (i) notify local law enforcement if the principal/head of upper school believes that criminal charges may be pursued against the perpetrator; (ii) take appropriate disciplinary

action; (iii) notify the parents/guardians/caregivers of the perpetrator if a student or the perpetrator is a staff member; and (iv) notify the parents/guardians/caregivers of the victim, and to the extent consistent with state and federal law, notify them of the action taken to prevent any further acts of bullying or retaliation. Furthermore, if it is determined that a student has knowingly made a false accusation of bullying or retaliation, they shall be subject to discipline consistent with the provisions of the *Rights and Responsibilities Handbook* which may include suspension, expulsion and/or court involvement.

Promoting Safety for the Target and Others

In order to restore a sense of safety for the student target of bullying and assess the target's needs for protection, a meeting shall be held with the student, the student's parents/guardians/caregivers, and appropriate school personnel (i.e. school principal/head of upper school, assistant principal, dean of students, safety specialist and/or school resource officer). The purpose of this meeting will be to discuss the development and implementation of a safety plan for the student, including staff to whom the student may report if any concerns arise. CPS also may, as appropriate, recommend counseling, support services or other therapeutic interventions for the student and appropriate family members of the student.

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the principal/head of upper school or designee will contact the target to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are needed. If so, the principal/head of upper school or designee will work with appropriate school staff to implement them immediately.

If a restraining order is in place, one purpose of the meeting will be to review the implications of the restraining order and procedures for reporting if any violation of the restraining order occurs. If the restraining order is against another student or an employee, a separate meeting should be held with that individual to review the restraining order and its implications, expectations and the consequences for violation of the order.

False Accusations/Retaliation

If it is determined that a student has knowingly made a false accusation of bullying or retaliation, they shall be subject to discipline consistent with the provisions of the *Rights and Responsibilities Handbook*.

All students shall be afforded the same protection regardless of their status under the law.

Review of School-based Actions

If the person making a complaint about bullying, the alleged target of bullying and/or the parents/guardians/caregivers of an alleged target of bullying are unable to resolve their concerns after a good faith attempt to use the informal means detailed above in cooperation with the Principal/Head of Upper School, a written complaint may be filed with the Superintendent or Chief Operating Officer. The written complaint shall state the concerns and include a brief statement of the facts and the specific relief being requested.

Within seven (7) days of receipt of the written complaint, the Superintendent or designee shall mail a notice establishing a date and time for a meeting to discuss the concerns. After the meeting, the Superintendent or designee shall determine if bullying or other inappropriate conduct has

occurred, what appropriate relief has been taken, to date, to assure that the bullying or other inappropriate conduct ceases to occur and whether additional supportive measures are needed. A letter addressing these matters and any additional actions that the school district will be taking to address the concerns that were raised will be issued within five (5) days of the meeting.

If the person making a complaint about bullying, the alleged target of bullying and/or the parents/guardians/caregivers of an alleged target of bullying still is unable to resolve their issues and concerns after the meeting with the Superintendent or designee has occurred, a request for review may be submitted to the School Committee. The School Committee in its discretion may hear witnesses, receive additional evidence, and review the findings and recommendations at the school level as well as the findings and recommendation of the Superintendent or designee's review meeting. Within five (5) days of conducting its review, the School Committee shall issue a written decision which shall affirm, overrule or otherwise modify the findings and recommendations of the Superintendent, including addressing what, if any, additional actions that the school district will take to address the concerns that have been raised.

Other Complaint Processes Also Available

It should be noted that the provisions of these procedures detailed above in this section and in the *Rights and Responsibilities Handbook*, Anti-Bullying Policy and Bullying Prevention and Intervention Plan do not preclude a student from using the complaint process set forth in CPS' Non-Discrimination Policy and Prohibition Against Sexual Harassment Policy to seek resolution of any complaints of discrimination or harassment that is based on a characteristic protected by law such as race, color, national origin, ethnicity, ancestry, religion, age, disability, genetic information, veteran status, marital status, sex, gender identity or expression, sexual orientation, pregnancy, or pregnancy-related condition. It also should be noted that the provisions of this section do not preclude a student from using the complaint process set forth in Section 23.0 of the *Rights and Responsibilities Handbook* to seek resolution of any complaints regarding a student's deprivation of rights set forth in the *Rights and Responsibilities Handbook*.

Relationship to Other Laws

Consistent with federal and state laws and regulations and the policies of the school district, no person shall be discriminated against in admission to a public school of any city or town or in obtaining the advantages, privilege and courses of study of such public school on account of race, color, national origin, ethnicity, ancestry, religion, age, disability, genetic information, veteran status, marital status, sex, gender identity or expression, sexual orientation, pregnancy, or pregnancy-related condition. Nothing in this section or in the *Rights and Responsibilities Handbook*, Anti-Bullying Policy and Bullying Prevention and Intervention Plan prevents a school or the school district from taking action to remediate discrimination or harassment based on a person's membership in a legally protected category under local, state or federal law or school district policies. In addition, nothing in this section or in the *Rights and Responsibilities Handbook*, Anti-Bullying Policy and Bullying Prevention and Intervention Plan is designed or intended to limit the authority of a school or the school district to take disciplinary action under M.G.L.c. 71, sections 37H and 37H ½, other applicable laws, or local school or school district policies in response to violent, harmful or disruptive behavior, regardless of whether this section of the *Rights and Responsibilities Handbook*, Anti-Bullying Policy and/or Bullying

Prevention and Intervention Plan covers the behavior.

Policy Against Teen Dating Violence

CPS is committed to providing a learning environment in which dating violence is not tolerated. Consistent with this philosophy, CPS is committed to promoting an environment free from dating violence. Accordingly, CPS seeks to increase awareness of teen dating violence and help in responding to the needs of victims and children who are witnesses to such violence.

Teen dating violence occurring in any setting is unlawful and teen dating violence occurring in any school setting will not be tolerated. Further, retaliation against an individual who has complained about teen dating violence or cooperated in an investigation of teen dating violence will not be tolerated. CPS will respond promptly to complaints and reports of teen dating violence or retaliation and corrective action will be taken where necessary, including disciplinary action where appropriate.

The definitions used in this policy are as follows:

Domestic Violence/Interpersonal Violence: Domestic Violence is a pattern of coercive behavior in which one partner attempts to control another through threats or actual use of tactics, which may include any or all of the following: physical, sexual, verbal, financial, psychological abuse and/or through the use of technology (i.e. cyber bullying).

Domestic Violence affects every community across the country, regardless of ethnic group, culture, or background. People of all ages, income levels, faiths, sexual orientation, gender, gender identity and education levels experience domestic violence.

Teen Dating Violence: Dating violence (or relationship abuse) is a pattern of over-controlling behavior that someone uses against their girlfriend or boyfriend. Dating violence can take many forms, including mental/emotional abuse, physical abuse, sexual abuse and/or through the use of technology (i.e. cyber bullying). Someone may experience dating violence even if there is no physical abuse. It can occur in both casual dating situations and serious, long-term relationships.

Child Witness/Exposure to Domestic Violence: Witnessing violence can affect every aspect of a child's life, growth, and development. Exposure can include seeing or hearing the abuse, discovering the effects of abuse (their parent/guardian/caregiver's injuries or broken furniture, etc.) and/or being injured/hurt defending a parent/guardian/caregiver against the abusive behavior.

F*amily Violence:* Family Violence is a broader definition, including child abuse, elder abuse, and other violent acts between family members.

Victim/Survivor/Battered: Interchangeable terms to refer to the person who has been hurt, abused or threatened with harm, whether or not there has been actual physical abuse.

Abuser/Perpetrator/Batterer: Interchangeable terms to refer to the person inflicting the abuse and causing harm, whether or not there has been actual physical abuse.

Additionally, such conduct may also constitute harassment, a form of discrimination, which is prohibited by federal and state law; and/or such conduct may constitute bullying, including without limitation, cyber bullying, which is prohibited by state law. Such conduct also is prohibited by CPS' Non-Discrimination Policy and Prohibition Against Sexual Harassment, Anti-Violence Policy and Anti-Bullying Policy.

Recognizing Warning Signs

Signs of abusive behavior include: acting really jealous their partner talks to others, trying to decide what the other should do, blowing disagreements out of proportion, constantly threatening to break up, losing their temper verbally, blaming the other for their own problems, physically and emotionally hurting their partner, or acts of cyber bullying.

Signs of victimization include: constantly cancelling plans for reasons that do not sound right, always worrying about making their partner angry, giving up things that are important to them, showing signs of physical abuse, such as bruises or cuts, getting pressured into having sex or feeling like a sex object, having a partner that wants them to be available all the time, and becoming isolated from family or friends, or been cyber bullied.

Procedure for Reporting Teen Dating Violence

Students who believe they have been a victim of teen dating violence, believes that they are in danger of teen dating violence, or they have a restraining order against an individual, may report the matter to any of the following individuals: (1) principal/head of upper school, (2) assistant principal, (3) dean, (4) teacher, or (5) school nurse.

The person who receives the report must immediately notify the principal/head of upper school.

Additionally, any employee who observes an incident of teen dating violence on school property or at a school related event, must immediately notify the principal/head of upper school.

The principal/head of upper school must immediately do the following: (1) notify the parents/guardians/caregivers of the victim, and (2) notify the Office of Safety and Security.

The principal/head of upper school must also refer the student and/or the student's parents/guardians/caregivers to CPS' Non-Discrimination Policy and Prohibition Against Sexual Harassment which addresses procedures for informal resolution and filing of formal complaints and CPS' Anti-Bullying Policy and provide copies of the same upon request.

When a report of teen dating violence is received, whether it occurred off school property or has occurred on school property, on the way to or from school or at a school related event, or a violation of a restraining order on school property, on the way to or from school or at a school related event is received, the CPS will act promptly to notify the appropriate authorities of the alleged incident. Reporting of any such incident will be conducted in such a way as to maintain confidentiality *to the extent practicable* under the circumstances.

It is important to take third party information seriously where teen dating violence is concerned. It is recommended that an appropriately trained member of the school staff approach the student to discuss what has been heard and potential concerns. If abuse is acknowledged, a "safety plan" should be worked on, in addition to recommending and sharing referrals for counseling, support groups, and police/court assistance.

Additionally, school staff must remember to comply with all statutory reporting obligations for suspected abuse and neglect (51A reporting). Filing of 51 A complaints should be done by following CPS' Child Abuse and Neglect Reporting Guidelines, including notifying the principal/head of upper school of the suspected abuse and neglect. Furthermore, school staff also must remember to report all crimes to the police.

Staff should notify the principal/head of upper school, who will notify the Director of Safety and Security, and who will coordinate notification to the police. Reporting of any such incident will be conducted in such a way as to maintain confidentiality *to the extent practicable* under the circumstances.

Procedures When the School Is Provided With a Copy of a Restraining Order

When a student has a restraining order against an individual and provides a copy of the order to the school, the principal/head of upper school should hold a meeting with the employee or with the student and the student's parents/guardians/caregivers to review the restraining order and its implications. A "safety plan" should be worked out to address the victim's needs and concerns, including staff to whom the student may report if any concerns arise or any violation of the restraining order occurs while the student or employee is on school property or at a school related event. If the restraining order is against another member of the school community, a separate meeting should be held with that individual to review the restraining order and its implications, expectations and the consequences for violation of the order. The development of the "safety plan" will be conducted in such a way as to maintain confidentiality *to the extent practicable* under the circumstances,

Disciplinary Action

If it is determined that inappropriate conduct has been committed, CPS will take such action as it deems appropriate under the circumstances. Such action may range from counseling and/or discipline up to and including suspension or expulsion from school.

Other Remedies

In addition to reporting a teen dating violence incident that occurs on school property, on the way to or from school, or at a school related event in accordance with the procedures above, students who believe they have been the victim of teen dating violence on school property, on the way to or from school, or at a school related event may also file a complaint of harassment and/or bullying in accordance with the procedures set forth in either CPS' Non-Discrimination Policy and Prohibition Against Sexual Harassment and/or Anti-Bullying Policy. Furthermore, students who believe that they have been the victim of teen dating violence that has occurred off school grounds and/or during non-school hours may report the alleged incident to the police.

Students who believe that they are in danger may also seek a restraining order to protect a person from physical pain or injury or the threat of pain or injury by filing an application for a restraining order at the local courthouse.

Discipline Proceedings (Due Process)

Discipline procedures are set forth in the *Rights and Responsibilities Handbook*. A brief summary of these procedures follows.

Suspensions

It is the policy of CPS that every effort should be made to help students solve conduct problems without resorting to extreme disciplinary measures. Suspension action is recommended only as a last resort. To that end, principals/heads of upper schools or designees are encouraged to pursue and exhaust all other available and appropriate interventions and disciplinary actions to foster the education and good conduct of a student

before resorting to suspension. However, in those cases where a student's behavior is disruptive to the school, hurtful to her or himself or others, or engages in activity forbidden by the laws of the Commonwealth of Massachusetts, then a suspension may be warranted.

The suspension of the student is to be conducted by the principal/head of upper school or designee. Extenuating or mitigating circumstances will receive consideration before a decision on suspension is made. See the *Rights and Responsibilities Handbook* for further information.

The principal/head of upper school may suspend a student from school for a period from one to ten days for violation of school rules that occur while in school buildings, on school grounds, in transit to and from school, or during any authorized school activity, whether on or off school grounds. Depending on the severity of the incident, a student will be suspended from one to ten days if he or she is found to have violated the codes of conduct set forth in the *Rights and Responsibilities Handbook* or violated school-based rules. Conduct that can result in a suspension includes, but is not limited to, the following:

- used violence, force, coercion, threats, intimidation or other comparable conduct;
- set fire or damage to any school building or property;
- sounded a school type alarm with knowledge that no fire emergency exists;
- been or is in possession of a weapon;
- possessed or under the influence of controlled substances or alcohol;
- has been charged with a felony and is determined that their continued presence in school would have a substantial detrimental effect on the general welfare of the school;
- prevented or attempted to prevent by physical act the convening or continued functioning of any school or educational function or any lawful meeting on school property.
- damaged or stole personal property of another or was found in possession of stolen personal property while in school;
- caused or attempted to cause damage to school property, stole or attempted to steal school property;
- intentionally caused or attempted to cause physical injury to any student;
- failed to comply with the directions of any school personnel acting legitimately in their official capacity which resulted in any disruptive effect upon the education of other students;
- interfered with any school personnel or student by use of threats, harassment or coercion or disrupted or obstructed any school activity with or without the use of force or violence;
- engaged in any activity forbidden by the laws of the Commonwealth of Massachusetts which constituted a disruption of school activity;
- caused or done any act repeatedly which constituted a knowing and intentional violation of any of the rules and responsibilities set forth in the *Rights and Responsibilities Handbook*;
- been involved in any activity which violates the Massachusetts law prohibiting the practice of hazing (G.L. c.269, Sections 17-19);
- been involved in any activity which violates the Massachusetts law prohibiting bullying, cyber bullying and retaliation for reporting

bullying and/or cyber bullying (G.L.c. 71, Section 37O)

- threatened, harassed or intimidated any person while on school grounds, at a school activity on or off school grounds;
- engaged in conduct violative of M.G.L. c. 71, Section 37H and/or 37H1/2; and/or
- engaged in other conduct violative of school-based rules or the *Rights and Responsibilities Handbook*.

While on suspension, a student is not to be within the vicinity of the school and is not eligible to participate in or attend any school events or activity. Failure to comply with these conditions can result in the suspension being extended by the principal/head of upper school.

Expulsions

It is the policy of CPS to provide a safe environment in which students can learn and participate in all programs.

Unfortunately, because there are situations where a student's behavior is a threat to the health and safety of other students or school department personnel, it may be necessary to expel the student.

Under Massachusetts General Laws, Chapter 71, Section 37H, the principal/head of upper school can expel or suspend a student for possession of a dangerous weapon, possession of a controlled substance, and/or assault on a staff member.

Under Massachusetts General Laws, Chapter 71, Section 37H½, the principal/head of upper school can indefinitely suspend a student who has been charged with a felony, and may expel a student who has been convicted of a felony if the student's continued presence in school will have a substantial detrimental effect on the general welfare of the school.

Expulsion Appeals Process: If, after the hearing, the principal/head of upper school decides to expel the student for a violation under M.G.L. c. 37H, the student shall have ten days from the date of the hearing to notify the Superintendent of the student's appeal. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provision of this section. If, after the hearing, the principal/head of upper school decides to expel or indefinitely suspend the student for a violation of M.G.L. c. 71, Section 37H½ , the student shall have five days from the date of the hearing to notify the Superintendent of the appeal. The student will remain out of school until a decision is rendered on any appeal. The student has the right to counsel at a hearing before the Superintendent or designee. The Superintendent or designee will notify the parent/guardian/caregiver of the decision on the appeal in writing. See the *Rights and Responsibilities Handbook* for further information.

Student Searches and Questioning

The Cambridge School Committee's policy relative to student searches and questioning by school security is as follows:

AT THE K-8 GRADE LEVEL: The principal/head of upper school, assistant principal or designee must authorize student searches and questioning by school security or other non-school-based personnel.

AT THE 9-12 GRADE LEVEL: The principal, assistant principal, dean or designee must authorize student searches by school security.

ALL GRADE LEVELS (K-12): The principal/head of upper school, assistant principal, dean or designee, whenever reasonably possible, may request which

security staff person is to be dispatched to the school and/or small learning community.

AT THE K-8 GRADE LEVEL: The principal/head of upper school, assistant principal or designee must be present during searches and questioning of students conducted by school security, or other non-school-based personnel.

AT THE 9-12 GRADE LEVEL: The principal, assistant principal, dean or designee, must be present during searches of students conducted by school security or other non-school based personnel.

AT THE K-8 GRADE LEVEL: An individual of the same sex as the student, whenever reasonably possible, must be present for the questioning of students by school security. An individual of the same sex as the student must conduct all searches of students by school security.

AT THE 9-12 GRADE LEVEL: An individual of the same sex as the student must conduct all searches of students by school security.

AT THE K-8 GRADE LEVEL: The principal/head of upper school, assistant principal or designee, must notify parent/guardian prior to a search of a student conducted by school security. If prior notice is not successful, the parent/guardian/caregiver will be notified as soon as possible thereafter, and a letter will be sent the same day.

AT THE 9-12 GRADE LEVEL: The principal, assistant principal, dean or designee must immediately notify parent/guardian/caregiver after school security has conducted a search. Further, a letter will be sent the same day.

AT THE K-8 GRADE LEVEL: The principal/head of upper school, assistant principal or designee must notify the parent/guardian/caregiver or emergency contact prior to any questioning of a student by school security. If prior notice is not successful, the parent/guardian/caregiver will be notified as soon as possible, and a letter will be sent the same day.

NOTE: "Emergency contact" is an individual designated by the parent/guardian/caregiver to respond to instances involving disciplinary issues, including questioning or searches. Every academic year, parents/guardians/caregivers will be asked to designate an emergency contact for disciplinary issues, including questioning or searches, and that contact shall act for the parent/ guardian with respect to disciplinary issues, including questioning or searches, to the extent authorized by the parent/ guardian.

ALL GRADE LEVELS (K-12): The principal/head of upper school, assistant principal, dean or designee must inform students of their rights prior to a search or interview by school security.

AT THE 9-12 GRADE LEVEL: Parent/guardian/caregiver notification is not required when school security is questioning a student.

School Security will not initiate any independent investigation without the Superintendent's prior approval.

NOTE: Independent investigations refer to any investigation of a serious threat to the safety of students, faculty and/or staff that is ongoing and is not merely the result of an isolated incident. The investigation must also involve one or more schools or CRLS in the district.

Student Grievance Process

When the student or parent/guardian/caregiver believes that the student's rights set forth in the *Rights and Responsibilities Handbook* have been violated by a school department employee, and all good faith attempts have failed to resolve the

situation, the student or parent/guardian/caregiver may file a written complaint with the Superintendent. The written complaint should include the grievance, the specific right being denied, a brief statement of the facts, and a specific request of relief. If the Superintendent is unable to resolve the grievance to the satisfaction of the aggrieved party within seven school days after receipt of the written complaint, the Superintendent shall mail a notice to both parties.

The *notice* shall contain:

- the time and place for a conference to be held no later than ten days after the receipt of the complaint with the exception being that both parties will have an extra five school days to prepare for the hearing; a statement of the grievance formalized in the written complaint;
- a full statement of the facts, including names of witnesses;
- a statement of relief requested, and;
- a statement of the right of all parties to have an attorney or other person represent them in the conference, to present witnesses and evidence, and question adverse witnesses.

  The conference shall conform to the following guidelines:

- conducted before the superintendent or designee,
- conducted in closed session and informally,
- all parties are entitled to representation by counsel or another person of the party's choice,
- all parties may inspect school records and other documents relevant to the complaint, and
- all parties be permitted to question witnesses and have the right to present witnesses and evidence.

If the Superintendent or designee determines that the student's rights have been violated, they can decide appropriate relief.

Participation in Extracurricular Activities

CPS Administration and the Department of Safety and Security reserve the right to deny admission to extracurricular activities to anyone who poses a potential threat to the safety and security of spectators and participants.

Students who fall under the conditions listed below will be excluded from athletic, drama, music, dances, prom, field trip and other extracurricular activities that have spectators:

- Students serving a suspension;
- Former students who have been expelled; and/or
- Students enrolled at an alternative program due to issues of discipline.

Students who fall within the above categories who feels that their behavior warrants consideration for admittance must submit a request to the Principal/Head of Upper School, Assistant Principal or Dean of Students. A mutual agreement must be reached between the Director of Security and the Principal/Head of Upper School, Assistant Principal or Dean of Students in order for this student to receive permission to attend any extracurricular activity.

CPS also reserves the right to exclude from any athletic, drama, music, dances, proms, field trips, and other extracurricular activities that have spectators, members of the community who:

- Have been involved in a serious incident in the community;
- Have a history of violence; and/or

- Have been disruptive and/or disrespectful to staff.

RIGHTS AND PRIVILEGES

Non-Discrimination Against Students

Chapter 76, section 5 of the Massachusetts General Laws provides, in pertinent part, that: "[no] person shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex, gender identity, religion, national origin or sexual orientation."

CPS is committed to providing an atmosphere in which all students can learn and can participate in all activities pertaining to their education. Corporal punishment in any form is expressly forbidden. Moreover, any behaviors that insult the dignity of others, interfere with their freedom to learn is unacceptable, or creates hostile academic environment is unacceptable and shall result in disciplinary action being taken. Additionally, any intimidation, threats, harassment, degradation, humiliation or other retaliatory conduct of students will not be tolerated and shall result in disciplinary action being taken. School staff will not attempt to impede or discourage students or their parents/guardians/caregivers from reporting such conduct to school officials. Any such interference should be reported immediately to the Superintendent.

Below you will find a brief description of the various anti-discrimination policies of CPS.

Title IX / Sexual Misconduct Policy

I. Introduction

The City of Cambridge School Department, otherwise known as the Cambridge Public Schools (the "School Department" or "CPS") has a commitment to fostering and maintaining an educational environment that is free from all forms of sex/gender-based discrimination, sex/gender-based harassment, gender identity/gender expression discrimination, gender identity/gender expression harassment, including sexual assault and/or retaliation in any of its programs or activities (hereinafter for purposes of this policy collectively referred to as "Sexual Misconduct").

The CPS strictly enforces a prohibition against Sexual Misconduct of its students by anyone, including any other student, teacher, employee, vendor, or other third party, as such conduct is contrary to the mission of the CPS and its commitment to equal opportunity in education. No student must endure Sexual Misconduct as a condition of their education or participation in any academic/educational program or activity, including without limitation, in any extracurricular activity, athletic program, CPS-supported online and/or digital platforms or any other program or activity of CPS.

The CPS will not tolerate Sexual Misconduct that affects educational conditions, that interferes unreasonably with an individual's school performance, or that creates an intimidating, hostile, or offensive school environment. Sexual Misconduct towards students by employees, students, students' parents/guardians/caregivers or members of the public occurring in the schools is prohibited by law and will not be tolerated by the CPS. This policy may also apply to conduct that occurs outside of school and to online conduct when such conduct causes a substantial disruption to the CPS learning environment or otherwise affects a substantial interest of CPS. Regardless of where the conduct occurred, the CPS will address all allegations to determine whether

the conduct occurred in the context of an educational program or activity, including without limitation, any extracurricular activity, athletic program, CPS supported on-line and/or digital platforms or any other program or activity of CPS, and whether the conduct has continuing effects within the CPS.

A substantial CPS interest includes any of the following:

(1) Any action that constitutes a criminal offense as defined by the law. This includes, but is not limited to, single or repeat violations of any local, state or federal law; or

(2) Any situation in which it appears that an individual covered by this policy may present a danger or threat to the health or safety to themselves or others; or

(3) Any situation that significantly interferes with the rights, property or achievements of self or others or significant breaches the peace or causes social disorder; or
(4) Any situation that is detrimental to the educational interests of CPS.

Further, any retaliation against an individual who has complained about Sexual Misconduct or any retaliation against any individual who has cooperated with an investigation of Sexual Misconduct is similarly unlawful and will not be tolerated.

The CPS takes allegations of Sexual Misconduct seriously and will respond promptly to complaints. Where it is determined that inappropriate conduct has occurred, the CPS will act promptly to eliminate the conduct and will impose corrective action as necessary, including disciplinary action where appropriate, up to and including termination of employment or school-related discipline.

The CPS Title IX Coordinator, Deputy Title IX Coordinators, Chief Talent Officer, Superintendent, Deputy Superintendent, Assistant Superintendent for Elementary Education, Assistant Superintendent of 2 Secondary Education, Assistant Superintendent for Student Services and all CPS principals, assistant principals and deans and any other CPS staff as designated by the Superintendent shall be trained in how to conduct sexual misconduct investigations, determinations and appeals as are detailed below in this policy.

II. Definitions

1. Protected Categories: An individual's actual or perceived sexual orientation, gender or sex (includes gender identity, gender expression, pregnancy, childbirth, breastfeeding and pregnancy related medical conditions), gender identity, gender expression, race, color, ethnicity, national origin, religion, age, disability, immigration status, marital status, genetic information, military status, political belief or affiliation or other protected category, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, or any other basis protected by federal, state or local law, ordinance or regulation.

2. Discrimination: Treating an individual less favorably because of their actual or perceived membership in one or more protected categories.

3. Harassment: Unwelcome verbal, nonverbal, visual or physical conduct that is based on an individual's actual or perceived membership in one or more of the protected categories that is persistent, pervasive or severe and objectively offensive and unreasonably interferes with, limits or denies an individual's educational or employment access, benefits or opportunities. Unwelcome conduct may include, but is not limited to bullying, intimidation, offensive jokes, slurs, epithets or name calling, assaults or threats, touching, ridicule or mockery, insults or putdowns, offensive objects or pictures, messages sent via email, text, posting or social media, sexual advances, requests for sexual favors, conduct of a sexual nature or any other sex-based conduct.

4. Sexual Harassment:

i. Definition of Sexual Harassment. Sexual harassment for the purposes of Title IX and as defined in 34 CFR Part 106, includes certain types of unwelcome sexual conduct, sexual assault, dating violence, domestic violence, and stalking. Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

1. A CPS employee conditioning the provision of aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;

a. Commonly referred to as "quid pro quo" sexual harassment, meaning that a school employee offers something to an individual in exchange for sexual conduct.

2. Any unwelcome conduct, determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity;

3. Sexual assault as defined by the Clery Act, 20 USC 1092(f)(6)(A)(v), and "dating violence" "domestic violence" and "stalking" as defined by the Violence Against Women Act, 34 U.S.C. 12291 (a)(8), (10) & (30).

a. Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting system. A sex offense is any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

i. Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

ii. Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

iii. Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

iv. Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent (16).

b. Dating Violence: For purposes of this policy, dating violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the

victim (student). The existence of such a relationship is determined by the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Issues and concerns related to Dating Violence, including situations in which both parties are not students, may also be addressed in accordance with the Cambridge Public Schools Policy Against Teen Dating Violence and the Cambridge Public Schools Domestic Violence and Teen Dating Violence Administrative Guidelines.

c. Domestic Violence: For purposes of this policy, felony or misdemeanor crimes of violence (including threats or attempts) committed by a current or former spouse of the victim (student), by a person with whom the victim (student), shares a child in common, by a person who is cohabitating with or has cohabitated with the victim (student) as a spouse, by a person similarly situated to a spouse of the victim (student), under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim/survivor (student), who is protected from that person's acts under the domestic or family violence laws of the jurisdiction receiving grant monies. It should be understood that domestic violence/dating violence applies to any pattern of coercive behavior that is used by one person to gain power and control over a current or former intimate partner or dating partner. This pattern of behavior may include physical or sexual violence, emotional and psychological intimidation, threats, verbal abuse, stalking, isolation, and economic control.

Issues and concerns related to Domestic Violence, including situations in which parties are not students, may also be addressed in accordance with the Cambridge Public Schools Policy Against Domestic Violence, Domestic Violence Leave Policy and the Cambridge Public Schools Domestic Violence and Teen Dating Violence Administrative Guidelines.

d. Stalking: A course of conduct directed at a specific person (student) that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.

It involves more than one instance of inappropriate and unwanted attention, harassment, threatening or intimidating physical or verbal contact, or any other course of conduct directed at a person that could be reasonably regarded as likely to alarm or place that person in fear of harm or injury, including physical, emotional, or psychological

harm. This includes the use of technology to pursue, harass, threaten, intimidate, or otherwise make unwelcome contact with another person. Stalking may involve people who are known to one another or have an intimate or sexual relationship, or may involve people not known to one another. Stalking is also prohibited by Massachusetts General Law, chapter 265, section 43.

ii. Forms and examples of Prohibited Sexual Harassment. As detailed above, sexual harassment includes, but is not limited to, sexual advances, requests for sexual favors, and verbal, non-verbal or physical conduct of a sexual nature when:

- Submission to or rejection of advances, requests, or conduct that is made either explicitly or implicitly as a term or condition of academics, education, extracurricular or athletic activities, academic standing, or other school-related opportunities.
- Such advances, requests, or conduct have the purpose or effect of unreasonably interfering with an individual's academic, educational, extracurricular or athletic activity performance by creating an intimidating, hostile, humiliating, or sexually offensive academics, educational, extracurricular or athletic activity environment.
- Under the definition stated above, direct or implied requests by a teacher, CPS employee or any individual in a position of school authority for sexual favors in exchange for actual or promised school benefits such as better grades, recommendations or other advantages constitutes sexual harassment. Employees of the CPS are expressly prohibited from engaging in any sexual relationship with a student. Such conduct is not allowed under any circumstances regardless of the student's age as such relationships are considered sexual violence whether the employee's behavior is unwanted or not.

In addition to the above examples, other unwelcome sexual conduct, that has the effect of creating a school or environment that is hostile, or offensive also may constitute sexual harassment.

Sexual harassment can take many forms, and can:

- Occur between equals, such as student to student, employee to student, or visitor to student.
- Occur between persons of unequal power status, such employee to student. Although sexual harassment often occurs in the context of an exploitation of power by the person with the greater power, a person who appears to have less power in a relationship can also commit sexual harassment
- Be committed by an acquaintance or by someone with whom the complainant has or had a personal, intimate, or sexual relationship.
- Occur by or against a person of any sex, gender identity or expression, or sexual orientation.

While it is not possible to list all circumstances that may be considered sexual harassment, the following are examples of conduct that are inappropriate and that, if unwelcome, may constitute sexual harassment. Sexual harassment includes, but is not limited to:

- Unwelcome sexual advances, whether they involve physical touching or not.
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments, sexual innuendo, propositions, sexual attention, or suggestive comments and gestures.
- Sexual epithets or slurs, jokes and humor about sex or gender specific traits, written or verbal references to sexual conduct, comments or derogatory language about or directed at an individual's body, sexuality or gender, comments about an individual's sexual activity, deficiencies, or prowess.
- Discussions of one's own sexual activities or inquiries into others' sexual experiences.
- Displaying sexually suggestive objects, pictures, cartoons.
- Unwelcome physical contact of a sexual nature, such as touching, hugging, kissing, patting, or pinching, that is uninvited and unwanted or unwelcome by the other person.
- Insults and threats based on sex or gender; and other oral, written, or electronic communications of a sexual nature that a person communicates are unwelcome.
- Written graffiti or the display or distribution of sexually explicit drawings, pictures, or written materials; sexually charged name-calling; sexual rumors or ratings of sexual activity/performance; the circulation, display, or creation of emails or websites of a sexual nature.
- Non-academic display or circulation of written materials or pictures degrading to a person(s).
- Unwelcome attention, such as repeated inappropriate flirting, inappropriate or repetitive compliments about clothing or physical attributes, staring, or making sexually oriented gestures.
- Change of academic responsibilities based on actual or perceived sex, gender, gender identity, expression, or sexual orientation.
- Use of a position of power or authority to: (i) threaten or punish, either directly or by implication, for refusing to tolerate harassment, for refusing to submit to sexual activity, or for reporting harassment; or (ii) promise rewards in return for sexual favors.
- Acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping.
- Recording images (e.g., video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness without that person's consent.
- Distributing images (e.g., video, photograph) or audio of another person's sexual activity, intimate body parts, or nakedness.
- Viewing another person's sexual activity, intimate body parts, or nakedness without that person's consent.

5. Consent: Consent is defined as clear, active agreement and permission to engage in any form of verbal or nonverbal sexual communication or activity. The initiator of the sexual contact is responsible for obtaining consent before engaging in sexual contact of any kind, including talking, texting, posting, or touching.

Consent can be withdrawn at any point. Consent must be voluntary, and is not valid if a person is subjected to any pressure, including but not limited to, emotional, physical, reputational, or financial, threats, intimidation, or coercion. Consent to engage

in one sexual activity, or past agreement to engage in a particular sexual activity, cannot be presumed as consent to engage in a different sexual activity or to engage again in the same activity. A person is incapable of giving consent if they are under the influence drugs or alcohol. A person also can be unable to give consent due to their age, an intellectual impairment or other disability.

6. Retaliation: Retaliation is any attempt to seek retribution or take an adverse action against the Complainant, or any person or group of persons involved in the investigation and/or resolution, whether formal or informal, of a complaint of Sexual Misconduct. Retaliation can be committed by any person or group of persons, not just a Respondent. Retaliation can include continued forms of harassment or discrimination, actions to deter participation in the protected action, discipline or denial of access to a service or benefit and/or slander and libel.

It is a violation of Massachusetts and federal law and a violation of this policy to retaliate against a person for filing a complaint or for cooperating in an investigation, proceeding or hearing, or for refusing to participate in an investigation, proceeding or hearing. Any person who engages in retaliation is subject to disciplinary action up to and including expulsion or termination by the CPS.

For purposes of this policy and pursuant to the provisions of Title IX, intimidation, threats, coercion or discrimination, including charges against an individual for violations of CPS' policies or codes of conduct that do not involve Sexual Misconduct, but arise out of the same facts or circumstances as a report or complaint of Sexual Misconduct or a report or complaint of Sexual Misconduct for the purpose of interfering with any right or privilege secured by Title IX constitutes retaliation.

7. School. For purposes of this policy, "school" is defined to include all Cambridge Public Schools, grounds and facilities, including without limitation, school-sponsored events, trips, sports events, extracurricular and athletic activities, CPS-supported on-line and/or digital platforms, and programs or other similar events connected to school, including but not limited to, traveling to and from school or on a school-sponsored field trip.

8. Supportive Measures: Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties before or after the filing of a formal complaint or where no formal complaint has been filed. Supportive measures are discussed in further detail below in Section V of this policy.

9. Libel. Libel is written or published statements that cause serious damage or harm to another person's reputation.
10. Slander. Slander is spoken statements that cause serious damage or harm to another person's reputation.

IV. Reports and Intake Procedures for Complaints

If any CPS student, the student's parent/guardian/caregiver, or other person, including, but not limited to, a CPS employee (hereinafter "Complainant"), believes that a CPS student has been subjected to any form of Sexual Misconduct, the individual is encouraged to report the incident. School employees are mandatory reporters of possible Sexual Misconduct towards students. All reports of Sexual Misconduct, whether they involve conduct between students or conduct between adults and students must be relayed to the CPS' Title IX Coordinator in addition to the Deputy/School level Title IX Coordinator(s) ("Deputy Title IX Coordinators") to be further evaluated.

All Employees who observe incidents or receive reports incidents of Sexual Misconduct involving students shall report such incidents immediately to the Principal, Head of Upper School, Assistant Principal, Dean, Deputy Title IX Coordinators and CPS' Title IX Coordinator. After receiving such a report from any employee,

administrators must relay the report to the CPS' Title IX Coordinator to be evaluated. Administrators aware of allegations of Sexual Misconduct involving any employee shall report such incidents to the CPS' Title IX Coordinator, the Superintendent or designee and the CPS Chief Talent Officer. Failure to report such incidents may result in disciplinary action, up to and including termination.

This mandatory reporting obligation is in addition to the requirements set forth in the CPS Administrative Guidelines for Reporting Abuse and Neglect for reporting child abuse or neglect, if child abuse or neglect is suspected. Additionally, in connection with receiving a report of Sexual Misconduct, steps must be taken to ensure the safety and well-being of the party making the disclosure.

Once a report is received or at any point during an investigation, the Complainant can state that they do not want an investigation but CPS may have an obligation to move forward based on the health and/or safety of the school environment and school community. When the Complainant requests that no investigation into a particular incident be conducted or no disciplinary action be taken, CPS will assess the request against its obligation to provide a safe school environment for all students, staff and others within its school community, including the Complainant. There are cases when CPS may proceed with the investigation and/or discipline despite the request for no investigation and/or no disciplinary action to be taken. In such cases, the CPS Title IX Coordinator will notify the Complainant within ten (10) work days of the report having been made of the intention to unilaterally initiate the formal grievance process.

Additionally, once a report of Sexual Misconduct is received, an intake of the report will be conducted and the information received will be reviewed within two (2) work days to determine whether CPS has jurisdiction to process the report and to determine whether the report falls under Title IX. At all times during this process, CPS will provide supportive measures to the parties whether or not it ultimately has jurisdiction over the report and whether or not the report falls under Title IX.

If CPS has jurisdiction the CPS Title IX Coordinator or Deputy Title IX Coordinator will reach out the Complainant and will: (1) confidentially contact the Complainant to review supportive measures that have been offered to date and to offer additional supportive measures, if necessary; and consider the Complainant's wishes with respect to supportive measures, (2) inform the Complainant of the availability of supportive measures with or without filing a formal complaint; (3) explain the process for how to file a formal complaint; (4) inform the Complainant that any report will not result in discipline, and (5) respect the Complainant's wishes with respect to whether to investigate unless the Title IX Coordinator determines it is necessary to pursue the complaint.

If the report involves a CPS employee, it will be forwarded to the CPS Title IX Coordinator for investigation, and to the Superintendent or designee and Chief Talent Officer. All other reports that have not been screened-in as falling under Title IX will be forwarded to the CPS Title IX Officer and/or the Deputy Title IX Coordinators for an additional review to determine whether the report falls under Title IX.

V. Supportive Measures

In all incidents, CPS will coordinate with schools to provide the parties with supportive measures which are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties before or after the filing of a formal complaint or where no formal complaint has been filed.

Supportive measures are available to the Complainant, Respondent, and as appropriate, witnesses or other impacted individuals. The Deputy Title IX Coordinator(s) or CPS Title IX Coordinator will maintain consistent contact with the

parties to ensure that safety and emotional and physical well-being are being addressed. To the extent there is a continuing need for supportive measures after the conclusion of the resolution process, the Deputy Title IX Coordinator(s) or CPS Title IX Coordinator will work with appropriate CPS personnel and with appropriate school resources to provide continued assistance to the parties.

Supportive measures are designed to restore and preserve equal access to CPS' schools, educational programs, CPS-supported on-line and/or digital platforms, extracurricular and/or athletic activities, without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the Complainant's school environment or deter Sexual Misconduct as detailed in this policy. Applicable supportive measures include, but are not limited to, the following: (i) check in/check-out; (ii) counseling or social work support at school; (iii) safety plan; (iv) mutual restrictions on contact between the parties; (v) referral to external counseling, medical/health services and/or advocacy services; (vi) extension of time to complete assignments, (vii) extensions of deadlines or other course-related adjustments, (viii) modifications to course schedules, (ix) school building or school facility escort services; and/or (x) increased security and monitoring of certain areas of the school buildings or school facilities, and other similar measures.

Additionally, in the presence of an immediate threat and to ensure the safety and well-being of the school environment, CPS may consult with its Office of Safety and Security, Office of Student Services, Office of Equity, Inclusion and Belonging, Superintendent, Deputy Superintendent, Assistant Superintendent for Elementary Education, Assistant Superintendent for Secondary Education and/or Assistant Superintendent for the Office of Student Services to explore additional options of removal or placement. Emergency removal of student respondents will only occur if CPS follows the following steps: (i) undertaken an individualized safety and risk analysis to determine whether there is an immediate physical threat to the health or safety of students or other individuals arising from the allegations that would justify the removal; and provide the student respondent with written notice of the emergency removal; and provide an opportunity for the student respondent to challenge the decision immediately following notice of the removal. At all times, CPS reserves its right to remove CPS employees or other adult respondents when it is necessary during the course of an investigation to ensure the health and safety of students, staff and/or the school community.

CPS may also utilize supportive measures on a district-wide, school-wide or classroom, program or activity-wide level or throughout a work site, or CPS-supported on-line and digital platforms, including without limitation, increased security, policy exceptions, and/or educational programming if needed to help stop, prevent and/or remedy misconduct.

VI. Filing a Formal Title IX Complaint and the Formal Complaint Process

If a Title IX/Sexual Misconduct Formal Grievance Form is completed by the Complainant, the CPS Title IX Coordinator will promptly appoint a principal, assistant principal, dean, Chief Talent Officer, Assistant Superintendent for Elementary Education, Assistant Superintendent for Secondary Education, Assistant Superintendent for the Office of Student Services or Deputy Title IX Coordinator to serve as an investigator ("Investigator"). The Investigator will investigate the allegations subject to the formal grievance process. The investigation may include, among other things, interviewing the Complainant, the respondent, and any witnesses; reviewing law enforcement investigation documents if applicable and if available; reviewing relevant student or employment files (preserving confidentiality wherever necessary) and gathering and examining other relevant documents, social media and other evidence. Once the investigation is completed, the Investigator will turn the completed investigation file over

to the individual that has been designated by the CPS Title IX Coordinator to be the decision-maker in the matter. The decision-maker may be the CPS Title IX Coordinator, Deputy Title IX Coordinator, principal, Chief Talent Officer, Assistant Superintendent for Elementary Education, Assistant Superintendent for Secondary Education, Assistant Superintendent for the Office of Student Services, Deputy Superintendent or Superintendent and will not be the same person who conducted the investigation ("Decision-maker").

A written question and answer period also will be facilitated by the Decision-maker. Each party may submit the written questions that they have for the other party and any witnesses to the Decisionmaker for review. The questions must be relevant to the formal grievance. The Decision-maker will determine if the questions submitted are relevant and will then forward the relevant questions to the other party or witnesses for response via first class mail and email if email addresses have been provided. If the parties involve a student whose home language is not English, the written questions also will be provided to the student in their home language. Responses will be returned to the Decision-maker who will then review the responses, determine what is relevant or not and issue a decision as to whether the Respondent is responsible for the alleged Sexual Misconduct.

The decision will be provided to the parties at the same time via first class mail and email if email addresses have been provided. If the parties involve a student whose home language is not English, the written determination also will be provided to the student in their home language. The decision will explain if any policies were violated, the steps and methods taken to investigate, the findings of the investigation, conclusions about the findings, the ultimate determination and the reasons for it, any disciplinary sanctions imposed on the Respondent that relate directly to the Complainant to the extent permitted under the confidentiality provisions of student record and personnel record laws, and any remedies available to the Complainant to restore or preserve equal access, and the parties' appeal rights. Remedies and supportive measures that do not impact the Respondent should not be disclosed in the written determination; rather the determination should simply state that remedies will be provided to the Complainant.

The CPS presumes that reports of Sexual Misconduct are made in good faith. If after an investigation a determination is made that the alleged behavior does not constitute a violation of school policy or that there is insufficient evident to establish that the alleged conduct occurred as reported does not mean that the report was made in bad faith.

The complaint investigation process is detailed more fully below in Section VIII of this policy.

VII. Informal Voluntary Resolution of Concerns

The informal voluntary resolution process is available only after a formal complaint has been filed, prior to a determination of responsibility, and if the complainant and respondent voluntarily consent to the process in writing. If the parties involve a student whose home language is not English, the written consent form must be provided to the student in their home language. Informal voluntary resolution is not available in cases in which a CPS employee is alleged to have engaged in Sexual Misconduct towards a student.

Informal voluntary resolution may involve agreement to pursue individual or community remedies, including targeted or broad-based educational programming or training; supported direct conversation or interaction with the Respondent, mediation, indirect action by the Title IX Coordinator; and other forms of resolution that can be tailored to the needs of the parties including, but not limited to, mandatory training, reflective writing assignment, counseling, or other

methods designed to restore or preserve equal access to the school's education programs or activities.

The informal voluntary resolution process may not be used to reach an agreement upon disciplinary consequences or sanctions.

Within seven (7) work days of receiving a request to start the informal resolution process, the CPS Title IX Coordinator will determine if the informal voluntary resolution process is appropriate. If it is appropriate, the CPS Title IX Coordinator will appoint an official to facilitate an effective and appropriate resolution. The CPS Title IX Coordinator, a Deputy Title IX Coordinator or a principal may serve as the facilitator. The facilitator will provide each party with written notice of the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared. The written notice will be sent via first class mail and via email if email addresses have been provided. If the parties involve a student whose home language is not English, the written notice must be provided to the student in their home language.

Both parties must provide voluntary, written consent to participate in the informal voluntary resolution process.

Within five (5) work days of the appointment of the facilitator, the parties may identify to the Deputy Title IX Coordinator or the CPS Title IX Coordinator in writing any potential conflict of interest or bias posed by such facilitator to the matter. The Deputy Title IX Coordinator or the CPS Title IX Coordinator will consider the information and appoint another facilitator if a material conflict of interest or bias exists.

The facilitator will request a written statement from the parties to be submitted within fourteen (14) work days. Each party may request that witnesses be interviewed, but CPS will not conduct a full investigation as part of the informal voluntary resolution process. The facilitator will hold a meeting(s) with the parties and coordinate the informal resolution measures. The informal voluntary resolution process should be completed within thirty (30) work days unless good cause exists to extend the time. The parties will be notified in writing and given the reason for the delay and an estimated time of completion. Such notice will be sent via first class mail and via email if email addresses have been provided. If the parties involve a student whose home language is not English, the notice also will be provided to the student in their home language.

Any resolution of a formal complaint through the informal voluntary resolution process must address the concerns of the Complainant and the responsibility of the school to address alleged violations of its policy while also respecting the due process rights of the Respondent. Notwithstanding the foregoing, any resolution of a formal complaint through the information voluntary resolution process will not address any disciplinary consequences or sanctions.

At the conclusion of the informal voluntary resolution process, which can include, but is not limited to, meetings, interviews, and the receipt of statements, the facilitator will write an informal voluntary resolution report and provide the parties with the informal voluntary resolution report simultaneously via first class mail and via email if email addresses have been made available. If the parties involve a student whose home language is not English, the informal voluntary resolution report also will be provided to the student in their home language. At any time prior to resolving a formal complaint through the informal voluntary resolution process, either party may withdraw from the informal

voluntary resolution process and resume or begin the formal resolution process by submitting a written statement of withdrawal to the facilitator.

As the outcome of an informal voluntary resolution process is mutually developed and agreed upon by the parties, an appeal of the process and its result is not permitted. If the parties are unable to agree on an informal voluntary resolution, the matter will be referred back by the facilitator to the CPS Title IX Coordinator for the appointment of an investigator.

VIII. Complaint Investigation

Throughout this process, both the Complainant and Respondent (the individual alleged to have engaged in Sexual Misconduct) have the following rights:

To be treated with respect, dignity, and sensitivity.

To receive supportive measures as described above from the CPS. Privacy to the extent possible, consistent with applicable law and CPS policy.

Information about the CPS' Sexual Misconduct/Title IX Policy.

The presence of an advisor throughout the process.

To participate or to decline to participate in the investigation or informal voluntary resolution process. However, a decision not to participate in the informal voluntary resolution process, either in whole or in part, will not prevent the CPS from proceeding pursuant to Title IX with the information available.

A prompt, fair and thorough investigation of the allegations, including comprehensive interviews of relevant parties and adherence to the investigation timelines established by this policy.

Adequate time to review evidence in a location designated by CPS following the investigation.

To appeal the decision made or any sanctions imposed to the Superintendent of Schools or designee.

To challenge any CPS Title IX Coordinator, Deputy Title IX Coordinators, Investigator, Facilitator or Decision-maker for a possible conflict of interest and a transparent process on behalf of CPS regarding assessing any possible conflicts of interest.

To refrain from making self-incriminating statements.

Notification, in writing, of the case resolution, including the outcome of any appeals, and the final determination.

For the Complainant to report the incident to law enforcement at any time.

The CPS will disclose information about its investigation and resolution of Sexual Misconduct complaints only to those who need to know the information in order to carry out their duties and responsibilities. It will inform all individuals participating in an investigation, formal complaint process or informal voluntary resolution process that they are expected to maintain the privacy of the process. This does not prohibit either a Complainant or Respondent from obtaining the assistance from others, such as their family members, counselors, therapists, clergy, doctors, and/or attorneys ("Advisor").

When the CPS receives a complaint of Sexual Misconduct, the allegations will be reviewed as detailed above in this Policy and a determination will be made as to the necessity and scope of any interim supportive measures to prevent further acts of Sexual

Misconduct and to provide a safe educational environment. As detailed above in Section V of this policy, supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the recipient's educational environment, or deter Sexual Misconduct Supportive measures may include, but are not limited to, the following: (i) check in/checkout; (ii) counseling or social work support at school; (iii) safety plan; (iv) mutual restrictions on contact between the parties; (v) referral to external counseling, medical/health services and/or advocacy services; (vi) extension of time to complete assignments, (vii) extensions of deadlines or other course-related adjustments, (viii) modifications to course schedules, (ix) school building or school facility escort services; and/or (x) increased security and monitoring of certain areas of the school buildings or school facilities, and other similar measures.

The CPS will maintain as confidential any accommodations or protective measures provided to the Complainant to the extent that maintaining such confidentiality would not impair the ability of the CPS to provide the accommodations or protective measures. An individual's failure to comply with restrictions imposed by interim measures and that have been clearly communicated to the Complainant and Respondent is a violation of the CPS policy and a basis for disciplinary action, up to and including termination or expulsion.

CPS will undertake an investigation into the allegations of Sexual Misconduct in a fair, thorough and prompt manner by an investigator named by the CPS Title IX Coordinator or Deputy Title IX Coordinator (including principal, assistant principal or dean, Deputy Title IX Coordinators, Chief Talent Officer, Assistant Superintendent for Elementary Education, Assistant Superintendent of Secondary Education or Assistant Superintendent for the Office of Student Services) specifically trained in conducting sexual misconduct investigations. Upon receipt of a formal complaint of Sexual Misconduct, written notice will be sent to both the Complainant and the Respondent in advance of any interviews of the allegations in the complaint, investigation process, including any information resolution process, the right to have an advisor of their choice, the prohibition against knowingly making false statements or knowingly submitting false evidence, a statement that the respondent is presumed not responsible during the investigation and that if the investigation uncovers additional allegations regarding either the Complainant or Respondent not covered in the initial notice sent and a determination is made to investigate, notice of those allegations will be sent in the same manner as the initial notice of the allegations.

If the complaint involves conduct that occurred off school grounds, via a CPS-sponsored online or digital platform, outside of a school's education program or activity, the CPS will, as part of its investigation, consider the effects of the off school grounds conduct when evaluating whether there is a hostile 14 environment on school grounds. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. If the individual filing the complaint of Sexual Misconduct, the school will notify the parents/guardians/caregivers of the student before beginning the investigation. Such notification will be made verbally and followed up with a written notification via first class mail and via email if email addresses have been made available. If the parties involve a student whose home language is not English, the notice also will be provided to the student in their home language. The investigation may include one or more interviews with the person filing the complaint and also may include interviews with witnesses or other individuals who the CPS believes would be useful to the

investigation. The CPS also will interview the Respondent (the person alleged to have committed the Sexual Misconduct), and if the Respondent is a student, the school will notify the parents/guardians caregivers of the student before beginning the investigation. Such notification will be made verbally and followed up with a written notification via first class mail and via email if email addresses have been made available. If the parties involve a student whose home language is not English, the notice also will be provided to the student in their home language. The investigation will include the gathering of physical, documentary, or other relevant and available evidence, including law enforcement reports (if available). As part of the investigation, the CPS will provide an opportunity for all parties to present written statements, identify witnesses, and submit other evidence. The Investigator will conduct an objective evaluation of all relevant evidence – including evidence that supports the allegations against the Respondent and evidence that supports that the Respondent did not engage in the conduct alleged. Credibility determinations shall not be based on a person's status as a Complainant, Respondent, or Witness and questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege, will not be required, allowed, relied upon, or otherwise used.

Strict timelines cannot be set for conducting the investigation because each set of circumstances is different. For example, sometimes the employees or students that are involved in the complaint are not immediately available. The designated CPS Investigator; however, will make sure that the complaint is handled as quickly as is feasible and will strive to complete the investigation within forty-five (45) work days. When more than forty-five (45) work days is required for the investigation, the designated CPS Investigator shall inform both the Complainant and Respondent, in writing, that the investigation is still on-going. Such notification will be made in writing via first class mail and via email if email addresses have been made available. If the parties involve a student whose home language is not English, the notice also will be provided to the student in their home language. Good cause for extending the timelines may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

In resolving complaints pursuant to this policy, CPS will use a "preponderance of the evidence," standard ("known as 51% more likely than not"), which is whether the evidence gathered and information provided during the investigation supports a finding that it is more likely than not that the Respondent violated this policy.

At the conclusion of the investigation, the Investigator will prepare a report (the "Investigative Report") summarizing and analyzing the relevant facts determined through the investigation, with reference to any supporting documentation or statements. Before the Investigative Report is finalized, the Complainant and Respondent and any Advisor that they may have, will be given the opportunity for review a copy of the Investigative Report for review and written response. A Complainant or Respondent must submit any comments to the Investigator in writing via first class or via email within ten (10) work days after the Investigative Report was provided. Following the receipt of any comments submitted, or after the ten (10) work day comment period has lapsed without comment, the Investigator will address any identified factual inaccuracies or misunderstandings, as appropriate. The final Investigative Report will provide a summary of the Investigator's' impressions, including context for the evidence and a recommendation, but will not make a final determination as to whether a violation of the policy has occurred, reserving that decision and any imposition of discipline in accordance with the appropriate procedures for the imposition of students or staff, as applicable, to the designated CPS Decision-

maker in connection with this investigation (principal, Deputy Title IX Coordinators, Chief Talent Officer, Assistant Superintendent of Elementary Education, Assistant Superintendent for Secondary Education, Assistant Superintendent of Student Services, Deputy Superintendent or Superintendent). In accordance with the requirements of federal Title IX regulations, the Decision-maker cannot be the same person as the CPS Title IX Coordinator or the Investigator and shall have been trained in conducting Title IX/sexual misconduct investigations and determinations. The parties will be provided with a copy of the final Investigative Report simultaneously.

Prior to the CPS Decision-maker reaching a determination regarding responsibility, and in lieu of a hearing, the Decision-maker must afford both the Complainant and Respondent the opportunity to submit written, relevant questions that a party wants asked of a party or witness, provide each party with the answers and allow for additional limited follow-up questions from each party.
The CPS decision-maker will strive to reach a determination of responsibility within thirty (30) work days. When more than thirty (30) work days is required for reaching the determination, in writing, that additional time is needed prior to issuance of the written determination.

The CPS decision-maker must issue a written determination regarding responsibility including identification of the allegations, description of the procedural steps taken from complaint through determination, finding of facts and rationale supporting the determination with respect to each allegation, conclusion, including a determination regarding responsibility, any disciplinary sanctions imposed on the Respondent, and whether remedies designed to restore or preserve equal access to the education program or activity will be provided to the Complainant and permissible bases for parties to appeal. The parties will be provided with a copy of this written determination simultaneously via first class mail. If the parties involve a student whose home language is not English, the written determination also will be provided to the student in their home language. If the CPS Decision-maker makes the determination that sexual misconduct has occurred, the matter will be referred to the Superintendent of Schools or designee or the CPS Title IX Coordinator for appropriate action, including but not limited to, supportive measures and disciplinary action, up to and including termination for employees or expulsion for students.

Please note that while these procedures relate to the CPS' policy of promoting an educational setting free from Sexual Misconduct, as detailed further in this policy, these procedures are not designed nor intended to limit the CPS' authority to discipline or take remedial action for workplace and educational conduct which the CPS deems unacceptable and which is a violation of federal or state laws and regulations, Cambridge School Committee policies and/or CPS and school based codes of conduct.

IX. Appeals of a Dismissal of a Formal Complaint or a Determination of Responsibility

Each party may appeal the dismissal of a formal complaint or any included allegations and/or a determination regarding responsibility. Appeals can be made on the basis of (i) procedural irregularity that affected the outcome; (ii) new evidence that was not reasonably available at the time the determination as to the complaint was made, or (iii) the CPS Title IX Coordinator, Deputy Title IX Coordinators, investigator or decision-maker having a conflict of interest or bias against complainants or respondents generally or the individual specifically that affected the matter. Other bases for appeal may also be offered as long as those bases apply equally to both parties.

Appeal procedures will be implemented equally for all parties.

Appeal requests must be made in writing within ten (10) work days following the

issuance of the final determination. The written appeal shall state the basis for the appeal, including a brief statement of the facts and specific request for relief and directed to the attention of Superintendent or designee. The appeal officer will not be the same person who conducted the investigation and also will not be the same person who made the determination. Upon receipt of an appeal, written notice will be provided to the other party via first class mail, and notice of receipt of the written appeal shall be given to the party that filed the written appeal via first class mail. If the parties involve a student whose home language is not English, this written notice also will be provided to the student in their home language.

The other party will be given an opportunity to submit a written statement in response to the appeal.

The appeal process shall include, at a minimum, reviewing any prior informal and/or formal investigation that has been conducted by the CPS with respect to the matter, and providing both parties with a reasonable, equal opportunity to submit a written statement in support of or challenging the outcome of the appeal within ten (10) work days of the issuance of the notice of the appeal. Additionally, the CPS appeal officer will strive to complete the appeal within twenty (20) work days. When more than twenty (20) work days is required, the CPS appeal officer shall inform the parties that additional time is needed for the appeal process. When more than twenty (20) work days is required, the CPS appeal officer shall inform both the Complainant and Respondent, in writing, that the appeal process is still on-going. Good cause for extending the timelines may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

The appeal officer shall not be the same person who served as the CPS Decision-maker that reached the determination regarding responsibility or dismissal or the same person who served as the CPS Investigator of the complaint. The appeal officer will decide the appeal considering new evidence presented at the meetings with the appeal officer, the investigation file, the determination decision, and the appeal statements of both parties. The appeal officer will issue a written decision that will be sent to both the Complainant and Respondent simultaneously via first class mail and email if email addresses have been provided. The written decision will notify the parties of the results of the appeal and the rational for the decision. If the parties involve a student whose home language is not English, the written determination also will be provided to the student in their home language.

X. Disciplinary Action

If it is determined that inappropriate conduct has been committed by a CPS employee or student, the CPS will take action that is appropriate under the circumstances, including without limitation, supportive measures, other measures to ensure the safety of CPS students, staff and the school community and/or disciplinary action up to and including termination or expulsion.

When a respondent is found responsible for the Sexual Misconduct as alleged, remedies must be provided to the Complainant. If the Respondent is permitted to stay at the school where they attend or work, and in addition to any appropriate disciplinary action that may be taken, when determined to be appropriate, CPS will require training for the Respondent, in an effort to allow growth and learning from past actions. In addition to training, CPS will offer a transformative response, including but not limited to, reconciliation meetings, mediated conferences, and transformative educational programs such as the mandated completion of sexual violence/consent training within the school and other measures to ensure the safety of CPS students, staff, and the school community, all at no cost to the Respondent or Complainant. Under no circumstances will

the Complainant be made or pressured to take part in such restorative measures.

XI. Addressing Conduct that Does Not Meet the Criteria Under Title IX

It is important to note that conduct that does not meet the criteria under Title IX may violate other federal and state laws or Cambridge School Committee policies or the codes of conduct of the Cambridge Public Schools or may otherwise be inappropriate and require an immediate response in the form of supportive measures and remediates to prevent its recurrent and address its effects. With this policy, the Cambridge School Committee adopts a two prong approach. All conduct not covered under the criteria of this policy will be referred to the appropriate CPS administrator to address under the applicable federal and state laws or Cambridge School Committee policies or the codes of conduct of the Cambridge Public Schools.

XII. State and Federal Remedies

If no satisfactory resolution has been reached, the student and/or their parents/guardians/caregivers have the right to take the complaint to an appropriate state or federal agency. Moreover, it should be noted that using the CPS's complaint process does not prohibit you from filing a complaint with these agencies.

Office for Civil Rights, U.S. Department of Education, 5 Post Office Square, 8th Floor, Boston, MA 02109-3921 Phone: 617-289-0111; Fax: 617-2889-0150; TTY: 1-800-877-8339; Email: OCR.Boston@ed.gov

Program Quality Assurance Services, Massachusetts Department of Elementary and Secondary Education, 75 Pleasant Street, Malden, MA 02148-4906; Phone: 781-338-3700; Fax: 781-338-3710; Email: compliance@doe.mass.edu;

Massachusetts Commission Against Discrimination (MCAD) Boston Headquarters: 1 Ashburton Place, Suite 601, Boston, MA 02108 Phone: 617-994-6000

Worcester Office: 484 Main Street, Room 320, Worcester, MA 01608 Phone 508-453-9630

Springfield Office: 436 Dwight Street, Room 220, Springfield MA 01103 Phone: 413-739-2145

MCAD Email: MCAD@mass.gov

In some cases, the conduct complained of may constitute sexual misconduct under Title IX and criminal activity. If you believe that the conduct also constitutes a crime you have a right to file a criminal complaint at any time, including during or after the School Department's investigation into your complaint.

CROSS REFS.: ACAB Non-Discrimination Policy and Prohibition Against Sexual Harassment
ACA Nondiscrimination On The Basis Of Sex
JICFB-E-1 Cambridge Public Schools Policy Against Teen Dating Violence

Acting Title IX Coordinator:
Rasheeda Abdul-Musawwirs | rabdul-musawwirs@cpsd.us | 857.998.7437

Reasonable Accommodations Policy and Procedure

CPS does not discriminate in admission, treatment or access to its programs or activities and/or in employment in its programs and activities. It is the policy of CPS to provide reasonable accommodations to known physical and mental impairment of students. Requests for Section 504 accommodations for students can be made directly to the 504 Coordinator at the student's school. Requests for Section 504 accommodations for employees can be made directly to Human Resources. The 504

Coordinator for the school district is the Assistant Superintendent for Student Services, Cambridge Public Schools, 135 Berkshire Street, Cambridge, MA 02141, 617-349-6500.

Notice of Rights Under Section 504 of the Rehabilitation Act of 1973

These rights apply to parents/guardians/caregivers and students who have reached the age of majority, which in Massachusetts is 18 (eighteen), and are as follows:

1. The parent/guardian/caregiver or student who has reached the age of majority has a right to receive a copy of a notice of procedural rights when the school district identifies, evaluates, refuses to evaluate, makes a new educational placement, denies a new educational placement or makes any significant change in the placement of the student because of the student's disability or suspected disability.
2. The parent/guardian/caregiver or student who has reached the age of majority has the right to an evaluation of the student if the school district has reason to believe that the student has a mental or physical impairment that substantially limits learning or some other major life activity. The parent/guardian/caregiver or student who has reached the age of majority has the right to this evaluation before any plan for accommodation and before any subsequent significant change in the educational placement of the child. An example of a significant change in educational placement is a referral for expulsion.
3. The student has the right to a free appropriate public education. The parent/guardian/caregiver is responsible for the same costs as the parents/guardians/caregivers of children who are not disabled.
4. To the maximum extent possible, the student has the right to be educated with children who are not disabled.
5. The parent/guardian/caregiver or student who has reached the age of fourteen or older or entered ninth grade has the right to examine all relevant records the school maintains on the student.
6. The parent/guardian/caregiver or student who has reached the age of majority has the right to an impartial due process hearing if they wish to contest any action of the Cambridge Public Schools with regard to their student's identification, evaluation, or placement under Section 504 of the Rehabilitation Act.
7. If the parent/guardian/caregiver or student who has reached the age of majority wishes to contest an action taken by a Section 504 team by means of an impartial due process hearing, a Request for Hearing must be submitted to the Bureau of Special Education Appeals (BSEA), 14 Summer Street, 4th Floor, Malden, MA 02148, or by fax to the BSEA at 781-397-4750. This written request for a hearing must also be submitted to the attention of the Superintendent, Cambridge Public Schools, 159 Thorndike Street, Cambridge, MA 02141. If the parent/guardian/caregiver or student who has reached the age of majority ultimately disagrees with the decision of the hearing officer, they have a right to seek review of that decision by filing a complaint with the federal district court.
8. If the parent/guardian/caregiver or student who has reached the age of majority has other issues surrounding the

student's education that do not specifically involve identification, evaluation or placement, the parent/guardian/caregiver or student who has reached the age of majority has the right to present a grievance or complaint to the school district's Section 504 Coordinator, who is the Assistant Superintendent for Student Services for the Cambridge Public Schools. This office is located on the first floor of 159 Thorndike Street, Cambridge, Massachusetts. The telephone number of the Office of the Assistant Superintendent for Student Services is 617-349-6500.

9. The parent/guardian/caregiver or student who has reached the age of majority also has the right to file a complaint with the Office of Civil Rights of the United States Department of Education, 5 Post Office Square, 8th Floor, Boston, MA 02109 Phone: 617-289-0111; Fax: 617-289-0150. TDD: 1-800-877-8339; Email: OCR.Boston@ed.gov

Special Education

Federal and state law guarantees every student the right to a free and appropriate public education regardless of disability. If a parent/guardian/caregiver believes that their child is in need of special education services, the parent/guardian/caregiver has the right to seek an evaluation of the child to determine if the child is eligible for such services. If a staff member has a specific concern regarding the academic and/or social and behavior needs of a child, the staff member should bring those concerns to the attention of the principal/head of upper school or designees for initiation of a Response to Intervention and/or Instructional Support Team process.

Students with IEPs and 504 Plans

Students receiving special education or who have 504 Plans are subject to the provisions of the *Rights and Responsibilities Handbook*. Students with disabilities and students with 504 Plans, as defined by federal and state laws and regulations, shall be subject to the provisions of this *Rights and Responsibilities Handbook*, except as otherwise provided by section 18 of the *Rights and Responsibilities Handbook*. More specifically, IEPS and 504 Plans will indicate whether the student can be expected to meet the regular discipline code as set forth in the *Rights and Responsibilities Handbook* or if the student's disability requires specially designed discipline procedures that address the student's needs. If a student's behavior is impacted by their disability, such behaviors will be addressed through the IEP and/or 504 Team process. In conjunction with making any administrative decision under the *Rights and Responsibilities Handbook* the Principal/Head of Upper School or designee will notify the Office of Student Services of the suspendable offense of a student with a disability whose IEP or 504 Plan does not reflect the need for modifications to the discipline code set forth in the *Rights and Responsibilities Handbook* or any school-based rules, and a copy of the suspension notice will be forwarded to the Office of Student Services.

Staff from the Office of Student Services shall be involved in all administrative decisions under the *Rights and Responsibilities Handbook* involving students with disabilities. If an administrative decision under the *Rights and Responsibilities Handbook* will not impact the student's placement and/or will not result in a cumulative suspension of more than ten (10) school days during a school year, a Team meeting is not required. If an administrative decision under the *Rights and*

Responsibilities Handbook will impact the student's placement and/or will result in a cumulative suspension of more than ten (10) school days during a school year, a Team meeting is required before any administrative decision with respect to discipline is made. Prior to making an administrative decision under the *Rights and Responsibilities Handbook*, the Principal/Head of Upper School shall determine whether or not the student has been designated a student with a disability or has been referred for a special education evaluation but not yet determined to be eligible for special education services. A student who has not been determined to be eligible for special education and related services and who has engaged in behavior that violated any rule or code of conduct may assert any of the protections provided by state and federal special education laws if the school had knowledge that the student is a student with a disability before the behavior that precipitated the disciplinary action occurred.

The school department is deemed to have knowledge that a student is a student with a disability if before the behavior that precipitated the disciplinary action the following occurred:

- The parent/guardian/caregiver has expressed concern in writing to supervisory or administrative personnel or a teacher of the child that the student is in need of special education services; or
- The parent/guardian/caregiver has requested an evaluation of the student; or
- The student's teacher or other school personnel have expressed specific concern about a pattern of behavior demonstrated by the student directly to the Assistant Superintendent for Student Services or other supervisory personnel in the Office of Student Services.

The school department is deemed not to have knowledge that the student is a student with a disability if:

- The parent/guardian/caregiver has not allowed an evaluation of the student; or
- The parent/guardian/caregiver has refused services for the student; or
- The student was evaluated and found ineligible for special education and related services.

If the school department is not deemed to have knowledge that the student is a student with a disability, the student may be disciplined under the discipline code set forth in the *Rights and Responsibilities Handbook* except that the following limitations apply:

- If the parents/guardians/caregivers of the student request an evaluation during the time period that the student is subjected to discipline, then the evaluation must be conducted in an expedited manner; and
- Until the evaluation is completed, the student remains in the educational placement determined by school authorities.

If an administrative decision under the *Rights and Responsibilities Handbook* will impact the student's placement and/or will result in a cumulative suspension of more than ten (10) school days during a school year and/or will result in an expulsion, the following provisions shall apply:

A manifestation review will be conducted by the school, the student's parents/guardians/caregivers and other relevant members of the student's Team to determine whether the student's misconduct was a manifestation of the student's disability. In making this determination the Team will consider whether: (a) the conduct in

question was caused by, or had a direct and substantial relationship to the child's disability; or (b) the conduct in question was the direct result of the non-implementation of the student's IEP and/or 504 Plan. Depending upon the result of the manifestation determination, the proposed disciplinary action may or may not be implemented. If the Team concludes that the student's conduct is a manifestation of the student's disability, the student shall be returned to the placement from which the student was removed unless the parent/guardian/caregiver and the school district agree to a change of placement as part of the behavioral intervention plan for the student. Additionally, the Team must take immediate steps to remedy any deficiencies found in the student's IEP and/or 504 Plan, placement or implementation in accordance with applicable state and federal laws and regulations, including conducting a functional behavioral assessment for the student, provided that such an assessment had not been conducted prior to the occurrence of the conduct that led to the manifestation determination team meeting; and either implement a behavioral intervention plan or review and modify as necessary the student's existing behavioral intervention plan.

If the Team concludes that the student's conduct is not a manifestation of the student's disability:

- The Team shall develop an alternative plan that provides a free appropriate public education to the student during the period of the suspension;
- The Team shall present the alternative plan to the student's parents/guardians/caregivers along with the written notice as required under state and federal laws and regulations. Refusal or failure by the parents/guardians/caregivers to consent to provision of services under the alternative plan shall not prevent the suspension from being implemented.

If the student's parents/guardians/caregivers request a hearing before the Massachusetts Department of Elementary and Secondary Education Bureau of Special Education Appeals, the student shall continue in the interim alternative education placement identified by the school as a result of an administrative decision under the *Rights and Responsibilities Handbook* until either the expiration of the term of discipline or an order by a hearing officer is received changing the student's placement, whichever occurs first.

In all instances in which a change in placement or a suspension of ten (10) or more school days will be imposed, the student must be provided with a free appropriate public education. School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a student who has violated a code of conduct.

Within ten (10) school days after the date of the administrative decision to impose a disciplinary action, the following shall occur:

- The Team must convene to conduct a functional behavioral assessment of the student, if such an assessment does not already exist;
- The Team must implement the student's behavioral intervention plan if such plan was not implemented prior to the behavior resulting in the discipline; or
- The Team must review and modify the behavioral intervention plan for the student if such plan was implemented prior to the behavior resulting in the discipline.

- The Team may determine a change in placement, with or without the parents/guardians/caregivers permission, to an interim alternative educational setting for a period not to exceed forty-five (45) school days, as long as a free appropriate public education is provided in one or more of the following instances:
- A student carries a weapon to school or to a school function;
- A student knowingly possesses, uses, sells or solicits the sale of an illegal drug and/or controlled substance while at school or at a school function; or
- A student inflicts serious bodily injury upon another person while at school, on school premises, or at a school function. "Serious bodily injury" is more specifically defined as involving substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty.

The school also may seek an order from the Massachusetts Department of Elementary and Secondary Education Bureau of Special Education Appeals for the removal of a student for up to forty-five (45) days to an interim alternative educational setting if the school determines that the student remaining in their current placement is substantially likely to result in injury to the student or to others.

Affirmative Action/Non-Discrimination Notice

CPS is committed to the principle of equal opportunity in every aspect of its operations, both with respect to academic and employment opportunities. It prohibits and does not discriminate on the basis of race, color, national origin, ethnicity, ancestry, religion, age, disability, genetic information, veteran status, marital status, sex, gender identity or expression, sexual orientation, pregnancy, or pregnancy-related condition in its programs and activities or in admission to or employment in its education programs or activities. CPS also provides equal access to the Boy Scouts and other designated youth groups as required by federal law. The following person has been designated to handle inquires regarding the non-discrimination policies: Director of Diversity Development, 159 Thorndike Street, Cambridge, MA 02141, 617-349-6457.

For further information on non-discrimination you may also contact the Office of Civil Rights of the United States Department of Education, 5 Post Office Square, 8th Floor, Boston, MA 02109 Phone: 617-289-0111; Fax: 617-289-0150.

Homeless Education Liaison

CPS is committed to providing homeless children and unaccompanied youth with equal access to a public education as is provided to other children in Cambridge. Assistance in addressing issues relating to the education of homeless children and unaccompanied youth should be directed to the Homeless Education Liaison for the Cambridge Public Schools. The office of the Homeless Education Liaison is located in the Title I Office at 159 Thorndike Street, Cambridge, Massachusetts. The telephone number is 617-349-6487.

Freedom of Assembly

Students should enjoy the right to assemble freely and peaceably on school property and to be able to express their views and opinions. Students who are planning an assembly or meeting need prior approval by the principal/head of upper school or

assistant principal. Students also have the right to invite and hear outside speakers in school facilities. School officials regulate the time and place of speeches and require advance notice in order to avoid conflicts and to ensure proper protection of the school community. Students are required to submit the names of outside speakers to the principal/head of upper school or assistant principal for prior approval. The school officials will approve an outside speaker unless there is a substantial factual basis for believing that the speaker will cause substantial disruption of school activities. Student government meetings and school community meetings are the appropriate places to plan such events.

Freedom of Expression

Students in a school setting have certain constitutional rights as defined by the courts. Students have the right to express themselves by speaking, writing, wearing, or displaying symbols such as buttons, badges, emblems and arm bands, or through other media or forms of expression. The principal/head of upper school or assistant principal may regulate expression if there is substantial factual basis for believing a specific form of expression will cause or is causing imminent and substantial disruption of school activities. Such disruption may consist of supporting all kinds of racism, pornographic materials, libelous or defamatory statements, or inciting others to break school rules.

Freedom of the Person

Students have the right to be safe and secure while in school buildings, on school grounds, transit to and from school, and during any organized school function. Students, school personnel or school officials should in no way use physical force in any manner to cause or attempt to cause physical injury to another student, teacher or school official. A teacher or school official may use physical force if it is reasonable and necessary. The three situations where this is permissible are:

- to obtain possession of a weapon or other dangerous object,
- for the purpose of self defense, and
- for the protection of another person or property.

Common sense and experience dictate when necessary force is used. Physical force in any manner for the purpose of student discipline or imposing punishment is forbidden.

Title IX Compliance

Title IX is a federal law that prohibits discrimination based on sex (gender). This federal law specifically states that "[n]o person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

Rasheeda Abdul-Musawwirs is the Acting Title IX Coordinator for Cambridge Public Schools. Her office address is Cambridge Public Schools, Office of Human Resources, 135 Berkshire Street, Cambridge, MA 02141. If you believe you have experienced or witnessed gender bias in any aspect of the Cambridge Public Schools, including disparities in athletics or sexual misconduct toward students, Rasheeda Abdul-Musawwirs can be contacted at rabdul-musawwirs@cpsd.us or 857.998.7437.

If you wish to report a gender bias concern, please also contact Rasheeda Abdul-Musawwirs at 857.998.7437 or rabdul-musawwirs@cpsd.us. Even if you are unsure if the behavior you experienced or witnessed could be gender bias, we are happy to speak with you about your concerns.

You may also submit your complaint or concerns in writing by completing the https://secure1.cpsd.us/forms/CPS_Discriminatory_Practice_Review_Form.pdf and emailing the completed form to the attention of Rasheeda Abdul-Musawwirs at rabdul-musawwirs@cpsd.us.

Non-Discrimination Policy

I. Introduction

The City of Cambridge School Department, otherwise known as the Cambridge Public Schools (the "School Department" or "CPS") has a commitment to maintaining an educational environment and workplace where bigotry and intolerance, including discrimination are not tolerated. Discrimination and harassment consists of harmful unwelcome conduct that is based on a characteristic protected by law, such as race, color, national origin, ethnicity, ancestry, religion, age, disability, genetic information, veteran status, marital status, sex, gender, gender identity, gender expression, sexual orientation, pregnancy, or pregnancy-related condition. The CPS strictly enforces a prohibition against discrimination of any of its employees, students, students' parents/guardians/caregivers or visitors by anyone, including any fellow student, teacher, supervisor, co-worker, vendor, or other third party, as such conduct is contrary to the mission of the CPS and its commitment to equal opportunity in education and employment.

The CPS will not tolerate discrimination that affects employment or educational conditions that interferes unreasonably with an individual's school or work performance, or that creates an intimidating, hostile, or offensive work or school environment. Any retaliation against an individual who has complained about discrimination or any retaliation against any individual who has cooperated with an investigation of a discrimination complaint will not be tolerated.

The CPS takes allegations of discrimination seriously and will respond promptly to complaints. Where it is determined that discrimination has occurred, the CPS will act promptly to eliminate the conduct and will impose corrective action as necessary, including disciplinary action where appropriate, which may include termination of employment or school-related discipline.

II. Definitions

"Complainant" is defined as the individual who has filed a complaint of discrimination within the CPS.

"Discrimination" is defined as harmful conduct that is based on race, color, national origin, ethnicity, ancestry, religion, age, disability, genetic information, veteran status, marital status, sex, gender, gender identity, gender expression, sexual orientation, pregnancy, or pregnancy-related condition. Discrimination includes, but is not limited to:

- Display or circulation of written materials or pictures that are degrading to a person or group described above.
- Verbal abuse or insults about, directed at, or made in the presence of an individual or group described above.
- Any action or speech that contributes to, promotes or results in a hostile or discriminatory environment to an individual or group described above.
- Any action or speech that is sufficiently severe, pervasive or persistent that it either (i) interferes with or limits the ability of an individual or group (as described above) to participate in or benefit from employment or a program or activity of the CPS; or (ii) creates an intimidating, threatening or abusive educational or working environment.

Many forms of discrimination have been recognized as violations of the civil rights laws

(including Section 504 of the Rehabilitation Act of 1973, Title VI and Title IX) by federal courts, state courts, the U.S. Equal Employment Opportunity Commission, the U.S. Department of Education, Office for Civil Rights and the Massachusetts Commission Against Discrimination.

The above definition of discrimination is broad. In addition to the above examples, other conduct, whether intended or not, that has the effect of creating a school or work environment that is hostile, offensive, intimidating, or humiliating will be considered discrimination.

"Investigator" is defined as the CPS Director of Diversity Development or the Chief Talent Officer of the CPS Office of Human Resources.

"Resolution" is defined as the result of a discrimination complaint investigation established by this policy.

"School" is defined as CPS-supported on-line and/or digital platforms, CPS school-sponsored social events, trips, sports events, work-related travel or similar events connected with the CPS school or employment, including without limitation, extracurricular and athletic activities and programs, traveling to and from the CPS school or on a CPS school-sponsored field trip.

"Witness" is defined as the individual or office that receives a complaint of discrimination within CPS.

III. Reporting Complaints of Discrimination and Harassment

If any CPS student or employee believes, in good faith, that they have been subjected to any form of harassment or discrimination, the individual has a right to file a complaint and seek resolution. If any CPS student or employee wishes to file a complaint and seek resolution, they may do so by contacting their immediate supervisor, the Chief Talent Officer or the Director of Diversity Development–in the case of employees; and their teacher, Principal, Assistant Principal, Dean, Assistant Superintendent for Elementary Education or Assistant Superintendent for Secondary Education– in the case of students. This may be done verbally or in writing.

Teachers or other staff members who observe incidents of discrimination involving students shall report such incidents immediately to the student's Principal, Head of Upper School, Assistant Principal or Dean. Administrators aware of harassment involving any employee shall report such incidents to the Director of Diversity Development or the Chief Talent Officer.

No reprisals or retaliation shall be invoked against any CPS employee or student for processing, in good faith, a complaint, or for participating in any way in these complaint procedures. No reprisals or retaliation shall be invoked against any employee or any student who, in good faith, has testified, assisted, or participated in any manner in any investigation, proceeding, or hearing of a complaint or for otherwise participating in any way in the complaint procedures established by this policy.

IV. Complaint Investigation

When the CPS receives a complaint of discrimination, it will investigate the allegation in a fair and expeditious manner. If the complaint involves conduct that occurred off school, as school is defined in Section II, the CPS will, as part of its investigation, consider the effects of the off school conduct when evaluating whether there is a hostile environment in school. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. If the individual filing the complaint of discrimination is under the age of eighteen (18), the school will notify the parents/guardians/caregivers of the student before beginning the investigation. The investigation may include an interview with the person filing the complaint and also may include interviews with witnesses or other

individuals who the CPS believes would be useful to the investigation. The CPS also will interview the person alleged to have committed the discrimination. Whenever possible, interviews should be scheduled during a time that does not conflict with regularly scheduled work and/or school programs. When the CPS has concluded its investigation, the CPS will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of the investigation.

The investigation procedures are designed to promote the sensitive handling of employee and student issues, the thorough investigation of complaints, to facilitate a prompt and expeditious internal review, and to reach a fair and equitable resolution of complaints alleging discrimination as defined in Section II. A CPS employee or student may select any of the routes identified above in Section III or identified below in this Section IV to file a complaint of discrimination. CPS employees and students may seek advice from appropriate individuals within their school or administrative office or from the CPS Director of Diversity Development or the Office of Human Resources without being required to file a complaint.

Complaint Investigation Procedure

The complainant shall file a written complaint that will state the name of the individual and the location of the school/department where the alleged discriminatory practice occurred, the basis for the complaint, and the corrective action the employee or student is seeking.

After filing the written complaint, the witness shall promptly give written notification to the appropriate school and/or department identified in the complaint. The investigator will conduct the necessary investigation promptly after receiving the complaint. In the course of their investigation, the investigator shall contact those individuals that have been referred to as having pertinent information related to the complaint. This process shall include, at a minimum, contacting the complainant, the complainant's parent/guardian/caregiver if the complainant is under the age of 18, and the person against whom the complaint was filed, and/or the principal/head of upper school or appropriate authority involved. If further documentation is needed, the investigator shall present to the appropriate authorities, written requests for additional information pertaining to the complaint. Strict timelines cannot be set for conducting the investigation because each set of circumstances is different. For example, sometimes the employees or students that are involved in the complaint are not immediately available. The investigator, however, will make sure that the complaint is handled as quickly as is feasible and will strive to complete the investigation within thirty (30) working days. When more than thirty (30) working days is required for the investigation, the investigator shall inform the complainant, in writing, that the investigation is still on-going and shall confirm receipt of notice of said extension.

After completing the investigation of the complaint, the investigator may request a meeting with the person against whom the complaint was filed and/or the principal/head of upper school or appropriate authority involved to discuss the investigation's findings. The purpose of said meeting shall be to give the person against whom the complaint was filed and/or the principal/head of upper school, supervisor or appropriate authority involved, an opportunity to respond to the findings, and to seek to resolve the complaint. When feasible and appropriate, the investigator will make every attempt to resolve the issue within the time parameters of this initial meeting; however, more than one meeting may be necessary. The investigator will strive to reach a determination of responsibility within thirty (30) working days. When more than thirty (30) working days is required to reach a determination, the investigator shall inform the complainant and the individual against whom the complaint was filed and/or the principal/head of upper school or appropriate authority involved, in writing, that additional

time is needed for the determination process. The investigator shall confirm receipt of notice of said extension.

If the investigator finds that there is reasonable cause, based upon a preponderance of the evidence (i.e., more likely than not), for believing that a discriminatory practice has occurred, the investigator will refer the matter to the Chief Talent Officer or Director of Diversity Development CPS – if not the acting investigator – or to the City of Cambridge Superintendent of Schools (the "Superintendent") for appropriate action, up to and including termination for employees or expulsion for students. The investigator will notify, in writing, both the complainant and the individual against whom the complaint was filed of the outcome of the investigation.

If it is determined that discriminatory conduct has been committed by a CPS employee or student, the CPS shall take action that is appropriate under the circumstances as defined in Section V.

Section V. Disciplinary Measures

If it is determined that discriminatory conduct has been committed by a CPS employee or student, the CPS shall take action that is appropriate under the circumstances. Such action shall include, but not be limited to, counseling, restorative practices, or termination of employment–in the case of employees–or expulsion–in the case of students. While these measures relate to the heretofore established CPS policy of promoting a workplace and educational setting free from discrimination, these procedures are not designed nor intended to limit the CPS' authority to discipline or take remedial action for workplace and educational conduct which the CPS deems unacceptable.

Section VI. CPS Conflict Resolution Measures

Additionally, the Cambridge Public Schools has a conflict mediation program which individuals may access for the resolution for matters or conflicts during or outside of the resolution processes detailed above.

Section VII. Resolution Appeal

If the complainant has entered into a complaint process and is not satisfied with the resolution, they may appeal the resolution for the Superintendent's review. The appeal submitted to the Superintendent shall state the grievance, including the specifics relating to the discriminatory or practice that has occurred and shall include a brief statement of the facts and specific request for relief. The Superintendent will conduct the necessary investigation promptly after receiving the complaint. This process shall include, at a minimum, contacting the complainant, the complainant's parent/guardian/caregiver if the complainant is under the age of 18, and the person against whom the complaint was filed and/or the principal/head of upper school or appropriate authority involved and reviewing any prior investigation that has been conducted by the school district with respect to the matter.

The Superintendent will strive to complete the resolution of the appeal within ten (10) working days. When more than ten (10) working days is required for the investigation and resolution process, the Superintendent shall inform the employee or student who filed the complaint and the individual against whom the complaint was filed and/or the principal/head of upper school or appropriate authority involved that additional time is needed for the resolution process. The Superintendent shall confirm receipt of notice of said extension.

If the Superintendent finds that there is reasonable cause, based upon a preponderance of the evidence (i.e., more likely than not), for believing that a discriminatory practice has occurred, the Superintendent will take appropriate action, up to and including termination for CPS employees or expulsion for CPS students.

The Superintendent will notify, in writing, both the complainant and the individual against whom the complaint was filed of the outcome of the investigation.

Section VIII. State or Federal Remedies

Using the CPS's discrimination complaint process, as established by this policy, does not prohibit a complainant from filing a complaint with the relevant agencies described below.

For CPS students, complaints may be taken to the:

Office for Civil Rights
U.S. Department of Education
5 Post Office Square, 8th Floor
Boston, MA 02109-3921
Phone: 617.289.0111; Fax: 617.289.0150;
TTY: 1.800.877.8339
Email: OCR.Boston@ed.gov;

Program Quality Assurance Services
Massachusetts Department of Elementary and Secondary Education
75 Pleasant Street
Malden, MA 02148-4906
Phone: 781.338.3700; Fax: 781.338.3710;
Email: compliance@doe.mass.edu;

Massachusetts Commission Against Discrimination (MCAD) at the addresses listed below; or other appropriate state or federal agency.

For CPS employees or applicants for employment, complaints may be taken to the:

Massachusetts Commission Against Discrimination (MCAD)
1 Ashburton Place, Suite 601
Boston, Massachusetts 02108
Phone: 617.994.6000
Email: MCAD@mass.gov; or at any other MCAD office listed as follows:

Boston Headquarters
1 Ashburton Place, Suite 601
Boston, MA 02108
Phone: 617.994.6000

Worcester Office
484 Main Street, Room 320
Worcester, MA 01608
Phone: 508.453.9630

Springfield Office
436 Dwight Street, Room 220
Springfield, MA 01103
Phone: 413.739.2145

or other appropriate state or federal agency, including the following:

U.S. Equal Employment Opportunity Commission
JFK Federal Building
15 New Sudbury Street, Room 475
Boston, MA 02203-0506
Phone: 1.800.669.4000, TTY: 1.800.669.6820, ASL Video Phone: 844.234.5122, Fax: 617.565.3196

Section IX. Sexual/Gender-Based Discrimination Procedures

All complaints of sex/gender-based discrimination, sex/gender-based harassment, sexual harassment, and/or sexual misconduct will be processed in accordance with the procedures set forth in the Cambridge School Department's Title IX/Sexual Misconduct Policy.

CROSS REFS.: ACA & ACE Non-Discrimination subcategories
AC-R Uniform Grievance Procedures

Student Marriage, Pregnancy and Parenthood

Students who are pregnant, parents or married shall be encouraged to continue in school. Such students are permitted to remain in their regular academic classes and to participate in extracurricular activities with

other students. Additionally, pregnant students, after giving birth, are permitted to return to their same academic classes and extracurricular activities as before giving birth. No student who is pregnant, a parent or married shall be denied access to classroom instruction or extracurricular activities, nor be suspended, expelled, excluded or otherwise disciplined because of marriage, pregnancy or parenthood.

Title IX Coordinator

CPS does not discriminate on the basis of sex in its educational programs or activities it operates and it does not discriminate on the basis of sex in admission to or employment in its education programs or activities. Any inquiries regarding the application of Title IX should be directed to the Title IX Coordinator for the school district, the Director of Diversity Development, Cambridge Public Schools, 159 Thorndike Street, Cambridge, MA 02141, Phone: 617-349-6457; or to the United States Department of Education, Office of Civil Rights, 5 Post Office Square, 8th Floor, Boston, MA 02109, Phone: 617-289-0111, Fax: 617-289-0150.

Freedom of Religion

Massachusetts General Laws chapter 151C, section 2B, provides that:

> Any student in an educational or vocational training institution, other than a religious or denominational educational or vocational training institution, who is unable, because of his religious beliefs, to attend classes or to participate in any examination, study, or work requirement on a particular day shall be excused from any such examination or study or work requirement, and shall be provided with an opportunity to make up such examination, study, or work requirement which he may have missed because of such absence on any particular day; provided, however, that such makeup examination or work shall not create an unreasonable burden upon such school. No fees of any kind shall be charged by the institution for making available to the said student such opportunity. No adverse or prejudicial effects shall result to any student because of his availing himself of the provisions of this section.

Students who miss school because they are observing a religious holiday are to be recorded as an excused absence. Secondly, teachers are asked to refrain from scheduling any important tests, culminating activities, major papers or reports during these days. Finally, teachers are to give their students a reasonable amount of time upon return to their class to make up homework assigned during these days.

Pledge of Allegiance Guidelines

Massachusetts General Laws: Chapter 71, Section 69 provides that:

> Each teacher at the commencement of the first class of each day in all grades in all public schools shall lead the class in a group recitation of the "Pledge of Allegiance to the Flag."

Participation in the pledge of allegiance may not be required of any student. It is expected that any student who does not wish to take part in the pledge will respect the right of others who wish to do so without interruption or disruption.

GENERAL POLICIES AND ADMINISTRATIVE GUIDELINES

Acceptable Use Policy For Computer Network (AUP)

It is the policy of CPS that all technology used for the purpose of electronic communication, including without limitation, technology used to access CPS' network and to access the Internet and all electronic devices issued to staff and/or students by CPS (such as computers, telephones, etc.) will be used in a responsible, legal and ethical manner.

CPS' computer network and electronic devices are established for a limited educational purpose, and have not been established as a public access service or a public forum. CPS has the right to place restrictions on the use of the computer system and all electronic devices it issues, and to require users to abide by system rules and School Committee policies, including but not limited to, CPS' Non-Discrimination Policy and Prohibition Against Sexual Harassment and Anti-Bullying Policy and to protect the confidentiality of student record information and personnel record information.

While there are many valuable resources on the Internet, there also are many sites that can be considered inappropriate for students and serve no educational value. All individuals using the Internet must use the computer network responsibly to ensure it is only used for educational purposes, and must be consistent with the academic activities of the CPS and will be under the supervision of CPS staff. By using the CPS networked information resources, both student and adult users are agreeing to accept this policy.

Use of CPS networked information resources for any illegal or commercial activities is prohibited.

CPS uses a filtering system designed to prevent access to educationally inappropriate sites, including those that contain material that is obscene, pornographic or harmful to minors. However, it is important to understand that no solution is perfect and that CPS cannot guarantee that students might not access an inappropriate site. It is the student's responsibility to report any inappropriate site to a teacher and return to the educational topic assigned.

Teachers, administrators and other school personnel who are using the Internet as part of their teaching may call CPS Information, Communication and Technology Services (ICTS) to request that a specific site be blocked or unblocked. Such decisions will be made by those responsible for monitoring CPS filtering system in consultation with appropriate school personnel.

Use of CPS' computers, computer network, including Internet access and e-mail, and other electronic devices (such as cell phones and/or PDAs) is a PRIVILEGE and not a right. It is important for all CPS employees, students and the parents/guardians/caregivers of students to understand that refusal to sign the Acknowledgement of Receipt of the Acceptable Use Policy and/or any violation of the CPS' Acceptable Use Policy may result in the loss of computer, Internet, computer network, other electronic devices and/or e-mail privileges, and/or disciplinary action, and/or prosecution under state and federal law.

CPS makes no warranties of any kind, whether expressed or implied, for the services it is providing. CPS will not be responsible for any damage you suffer including but not limited to, loss of data, interruption of service, delays, non-deliveries,

or mis-deliveries caused by any reason. CPS is not responsible for the accuracy or quality of the information obtained through or stored on the network, and use of any such information is at your own risk. CPS will not be responsible for financial obligations arising through the use of the network.

It is the policy of the Cambridge School Committee and CPS that all transmission of electronic communications and storage of all information are subject to this Acceptable Use Policy, as applicable. All electronic information transmitted by, received from or stored is considered property of the CPS and/or Cambridge School Committee, as applicable, and is subject to random, suspicionless monitoring, archiving and retrieval. It is important for all CPS employees, students and parents/guardians/caregivers of students to understand that there is no reasonable expectation of privacy with respect to the use of CPS computer network, including Internet access and email and that there is no reasonable expectation of privacy with respect to the content of electronic communications made to or from the CPS computer network, including Internet access and email no matter whose electronic communications equipment is used. CPS and Cambridge School Committee can and will monitor and investigate the use of email files, computers, hard drives and other electronic communications files, systems, devices and platforms regardless of whether accessed in school, in work or remotely if linked directly to the school district server.

Responsible network users will not use the CPS computer network, including without limitation Internet access and e-mail:

(a) for commercial purposes of any kind

(b) for political lobbying, although users may use the system to communicate with representatives and to express their opinion on political issues

(c) for illegal activities

(d) for posting, disclosing or otherwise disseminating personal contact information about themselves or other people, including name, address, telephone, school or work address, without the prior permission of a school administrator, and the prior written permission of the individual whose personal contact information is to be posted

(e) for posting, disclosing or otherwise disseminating student record information without the prior permission of a school administrator, and the prior written permission of the student's parent/guardian/caregiver unless such disclosure or dissemination is permitted by Massachusetts student record regulations

(f) for posting or otherwise disseminating a message that was sent to them privately without permission of the person who sent the message. This provision does not prohibit a user from promptly disclosing to a teacher or school administrator any message they receive that is inappropriate or makes them feel unsafe

(g) to threaten, humiliate, bully, harass, intimidate or send offensive information to another person or about another person

(h) for posting chain letters, engaging in spamming or engaging in any other inappropriate form of communication over the computer network

(i) for posting, disclosing or otherwise disseminating personnel record information without prior permission of a school administrator unless such

disclosure or dissemination is permitted by federal or state law

(j) for viewing, possessing, posting, disclosing, sending, sharing or otherwise disseminating sexually explicit digital pictures, text messages, emails or other material of a sexual nature on any computer, cell phone or other electronic device regardless of whether federal or state child pornography law is violated

(k) for activities which disrupt the educational environment

(l) for unethical activities, such as cheating on assignments or tests

(m) for activities that invade the privacy of others

(n) for personal use; in other words, the CPS' network and electronic devices should only be used for business and/or school purposes

(o) to engage in any other conduct which violates any CPS' policy and/or the provisions of the *Rights and Responsibilities Handbook* or school-based rules in any way

(p) or permit students to interact with any websites that require input of personal or student identifiable information (such as name, address, telephone number, email address, etc.) unless the use of such website has been approved by ICTS

(q) to violate the provisions of M.G.L.c. 71, §37O, including its provisions of regarding bullying, cyber bullying and retaliation.

Responsible network users will:

(a) never reveal personal information about any user, such as address, telephone number, credit card number, social security number, unless express written permission is granted; and student users will never agree to meet with someone they meet on-line without a parent/guardian/caregiver's approval

(b) notify a system administrator of any security problems they identify on the computer network

(c) be responsible for the use of their electronic devices and account at all times and never divulge their password for any device or account to anyone

(d) recognize that there is no privacy in the contents of e-mail, data or personal files on any electronic device and/or the network, and that all electronic devices and the system are subject to archiving, routine maintenance, access and monitoring of messages and files may be accessed in appropriate circumstances

(e) promptly disclose to a teacher or school administrator any website that they locate or receive that is inappropriate or makes them feel unsafe

(f) not attempt to gain unauthorized access to the CPS computer network or any other computer network or go beyond the user's authorized access, make deliberate attempts to disrupt the computer network or destroy data by spreading computer viruses or by any other means, or otherwise vandalize, tamper with, destroy or interfere with the computer network, with programs, data, files or any other electronic information or devices

(g) honor the legal rights of software producers, network providers, copyright and license agreements

(h) not use the system to access material that is profane or obscene (i.e., pornography), that advocates illegal acts, that advocates violence or discrimination toward other people (i.e., hate literature), or that is illegal (i.e., gambling)

(i) comply with the policies of the Cambridge School Committee and CPS, including without limitation, its Non-Discrimination Policy and Prohibition Against Sexual Harassment, Non-Tolerance of Hate Crimes Policy and Anti-Bullying Policy in connection with the use of the computer network, computer system and email

(j) use the same level of care, judgment and professionalism in communicating on the computer network, computer system and email as they would for other written communications of the school department, including without limitation those on school department or individual school letterhead

(k) report any incidents or receipt of threats, humiliation, bullying, cyber bullying, retaliation, harassment, intimidation or offensive communications (whether via email, text message, social networking site or otherwise) in accordance with the provisions of CPS' Non-Discrimination Policy and Prohibition Against Sexual Harassment and Anti-Bullying Policy

(l) when posting material in a distance learning course, ensure that the posted material is made available only for students officially enrolled in the course for which the transmission is made, whether such transmission of digital information is a distance education course or a supplement to a live course; ensure reasonable measures are implemented to prevent retention of works longer than the class session and prevent unauthorized dissemination of materials (i.e., use passwords, user and location authentication through Internet protocol checking, content timeouts, print disabling, and disabling the cut and paste tool), provide clear notice to students that the work is protected by copyright and only posted material that is lawfully made, acquired and part of a systematic mediated instructional activity for the class under the control or supervision of the instructor, used in a manner analogous to performances or displays in a live classroom and the amount of material used must be comparable to the amount used in a live classroom setting and not post any digital educational works.

(m) ensure students are educated about appropriate online behavior, including interacting with other individuals on social networking sites, chat rooms and cyber bullying awareness and response.

Discipline

Any violation of this policy may result in cancellation of network privileges and/or appropriate disciplinary action in accordance with CPS' rules, and legal action, if appropriate.

Any user identified as a security risk or having a history of problems with other computer systems may be denied access to the network, at the discretion of the school department.

The school department will cooperate fully with local state or federal officials in any investigation related to any illegal activities conducted through the network.

Software Code of Ethics

Unauthorized duplication of copyrighted computer software violates the law and is contrary to the CPS' standards of conduct. CPS disapproves of such copying and recognizes the following principles as a basis for preventing its occurrences:

- CPS will neither engage in nor tolerate the making or using of unauthorized software copies under any circumstances.

- CPS will provide legally acquired software to meet legitimate software needs in a timely fashion and in sufficient quantities for all our computers that require such software.
- CPS will comply with all license or purchase terms regulating the use of any software that the CPS acquires or uses.
- CPS will enforce strong internal controls to prevent the making or using of unauthorized software copies, including effective measures to verify compliance with these standards and appropriate disciplinary measures for violation of these standards.

School and District Web Pages

Only those web pages maintained in accordance with CPS' school and district web pages policy and established school district procedures and hosted by CPS and/or an approved CPS vendor shall be recognized as official representations of the school district on individual schools. All information on a school or school district web page must accurately reflect the mission, goals, policies, program and activities of the school and school district. The web pages must have a purpose that falls in at least one of four categories: (i) support of curriculum and instruction intended to provide links to Internet resources for students, parents/guardians/caregivers and staff in the school district; (ii) public information intended to communicate information about the schools and school district to students, staff, parents/guardians/caregivers, community and the world at large; (iii) school district technology support intended to provide and respond to instructional and administrative technology needs of students and staff; and (iv) school district technology, including without limitation, secure communication tools, web-based mail and on-line applications, intended to support and respond to instructional and administrative needs of students, parents/guardians/caregivers and staff. For further information, consult the School and District Web Page policy posted on the website.

Social Media Policy

Purpose

This policy establishes guidelines for the creation and use by CPS, its schools, departments and/or employees of the CPS' social media sites for Work Related Purposes (including but not limited to Face book and Twitter) as a means of conveying CPS' information to its citizens.

The intended purpose behind establishing CPS' social media sites is to disseminate information from the CPS, about the CPS to its citizens. The CPS have an overriding interest and expectation in deciding what is "spoken" on behalf of the CPS on its social media sites.

For purposes of this policy, "Social Media" is understood to be content created by individuals, using accessible, expandable and upgradable publishing technologies, through and on the Internet. Examples of Social Media include Facebook, Twitter, Google+, blogs, and LinkedIn. For purposes of this policy, "Content" includes comment, information, articles, pictures, videos or any other form of communicative content posted on CPS' Social Media sites.

General Policy

The establishment and use by a school, department or employee of CPS' Social Media sites are subject to approval by the Superintendent or designees and the Information, Communication and Technology

Services Department (ICTS). CPS' Social Media sites shall be administered and monitored by individual department site administrators jointly approved by the principals/heads of upper schools or individual department heads and the Superintendent or designee, with notification to the CPS' ICTS staff and the Superintendent or designee.

CPS' Social media sites should make clear that they are maintained by the CPS and that they follow the CPS' Social Media Policy.

Wherever possible, CPS' Social Media sites should link back to the official CPS' website or department web pages for forms, documents, online services, and other information necessary to conduct business with the CPS.

ICTS will occasionally monitor content on CPS' Social Media sites to ensure adherence to the CPS Social Media Policy and the interests and goals of the CPS.

The CPS reserves the right to restrict or remove any content that is deemed in violation of this Social Media Policy or any applicable laws, rules, regulations or policies. Any content removed based on this Social Media Policy should be retained by the site administrator who removed it for a reasonable period of time, as well as information about the time, date, and identity of the poster, when available.

This Social Media Policy is posted on the school district's website. The CPS will approach the use of social media tools as consistently as possible, district wide.

The CPS' website will remain the CPS' primary and predominant Internet presence.

All CPS' Social Media sites shall adhere to applicable federal, state and local laws, rules, regulations and policies.

CPS' Social Media sites are subject to Massachusetts public records and record retention laws, rules, regulations and policies. Any content maintained in a Social Media format that is related to CPS' business, including a list of subscribers, posted communication, and communication submitted for posting, may be a public record subject to public disclosure. The department site administrator will maintain records in accordance with Massachusetts public records and record retention laws, rules, regulations and policies.

Comments or other content on topics or issues not related to CPS' business or within the jurisdictional purview of the CPS may be removed. Employees representing the CPS via CPS' Social Media sites shall conduct themselves at all times as representatives of the CPS in accordance with all CPS' rules, regulations and policies.

This Social Media Policy may be updated from time to time and amended at the discretion of the Cambridge School Committee and the Superintendent of Schools.

Content Policy

As a public entity, the CPS should abide by certain standards, including those standards detailed below, to serve all its constituents in a civil and unbiased manner.

The intended purpose behind establishing CPS' Social Media sites is to disseminate information from the CPS, about the CPS, to staff, students and their families and citizens of Cambridge.

Content perceived as containing any of the following, but not limited to, inappropriate forms of content shall not be permitted on CPS' Social Media sites and is subject to removal and/or restriction by site administrators, the Superintendent of Schools, or their designees:

1. Content not related to the original topic or to the business of the CPS, including random or unintelligible comments;
2. Profane, obscene, violent or pornographic content and/or language;
3. Content that promotes, fosters, or perpetuates discrimination on the basis of race, color, national origin, ethnicity, ancestry, religion, age, disability, genetic information, veteran status, marital status, sex, gender identity or expression, sexual orientation, pregnancy, or pregnancy-related condition, family status, military status or source of income.
4. Defamatory or personal attacks;
5. Threats to any person or organization;
6. Content in support of, or opposition to, any political campaigns or ballot measures;
7. Solicitation of commerce, including but not limited to, the advertising of any business or product for sale;
8. Conduct in violation of any federal, state, or local law, rule or regulation;
9. Encouragement of illegal activity;
10. Information that may tend to compromise the safety or security of the public or public systems;
11. Content that violates a legal ownership interest, such as, but not limited to a copyright, of any party; or
12. Any other content deemed inappropriate by the CPS.

Content regarding a student shall not be posted on any CPS' Social Media Site unless there is a signed CPS' Media Release on file at the student's school for the current school year that has been signed by the parent/guardian/caregiver of the student and/or by the eligible student authorizing the display, publishing, distribution or exhibition the student and/or the student's name, image, likeness, spoken words, student work, performance and movement, in any form on the CPS' Social Media Site.

Content posted by a member of the public on any CPS' Social Media site shall be the opinion of the commentator or poster only, and publication of content does not imply endorsement of, or agreement by, the Cambridge School Committee and/or CPS, nor does such content necessarily reflect the opinions or policies of the Cambridge School Committee and/or the CPS.

The CPS reserves the right to deny access to CPS' Social Media sites to any person who violates the CPS' Social Media Policy, at any time and without prior notice.

Site administrators shall monitor CPS' Social Media sites for content requesting responses from the CPS. Site administrators may direct such requests to the appropriate CPS' administrator and/or department for response.

Site administrators shall monitor content posted on CPS' Social Media sites for Content in violation of this Social Media Policy.

When a CPS employee responds to a comment, in their capacity as a CPS employee, the employee should do so in the name of the CPS' school or department, and the employee shall not share personal information about themselves, or other CPS' employees except as required for CPS' business, and shall not share personal and/or student record information about CPS' students in accordance with the requirements of federal and state student record laws and regulations.

Content posted to any CPS' Social Media site must comply with that site's terms and conditions, and the CPS reserves the right to report any violation of those terms to the site

administrator so the site administrator may take appropriate and reasonable responsive action.

School Visitors

To maintain safety and security, all visitors are expected to report to the main office of the school before going elsewhere in the school building. If a visitor disrupts or interferes with the work of students, teachers or other employees by behaving inappropriately or insisting on visiting at inappropriate times, the principal/head of upper school may place limitations on the individual's ability to visit the school, including but not limited to, requiring appointments to be made before visiting, being accompanied by school staff when in the building, or being barred from entering the building. If you have questions about the school's policy on visitors, speak to the principal/head of upper school.

No Idling of Motor Vehicles

Massachusetts General Law chapter 71, section 37H prohibits all operators of school buses and operators of personal motor vehicles from idling vehicles on school grounds or within one hundred (100) feet of school grounds.

Student Lockers

Many CPS schools have lockers for students. Lockers are a privilege. Students who are assigned lockers must abide by the following conditions:

Every effort should be made to keep the lockers secure and allow for the privacy of its contents.

Students should not share lockers unless authorized to do so by the person in charge.

Writing graffiti or failure to keep lockers neat and clean will not be tolerated.

Lockers are for the students' clothing and instructional materials such as books, notes, projects, supplies, lunches, etc.

Students must comply with their school's locker regulations, including scheduled times for access, etc,

Students should take what they need from their lockers at the end of the school day. If it is necessary to get something important from the locker after school hours, an administrator's permission is required.

Since lockers are property of the school department, the schools maintain the right to search lockers if there is reason to believe the locker contains contraband, weapons, or evidence that will link the locker to trafficking in contraband, or if there is present danger of immediate physical threat to the school or its staff or students. The schools will conduct announced and unannounced locker inspections. See Section 4.0 of the *Rights and Responsibilities Handbook* for further information on the locker policy.

CPS is not responsible for the loss of property during the school year. CPS also is not responsible for the loss of property left in a locker after the last school day. These rules and regulations along with the school's school-based procedures also apply to students' desks.

Criminal Offender Record Information

CPS seeks to provide a safe learning environment for its students and a safe working environment for its employees. Accordingly, it is the policy of CPS, in accordance with the provisions of M.G.L.c. 71, §38R, as amended by Chapter 385 of the Acts of 2002 and M.G.L.c. 6, §172I, to

conduct criminal background checks ("CORI checks") periodically and at least every three (3) years on current and prospective employee(s), contracted service providers, volunteer(s) and school transportation provider(s) including taxicab company employees, any subcontractor or laborer who is performing work on school grounds and other individual(s) who may have direct and unmonitored contact with children. CORI checks will be conducted on current and prospective employee(s) and service providers prior to employment and/or contracting and on any volunteer prior to accepting the person as a volunteer.

Additionally, in accordance with state law, a fingerprint-based state and national criminal history record check is conducted on all current and prospective employees.

Field Trips

The Cambridge School Committee recognizes that first-hand experiences provided by field trips and school-sponsored trips are a most effective and worthwhile means of learning; therefore, the Cambridge School Committee encourages that field trips and school-sponsored trips be of significant educational value which are related to the total school program and curriculum. Additionally, due to the inherent educational value of field trips and school-sponsored trips that all students be able to participate in and have equal access to field trips and school-sponsored trips.

Consistent with this goal, the Superintendent of Schools has established guidelines for field trips and school-sponsored trips. These guidelines address the process for screening, evaluating and approving field trips and school-sponsored trips in order to ensure that all reasonable steps are taken for the health, safety and welfare of the participants and to ensure no substantial disruption of the educational process and the inherent educational value of the field trip and/or school-sponsored trip. Additionally, the guidelines provide that no student be denied participation in a field trip or school-sponsored trip as a consequence or form of punishment for previous behavior for which he or she already has been disciplined. A student may only be excluded from a field trip or school-sponsored trip if the date or dates of the student's suspension or expulsion from school for a violation of school-based rules or the codes of conduct set forth in the *Rights and Responsibilities Handbook* coincides with the scheduled date or dates of the field trip or school-sponsored trip, or if, in the judgment of the principal/head of upper school, a student's previous or current behavior poses a substantial risk to the health, safety and welfare of the student, other students and/or staff participating in the field trip and/or school-sponsored event.

The guidelines also require the prior approval of all field trips or school-sponsored trips by the principal/head of upper school, and the prior approval by the Superintendent and/or designee of all overnight and out-of-state or out-of-country trips. Furthermore, the guidelines establish procedures to assure that: (i) all students have parent/guardian/caregiver permission for trips; (ii) all trips are properly supervised, (iii) all safety precautions are observed, (iv) all student files have been reviewed to determine if any accommodations or modifications are required in order for a student to participate in and have equal access to any field trip or school-sponsored trip, (v) all trips contribute substantially to the educational program, (vi) the district is monitoring whether students are excluded from participation in and/or having equal access to field trips and/or school-sponsored trips, and if so, for what reasons; and (vii) there are procedures in

place for parents/guardians/caregivers to appeal a decision to exclude a student from participation and access to a field trip and/or school-sponsored trip.

Approval of all field trips and school-sponsored trips is conditional. Approval for any field trip or school-sponsored trip may be revoked if a change in circumstances, whether man-made or natural, would warrant cancellation of this field trip or school sponsored trip in the interest of the safety of the students and staff of CPS.

CPS and the Cambridge School Committee will not be responsible for any financial obligations incurred as a result of the planning of the field trip or school sponsored trip, or for any monies that are non-refundable or are otherwise lost due to the subsequent cancellation of the field trip or school-sponsored trip or due to a student's exclusion from participation and access to a field trip or school-sponsored trip as a result of the student's suspension or expulsion from school on the date or dates of the field trip or school-sponsored trip.

All rules and codes of conduct established for student eligibility to participate in the proposed trip must be distributed to parents/guardians/caregivers and students at the time that a field trip is initially announced. Either at the time that the field trip is initially announced and not later than at least six weeks prior to any planned field trip, appropriate school staff should review all student files to determine if any accommodations or modifications are required in order for the student to participate in the planned field trip. If necessary, a team meeting should be convened either at or near the time that the field trip is initially announced and not later than at least six weeks prior to the planned field trip to review and discuss any accommodations or modifications that are required in order for the student to participate in and access the planned field trip.

No student shall be denied participation in a field trip or school sponsored trip that takes place during the school day (and is not an overnight trip) because of financial inability to pay the fee. Each club, team or group is responsible for raising all of the money necessary to fund a field trip or school sponsored trip that is being proposed by a group of students. No fundraising or other preparations for a field trip or school sponsored trip should occur until the field trip or school sponsored trip has been approved. No financial support will be available from CPS or the Cambridge School Committee for any overnight, out-of-state or out-of-country travel.

CPS and the Cambridge School Committee will not be responsible for any expenses incurred as a result of a chaperone's decision to send a student participant home earlier than the scheduled return date due to the student's unacceptable behavior. Students and their parents/guardians/caregivers will be held responsible for any damage done to hotels, rental properties, real or personal property. Parents/guardians/caregivers must agree to pay for any damages that may be done by their son/daughter and/or aid school officials in collecting money necessary to do so.

For all field trips requiring transportation, transportation must be provided by a common carrier that is licensed to do business in the Commonwealth of Massachusetts and is licensed for passenger transport by the Federal Motor Carrier Safety Administration, or in an approved CPS licensed vehicle or by public transportation, such as the MBTA, bus, train or other form of public transportation. All charter services for field trips or school sponsored trips must be

provided by a common carrier that is licensed by the Commonwealth of Massachusetts to provide charter services and is licensed for passenger transport by the Federal Motor Carrier Safety Administration. All vendors that provide transportation for field trips or school sponsored trips must provide evidence that their driver(s) are licensed in the Commonwealth of Massachusetts to drive the vehicles being used to provide the transportation for the field trips and/or the charter services for the field trips. All transportation vendors also must maintain liability insurance with a minimum of $500,000 (five hundred thousand dollars) per occurrence for bodily injury. No transportation vendor shall be used to provide transportation and/or charter services for field trips or school sponsored trips if it has a rating of "conditional" or "unsatisfactory" issued by the Federal Motor Carrier Safety Administration. Nothing in this field trip policy should be construed to prohibit field trips where students travel by means of walking.

Use of privately owned vehicles or leased vans to transport students to and from field trips, athletic events or school sponsored trips are strictly prohibited, except in the case of a bona fide emergency. Determination of the existence of a bona fide emergency will be made by the Principal/Head of Upper School and/or Trip Leader if the Principal/Head of Upper School is not present. Staff and parents/guardians/caregivers who use their own vehicles risk being legally liable for any injury a student sustains while in the vehicle.

Overnight accommodations should be made in advance with safety and security in mind and, whenever possible, travel between the hours of midnight and 6:00 a.m. should be avoided, trip itineraries should leave enough room for drivers to rest in conformity with federal hour-of-service requirements and common sense and take into account the likelihood of delays due to weather, traffic and unanticipated factors.

Specific guidelines for field trips can be accessed on the school district's web site.

Immunizations

State law requires that before registering for school students have been successfully immunized against diphtheria, pertussis (whooping cough), tetanus, measles, rubella (German measles), mumps, poliomyelitis and hepatitis B and other communicable diseases as may be specified from time to time by the department of public health. Parents/guardians/caregivers are responsible for keeping immunizations current.

Family Involvement

CPS recognizes that families are their children's first teachers. As each of us desires and deserves respect for our family and cultural differences, CPS encourages each student, family member and educator to be sensitive to and respectful of human differences in the entire school community. Families are encouraged to: (a) become aware of what their child is learning; (b) ask questions about their child's education; and (c) support their child's learning. The goal of family involvement in CPS is the development of a partnership between home and school that ensures all children become successful lifelong learners. For a copy of CPS' Family Involvement Policy contact the principal/head of upper school.

Promotion and Retention

The Cambridge School Committee recognizes that each child develops socially, emotionally, and intellectually at a rate unique to that child and that each child must be

afforded the opportunity to progress continually through school community environments that meet their individual needs. A student who struggles to be successful in school may advance to the next grade when in the judgment of the principal/head of upper school, based upon input from school staff and parent/guardian/caregiver, advancement is in the best interest of the student.

Students are expected to progress through the grade levels. When a student struggles to meet grade-level standards, school staff, students, and parents/guardians/caregivers will work together to customize support services to help the student succeed. Retention should be considered a last resort and will take place only after very careful consideration and implementation of a retention intervention plan. With the exception of kindergarten students who due to age may remain in the same grade for a second year, a student may be retained no more than once prior to entering high school. Decisions made regarding students with IEP's must be consistent with the IEP Team findings. The decision to retain a student shall be made by the building principal/head of upper school, in consultation with appropriate staff members and parents/guardians/caregivers. At the elementary and upper school levels, should the parent/guardian/caregiver disagree with the principal/head of upper school's decision, the principal/head of upper school will write a letter to be placed in the student's cumulative folder attesting to the recommendation of the principal/head of upper school while allowing the parent/guardian/caregiver to have the final decision. At the secondary level, the accrual of appropriate credits determines the student's status of grade enrollment unless otherwise determined by the IEP team findings.

No student who has completed a grade successfully shall be retained or allowed to repeat a grade in order to improve their ability or lengthen their eligibility to participate in extra-curricular athletic programs.

Administration of Prescription Medication and Management of Life Threatening Food Allergies

It is the policy of CPS to have procedures in place for the safe and proper administration of prescription medications to students attending CPS and for addressing issues relating to the management of life threatening food allergies in the school setting. The procedures supporting this policy can be found on the www.cpsd.us web site. If a parent/guardian/caregiver needs to have prescription medication administered to a child during the school day or a plan for managing a life threatening food allergy, they should contact the school principal/head of upper school.

Wellness Policy

The Cambridge School Committee recognizes the relationship between student well-being and student achievement as well as the importance of a comprehensive district wellness policy.

Wellness Council

The School Committee has designated the Superintendent of Schools and the Superintendent's designees to establish a Wellness Council that may serve as a resource in connection with the implementation and evaluation of this policy.

Nutrition Guidelines

The school district's goal is that all students will have opportunities, support and encouragement to make healthy nutrition choices throughout the school day through meals, snacks and beverages provided as part of the school meal program, at other times during the school day such as through food and nutrition education integrated in the health curriculum, school gardens and in school events taking place outside school hours.

The school district's food service program will provide students with access to a variety of affordable, nutritious and appealing foods and beverages that:

- Meet health and nutrition needs of students and adhere to USDA school meal regulations
- Meet the Massachusetts School Nutrition regulations, as applicable
- Accommodate the religious, ethnic and cultural diversity of the student body in meal planning
- Provide clean, safe and pleasant settings and adequate time for students to eat; and a minimum of 20 minutes for lunch and a minimum of 10 minutes for breakfast, after sitting down.
- Ensure that no student need go hungry while in school.
- Schools will adhere to the nutritional standards set by the Massachusetts Department of Public Health for competitive foods and beverages including vending machines, a la carte items offered in school cafeterias, school-sponsored or school-related events.
- In addition, the schools will maintain the same Massachusetts standards for concession stands, booster sales, fundraising activities and school-sponsored or school-related events.

Physical Education and Physical Activities

The school district's goal is that all students will have opportunities, support and encouragement to be physically active on a regular basis throughout the school day through physical education (PE) classes, before and after school activities, active transportation and the integration of physical activity into the academic curriculum where appropriate. Additionally, there will be daily recess periods with active play for K-8 students.

Health, Physical Education and Athletic departments will provide all students, including students with disabilities, special health care needs and those in alternative education settings with access to a variety of opportunities for physical activity that:

- Adhere to or exceed the Massachusetts Comprehensive Health Curriculum Framework and the National Association for Sport and Physical Education Standards
- Ensure that students learn skills for lifelong activities
- Provide students with the opportunity to participate in physical activity through a range of programs including but not limited to, intramurals and competitive interscholastic athletics, and activities that are available to all students, regardless of skill level, such as intramurals and physical activity clubs
- Students will not be kept from recess or excluded from a physical education class except if the removal is necessary to protect the health, safety and welfare of the student, other students and staff and/or is related to the students engaging in conduct, during recess or the physical

education class, that is in violation of the codes of conduct set forth in the *Rights and Responsibilities Handbook* and/or in school-based rules or other Cambridge Public School policies (e.g., anti-bullying policy, anti-hazing policy, anti-discrimination policy, etc.), or the permission of the student's parent/guardian/caregiver has been given for the student's removal or exclusion.

- Physical activity or recess will neither be denied nor required as a form of punishment.
- All students in grades K-8 will have at least 20 minutes of recess actively supervised by trained staff, preferably outdoors, during which the schools will encourage moderate to vigorous physical activity verbally and through provision of space and equipment.
- Students will not be denied recess to conference with teaching staff, finish projects or make up work unless under unusual circumstances.
- Students and staff will be encouraged to engage in active transportation to and from school and to support a healthy and active lifestyle from an early age by working to make bicycling and walking to school a safer and more appealing mode of transportation.

Health and Nutrition Education Activities

The school district's goals for health and nutrition education activities include:

- Students will receive encouragement, support and education to adopt healthy behaviors through health education, including nutrition education and social emotional learning
- Students receive health education that teaches the skills they need to adopt and maintain healthy behaviors.
- Students receive consistent health messages from all aspects of the school program.
- Health education curriculum standards and guidelines address both nutrition and physical education.
- Nutrition is integrated into the health education curriculum. Staff who provide health and nutrition education will have appropriate training
- Health and nutrition education curriculum will be aligned to the Massachusetts Comprehensive Health Curriculum Framework, National Health Education Standards and the National Sexuality Education Standards and will establish linkages between health education, school meal programs and related community services. Kindergarten through grade 5 staff will attend district health education training.
- Nutrition promotion will support and enhance classroom nutrition education through eating experiences in the school cafeteria provided by the school district's food service in partnership with the Cambridge Public Health Department and through opportunities to grow, harvest and taste organically grown fruits and vegetables in school gardens.
- Where practicable, school gardens will be maintained as a health and nutrition resource and all gardens will include edible fruits and vegetables and use organic practices.

The complete school wellness policy can be found on the school district's website.

Sports-Related Head Injury and Concussions

All schools subject to the Massachusetts Interscholastic Athletic Association (MIAA) rules are required, by state law, to have their student-athletes and their parents/guardians/caregivers, coaches, athletic directors, school nurses, and physicians learn about the consequences of head injuries and concussions through training programs and written materials. The law requires that athletes and their parents/guardians/caregivers inform their coaches about prior head injuries at the beginning of the season. If a student-athlete becomes unconscious during a game or practice, the law now mandates taking the student out of play or practice, and requires written certification from a licensed medical professional for "return to play."

More specifically, Massachusetts Department of Public Health regulations promulgated under the state law provide, in pertinent part, that "[a]ny student, who during a practice or competition, sustains a head injury or suspected concussion, or exhibits signs and symptoms of a concussion, or loses consciousness, even briefly, shall be removed from the practice or competition immediately and may not return to the practice or competition that day." 105 C.M.R. 201.010(B).

Parents/guardians/caregivers and students who plan to participate in any athletic program must also take a free on-line course. Two free on-line courses are available and contain all the information required by the law. The first is available through the National Federation of High School Coaches at:

http://www.nfhslearn.com/electiveDetail.aspx?courseID=15000

The second on-line course is available through the Centers for Disease Control and Prevention at https://www.cdc.gov/headsup/index.html

A concussion is an alteration of mental status resulting from the brain being jolted inside of the skull due to a blow to the head or body. It is one of the most complicated injuries faced by medical professionals as the signs and symptoms are not always straightforward and the effects and severity of the injury can be difficult to determine. Among the symptoms associated with concussion are: headache, dizziness, confusion, amnesia, nausea, and disorientation. Loss of consciousness occurs in less than ten percent of all injuries and is not an indicator of concussion severity. Following an injury, the athlete may also experience other difficulties such as sensitivity to light and sound, forgetfulness, fatigue and emotional changes such as anxiety or depression.

Most athletes who sustain a concussion can fully recover as long as the brain has had time to heal before sustaining another hit; however, relying only on an athlete's self-report of symptoms to determine injury recovery is inadequate as many student athletes are not aware of the signs and symptoms of injury, the severity concussive injuries pose or they may feel pressure from coaches, parents/guardians/caregivers, teammates or others to return to play as quickly as possible. One or more of these factors will likely result in under-diagnosing the injury and a premature return to play. Research has shown that young concussed athletes who return to play before their brain has healed are highly vulnerable to more prolonged post-concussion syndrome or, in rare cases, a catastrophic neurological injury known as Second Impact Syndrome. Therefore, CPS encourages the following care when an athlete sustains a concussion in a school-sponsored sporting event:

1. When any injury occurs, the injured athlete should promptly report the injury to the athletic trainer, coach and school nurse.
2. When any injury occurs, including a head injury or suspected concussion, or signs or symptoms of a concussion are exhibited, or there is a loss of consciousness, the parent/guardian/caregiver is notified and the injured athlete should visit the local hospital emergency room or review the student's condition with their primary care physician to ensure there is not a need for emergency medical care.
3. Communication is vital. Subsequently a care team consisting of the injured athlete's primary care physician and parents/guardians/caregivers along with CPS' athletic trainer, school nurse, teachers, head coach and athletic director should monitor the symptoms of injury.
4. Engage the injured athlete in a battery of tests that include a combination of self-report symptoms, balance and neuro-cognitive testing. The combined assessment will provide a more sensitive and objective evaluation of the effects of the concussion that will help better determine when it is safe for the athlete to return to play.

   The injured athlete will not be allowed to return to play or practice until a certified licensed athletic trainer from CPS has authorized their return to play.

For any student who has sustained a head injury or suspected concussion, the parent/guardian/caregiver should notify the principal/head of upper school and school nurse. Additionally, if any staff member witnesses or any student reports a head injury, the student will immediately be sent to the school nurse and the parent/guardian/caregiver notified, given a concussion handout to observe for signs and symptoms of concussion or head injury and advised to contact their own medical provider. If a student needs accommodations or is absent for more than three days following a concussion, parents/guardians/caregivers will be informed that the student should be referred to and consult with a medical doctor for guidance and advise regarding return to school, and a meeting should be set up to determine the need of a 504 Accommodation Plan in accordance with the school district's process for development of 504 Accommodation Plans for students.

HIV/AIDS Policy

The CPS does not discriminate on the basis of HIV/AIDS or association with another person with HIV/AIDS. Children living with HIV/AIDS are entitled to the same rights and privileges related to attendance and participation in education within CPS as other children who are attending CPS schools. Staff and/or students living with HIV/AIDS are not required to disclose HIV/Aids status. Such disclosure is only made with the express written consent of the individual or the individual's parent/guardian/caregiver if under the age of eighteen (18). The risk of transmission of HIV in the school setting is extremely low when universal infection control guidelines are followed consistently and all employees are required to consistently take and follow universal precautions in all school settings and at all school times. A complete copy of the school district's HIV/AIDS policy is posted on the school district's website.

Teaching Students About Drugs, Alcohol, Tobacco and Substance Abuse Prevention

The Cambridge Public Schools provides age appropriate, developmentally based drug, alcohol, tobacco and substance abuse education and substance abuse prevention programs in all grades. The objectives of this educational program are to educate students about the consequences of substance use and abuse, including the legal, emotional, psychological and social consequences of alcohol, tobacco and other drug use. The educational program seeks to help students develop the ability to make informed decisions, to have effective strategies to cope with emotional distress, and to be able to resist peer pressure to use alcohol, tobacco and other drugs. A copy of the school district's entire policy can be found on the school district's website.

SBIRT: Screening, Brief Intervention and Referral to Treatment

In order to help prevent students from using substances in the first place or to intervene with early use, the Cambridge Public Schools utilizes an interview based screening called SBIRT for all seventh and ninth grade students about the use of alcohol, marijuana and other drugs. The screening sessions take about five minutes and are conducted confidentially as a private questionnaire by the school nurse or a trained staff member from the high school's guidance department. The individual conducting the screening will provide brief feedback to any student who reports using substances or is at risk for future substance abuse and all students who participate in the screening will receive some educational material and a list of resources. If necessary, the student will be referred to a school nurse or a team member for further evaluation. The results of the screening are not included in the student's school record and there is no disciplinary action taken as a result of the findings of the screener, nor will the results of the screen be shared with any school staff other than the SBIRT team. Parents/guardians/caregivers of students will also receive written notice prior to the administration of the screener and will have the right to opt their child out of the screening.

Anti-Violence Policy

All employees of the Cambridge School Committee and CPS are expected to treat each other with respect and conduct themselves in a manner that promotes a safe, healthy workplace and educational environment. The Cambridge School Committee and CPS are committed to working with its employees to maintain a work and educational environment free from violence, threats of violence, harassment, and intimidation. Such acts of violence in the workplace or directed at other Cambridge School Committee and/or CPS employees, students, parents/guardians/caregivers of students, family members of students or members of the public will not be tolerated. All reports of incidents will be taken seriously and will be dealt with appropriately.

Any employee found to have engaged in acts or threats of violence while on duty or when representing the Cambridge School Committee and/or CPS, including but not limited to the following, is subject to disciplinary action up to and including termination of employment. In addition, some acts may result in possible criminal liability. These acts include but are not limited to the following:

- Making threats of violence toward anyone while on duty or when

representing the Cambridge School Committee and/or CPS.

- Unauthorized possession of dangerous weapons, firearms, or explosives on school property or at school-related or school-sponsored events or while on duty.
- Threatening, intimidating, harassing, coercing or other types of aggressive behavior towards fellow employees, students, parents/guardians/caregivers of students, family members of students or members of the public.
- Using obscene or abusive language toward fellow employees, students, parents/guardians/caregivers of students, family members of students or members of the public.
- Fighting, horseplay, or provoking a fight on school property or at school-related or school sponsored events or while on duty. The Cambridge School Committee and CPS regards fighting as a serious offense. If confronted by another employee or member of the public, the Cambridge School Committee and CPS expect an employee, if at all possible, to retreat and avoid retaliation or escalating the situation. Employees should always seek to "walk away" from a fight.
- Oral or written statements (including e-mail), gestures, or expressions that communicate a direct or indirect threat of physical harm.
- Off duty conduct of the type described in the paragraphs above that is directed toward Cambridge School Committee and/or CPS employees, students, parents/guardians/caregivers of students, family members of students or members of the public and which stems from or is related to Cambridge School Committee and/or CPS employment or events that took place during work hours or in connection with work.

Further, the Cambridge School Committee expects Cambridge School Committee and CPS employees to not ignore violent, intimidating, threatening, harassing or other disruptive behavior by anyone while in the workplace. Any attempted retaliation against a person reporting such behavior or other alleged misconduct will be considered a serious offense, subject to disciplinary action up to and including termination. The Cambridge School Committee expects employees who observe any instances of such behavior to report it either to their direct supervisor, school principal/head of upper school, and/or the Chief Operating Officer of the CPS as soon as possible. If an employee's safety is threatened, the Cambridge School Committee expects the employee to contact the police immediately. All supervisors and school principals/heads of upper school that receive such reports should immediately contact the Chief Operating Officer.

Reporting of Activities, Policies or Practices that Violate Law or Pose A Risk to Public Health or Safety

Pursuant to the requirements of the Massachusetts General Laws chapter 149, section 185, CPS does not retaliate against any employee who (i) discloses, or threatens to disclose to a supervisor or to a public body an activity, policy or practice of the employer, or of another employer with whom the employee's employer has a business relationship, that the employee reasonably believes to be in violation of a law, or a rule or regulation promulgated pursuant to law, or activity, policy or practice which the employee reasonably believes poses a risk to public health, safety or the

environment by the employer, or by another employer with whom the employee's employer has a business relationship; or (iii) objects to, or refuses to participate in any activity, policy or practice which the employee reasonably believes is in violation of a law, or a rule or regulation promulgated pursuant to law, or which the employee reasonably believes poses a risk to public health, safety or the environment. Employees who have such concerns may file a written disclosure with either the Superintendent or the Chief Operating Officer whose offices are located at 159 Thorndike Street, Cambridge, MA 02141.

Reporting of Fires

In accordance with the provisions of Massachusetts General Laws chapter 71, section 37L and Massachusetts General Laws Chapter 148, section 2A, all school staff must immediately report any incident involving the unauthorized ignition of any fire within the school building or on school grounds to the principal/head of upper school or assistant principal. Pursuant to state law, principals/heads of upper school or designee are expected to report any incident involving the unauthorized ignition of fire within the school building or on school grounds to the local fire department. Additionally, the provisions of Massachusetts General Laws chapter 148, section 2A provides that "the principal/head of upper school shall submit a written report of the incident to the head of the fire department within 24 hours on a form furnished by the department of fire services. The report shall be filed without regard to the extent of the fire or whether there was a response by the fire department." A copy of the report to the fire department shall also be filed with CPS' Office of Safety and Security. If any incident involving fire threatens the health, safety or welfare of students and staff the fire department must be notified immediately.

Restrictions on Political Activities

While public employees have the same fundamental civic responsibilities and privileges as other citizens, including campaigning for an elective public office and holding an elective or appointed public office, CPS employees are prohibited in connection with campaigning from using school district facilities, equipment or supplies and shall not discuss any such campaign with school personnel or students during the working day nor shall an employee use any time during the working day for campaigning purposes and students may not be pressured into campaigning for any staff member.

Compliance with Fair Labor Standards Act

It is the policy of the Cambridge School Committee and CPS to prohibit improper deductions from employees in a manner inconsistent with the Fair Labor Standards Act. If an employee believes that an improper deduction has occurred, they should verify the basis of the deduction with the Payroll Office. If after receiving information from the Payroll Office, the employee continues to believe that an improper deduction has occurred, they may bring their concerns to the attention of the Office of the Chief Financial Officer by submitting a letter to the attention of the Chief Financial Officer setting forth their reasons as to why they believe an improper deduction has occurred. The Office of the Chief Financial Officer will review the complaint and may request additional documentation and consult with other individuals in order to resolve the complaint. A letter will be provided to the employee

within fifteen (15) days informing the employee of the results of the investigation. If it is determined that an improper deduction has occurred, the appropriate adjustment will be made.

Complaint and Grievance Procedures

CPS investigates all complaints received regarding its policies and practices and seeks to resolve differences that may arise among employees in a fair and expeditious manner. The investigation will be conducted in such a way to maintain confidentiality to the extent practicable under the circumstances. If it is determined inappropriate conduct has been committed, appropriate action will be taken under the circumstances. Employees and students are encouraged to attempt resolution within their individual school and administrative office and may seek advice from appropriate individuals or the Office of Human Resources without being required to file a formal complaint. Unionized employees also have grievance processes set forth in applicable collective bargaining agreements which may be followed with respect to grievances covered under those agreements. Additionally, if an employee is aggrieved by a ruling of a principal/head of upper school or supervisor, they may appeal to the Superintendent and may appeal the ruling of the Superintendent to the School Committee, except in those instances where law has assigned a specific authority to review and such action would be in conflict with the law. For more information on procedures, contact the Office of Human Resources.

Summary of Conflict of Interest Law (M.G.L.c. 268A)

The following is the text of the Massachusetts State Ethics Commission's Summary of the Conflict of Interest Law for Municipal Employees:

This summary of the conflict of interest law, General Laws chapter 268A, is intended to help municipal employees understand how that law applies to them. This summary is not a substitute for legal advice, nor does it mention every aspect of the law that may apply in a particular situation. Municipal employees can obtain free confidential advice about the conflict of interest law from the Commission's Legal Division at it website – www.mass.gov/ethics. Municipal counsel may also provide advice.

The conflict of interest law seeks to prevent conflicts between private interests and public duties, foster integrity in public service, and promote the public's trust and confidence in that service by placing restrictions on what municipal employees may do on the job, after hours, and after leaving public service, as described below. The sections referenced below are sections of G.L. c. 268A.

When the Commission determines that the conflict of interest law has been violated, it can impose a civil penalty of up to $10,000 ($25,000 for bribery cases) for each violation. In addition, the Commission can order the violator to repay any economic advantage he gained by the violation, and to make restitution to injured third parties. Violations of the conflict of interest law can also be prosecuted criminally.

I. Are you a municipal employee for conflict of interest law purposes?

You do not have to be a full-time, paid municipal employee to be considered a municipal employee for conflict of interest purposes. Anyone performing services for a city or town or holding a municipal position, whether paid or unpaid, including full-time and part-time municipal employees, elected officials, volunteers, and consultants, is a

municipal employee under the conflict of interest law. An employee of a private firm can also be a municipal employee, if the private firm has a contract with the city or town and the employee is a "key employee" under the contract, meaning the town has specifically contracted for their services. The law also covers private parties who engage in impermissible dealings with municipal employees, such as offering bribes or illegal gifts.

II. On-the-job restrictions.

(a) Bribes. Asking for and taking bribes is prohibited. (See Section 2) A bribe is anything of value corruptly received by a municipal employee in exchange for the employee being influenced in his official actions. Giving, offering, receiving, or asking for a bribe is illegal.

Bribes are more serious than illegal gifts because they involve corrupt intent. In other words, the municipal employee intends to sell his office by agreeing to do or not do some official act, and the giver intends to influence him to do so. Bribes of any value are illegal.

(b) Gifts and gratuities. Asking for or accepting a gift because of your official position, or because of something you can do or have done in your official position, is prohibited. (See Sections 3, 23(b)(2), and 26)

Municipal employees may not accept gifts and gratuities valued at $50 or more given to influence their official actions or because of their official position. Accepting a gift intended to reward past official action or to bring about future official action is illegal, as is giving such gifts. Accepting a gift given to you because of the municipal position you hold is also illegal. Meals, entertainment event tickets, golf, gift baskets, and payment of travel expenses can all be illegal gifts if given in connection with official action or position, as can anything worth $50 or more. A number of smaller gifts together worth $50 or more may also violate these sections.

Example of violation: A town administrator accepts reduced rental payments from developers.

Example of violation: A developer offers a ski trip to a school district employee who oversees the developer's work for the school district.

Regulatory exemptions. There are situations in which a municipal employee's receipt of a gift does not present a genuine risk of a conflict of interest, and may in fact advance the public interest. The Commission has created exemptions, and is considering creating additional exemptions, permitting giving and receiving gifts in these situations. One commonly used exemption permits municipal employees to accept payment of travel-related expenses when doing so advances a public purpose. Other exemptions are listed on the Commission's website.

Example where there is no violation: A fire truck manufacturer offers to pay the travel expenses of a fire chief to a trade show where the chief can examine various kinds of fire-fighting equipment that the town may purchase. The chief fills out a disclosure form and obtains prior approval from his appointing authority.

Example where there is no violation: A town treasurer attends a two-day annual school featuring multiple substantive seminars on issues relevant to treasurers. The annual school is paid for in part by banks that do business with town treasurers. The treasurer is only required to make a disclosure if one of the sponsoring banks has official business before her in the six months before or after the annual school.

(c) Misuse of position. Using your official position to get something you are not

entitled to, or to get someone else something they are not entitled to, is prohibited. Causing someone else to do these things is also prohibited. (See Sections 23(b)(2) and 26)

A municipal employee may not use her official position to get something worth $50 or more that would not be properly available to other similarly situated individuals. Similarly, a municipal employee may not use her official position to get something worth $50 or more for someone else that would not be properly available to other similarly situated individuals. Causing someone else to do these things is also prohibited.

Example of violation: A full-time town employee writes a novel on work time, using her office computer, and directing her secretary to proofread the draft.

Example of violation: A city councilor directs subordinates to drive the councilor's wife to and from the grocery store.

Example of violation: A mayor avoids a speeding ticket by asking the police officer who stops him, "Do you know who I am?" and showing his municipal I.D.

(d) Self-dealing and nepotism. Participating as a municipal employee in a matter in which you, your immediate family, your business organization, or your future employer has a financial interest is prohibited. (See Section 19)

A municipal employee may not participate in any particular matter in which he or a member of his immediate family (parents, children, siblings, spouse, and spouse's parents, children, and siblings) has a financial interest. He also may not participate in any particular matter in which a prospective employer, or a business organization of which he is a director, officer, trustee, or employee has a financial interest. Participation includes discussing as well as voting on a matter, and delegating a matter to someone else.

A financial interest may create a conflict of interest whether it is large or small, and positive or negative. In other words, it does not matter if a lot of money is involved or only a little. It also does not matter if you are putting money into your pocket or taking it out. If you, your immediate family, your business, or your employer have or has a financial interest in a matter, you may not participate. The financial interest must be direct and immediate or reasonably foreseeable to create a conflict. Financial interests which are remote, speculative or not sufficiently identifiable do not create conflicts.

Example of violation: A school committee member's wife is a teacher in the town's public schools. The school committee member votes on the budget line item for teachers' salaries.

Example of violation: A member of a town affordable housing committee is also the director of a non-profit housing development corporation. The non-profit makes an application to the committee, and the member/director participates in the discussion.

Example: A planning board member lives next door to property where a developer plans to construct a new building. Because the planning board member owns abutting property, he is presumed to have a financial interest in the matter. He cannot participate unless he provides the State Ethics Commission with an opinion from a qualified independent appraiser that the new construction will not affect his financial interest.

In many cases, where not otherwise required to participate, a municipal employee may comply with the law by simply not participating in the particular matter in which

she has a financial interest. She need not give a reason for not participating.

There are several exemptions to this section of the law. An appointed municipal employee may file a written disclosure about the financial interest with his appointing authority, and seek permission to participate notwithstanding the conflict. The appointing authority may grant written permission if she determines that the financial interest in question is not so substantial that it is likely to affect the integrity of his services to the municipality. Participating without disclosing the financial interest is a violation. Elected employees cannot use the disclosure procedure because they have no appointing authority.

Example where there is no violation: An appointed member of the town zoning advisory committee, which will review and recommend changes to the town's by-laws with regard to a commercial district, is a partner at a company that owns commercial property in the district. Prior to participating in any committee discussions, the member files a disclosure with the zoning board of appeals that appointed him to his position, and that board gives him a written determination authorizing his participation, despite his company's financial interest. There is no violation.

There is also an exemption for both appointed and elected employees where the employee's task is to address a matter of general policy and the employee's financial interest is shared with a substantial portion (generally 10% or more) of the town's population, such as, for instance, a financial interest in real estate tax rates or municipal utility rates.

Regulatory exemptions: In addition to the statutory exemptions just mentioned, the Commission has created several regulatory exemptions permitting municipal employees to participate in particular matters notwithstanding the presence of a financial interest in certain very specific situations when permitting them to do so advances a public purpose. There is an exemption permitting school committee members to participate in setting school fees that will affect their own children if they make a prior written disclosure. There is an exemption permitting town clerks to perform election-related functions even when they, or their immediate family members, are on the ballot, because clerks' election-related functions are extensively regulated by other laws. There is also an exemption permitting a person serving as a member of a municipal board pursuant to a legal requirement that the board have members with a specified affiliation to participate fully in determinations of general policy by the board, even if the entity with which he is affiliated has a financial interest in the matter. Other exemptions are listed in the Commission's regulations, available on the Commission's website.

Example where there is no violation: A municipal Shellfish Advisory Board has been created to provide advice to the Board of Selectmen on policy issues related to shellfishing. The Advisory Board is required to have members who are currently commercial fishermen. A board member who is a commercial fisherman may participate in determinations of general policy in which he has a financial interest common to all commercial fishermen, but may not participate in determinations in which he alone has a financial interest, such as the extension of his own individual permits or leases.

(e) False claims. Presenting a false claim to your employer for a payment or benefit is prohibited, and causing someone else to do so is also prohibited. (See Sections 23(b)(4) and 26)

A municipal employee may not present a false or fraudulent claim to his employer for any payment or benefit worth $50 or more, or cause another person to do so.

Example of violation: A public works director directs his secretary to fill out time sheets to show him as present at work on days when he was skiing.

(f) Appearance of conflict. Acting in a manner that would make a reasonable person think you can be improperly influenced is prohibited. (See Section 23(b)(3))

A municipal employee may not act in a manner that would cause a reasonable person to think that she would show favor toward someone or that she can be improperly influenced. Section 23(b)(3) requires a municipal employee to consider whether her relationships and affiliations could prevent her from acting fairly and objectively when she performs her duties for a city or town. If she cannot be fair and objective because of a relationship or affiliation, she should not perform her duties. However, a municipal employee, whether elected or appointed, can avoid violating this provision by making a public disclosure of the facts. An appointed employee must make the disclosure in writing to his appointing official.

Example where there is no violation: A developer who is the cousin of the chair of the conservation commission has filed an application with the commission. A reasonable person could conclude that the chair might favor her cousin. The chair files a written disclosure with her appointing authority explaining her relationship with her cousin prior to the meeting at which the application will be considered. There is no violation of Sec. 23(b)(3).

(g) Confidential information. Improperly disclosing or personally using confidential information obtained through your job is prohibited. (See Section 23(c))

Municipal employees may not improperly disclose confidential information, or make personal use of non-public information they acquired in the course of their official duties to further their personal interests.

III. After-hours restrictions.

(a) Taking a second paid job that conflicts with the duties of your municipal job is prohibited. (See Section 23(b)(1))

A municipal employee may not accept other paid employment if the responsibilities of the second job are incompatible with the municipal job.

Example: A police officer may not work as a paid private security guard in the town where he serves because the demands of his private employment would conflict with his duties as a police officer.

(b) Divided loyalties. Receiving pay from anyone other than the city or town to work on a matter involving the city or town is prohibited. Acting as agent or attorney for anyone other than the city or town in a matter involving the city or town is also prohibited whether or not you are paid. (See Sec. 17)

Because cities and towns are entitled to the undivided loyalty of their employees, a municipal employee may not be paid by other people and organizations in relation to a matter if the city or town has an interest in the matter. In addition, a municipal employee may not act on behalf of other people and organizations or act as an attorney for other people and organizations in which the town has an interest. Acting as agent includes contacting the municipality in person, by phone, or in writing; acting as a liaison; providing documents to the city or town; and serving as spokesman.

A municipal employee may always represent his own personal interests, even before his own municipal agency or board, on the same terms and conditions that other similarly situated members of the public would be allowed to do so. A municipal employee may also apply for building and related permits on behalf of someone else and be paid for doing so, unless he works for the permitting agency, or an agency which regulates the permitting agency.

Example of violation: A full-time health agent submits a septic system plan that she has prepared for a private client to the town's board of health.

Example of violation: A planning board member represents a private client before the board of selectmen on a request that town meeting consider rezoning the client's property.

While many municipal employees earn their livelihood in municipal jobs, some municipal employees volunteer their time to provide services to the town or receive small stipends. Others, such as a private attorney who provides legal services to a town as needed, may serve in a position in which they may have other personal or private employment during normal working hours. In recognition of the need not to unduly restrict the ability of town volunteers and part-time employees to earn a living, the law is less restrictive for "special" municipal employees than for other municipal employees.

The status of "special" municipal employee has to be assigned to a municipal position by vote of the board of selectmen, city council, or similar body. A position is eligible to be designated as "special" if it is unpaid, or if it is part-time and the employee is allowed to have another job during normal working hours, or if the employee was not paid for working more than 800 hours during the preceding 365 days. It is the position that is designated as "special" and not the person or persons holding the position. Selectmen in towns of 10,000 or fewer are automatically "special"; selectman in larger towns cannot be "specials."

If a municipal position has been designated as "special," an employee holding that position may be paid by others, act on behalf of others, and act as attorney for others with respect to matters before municipal boards other than his own, provided that he has not officially participated in the matter, and the matter is not now, and has not within the past year been, under his official responsibility.

Example: A school committee member who has been designated as a special municipal employee appears before the board of health on behalf of a client of his private law practice, on a matter that he has not participated in or had responsibility for as a school committee member. There is no conflict. However, he may not appear before the school committee, or the school department, on behalf of a client because he has official responsibility for any matter that comes before the school committee. This is still the case even if he has recused himself from participating in the matter in his official capacity.

Example: A member who sits as an alternate on the conservation commission is a special municipal employee. Under town by-laws, he only has official responsibility for matters assigned to him. He may represent a resident who wants to file an application with the conservation commission as long as the matter is not assigned to him and he will not participate in it.

(c) Inside track. Being paid by your city or town, directly or indirectly, under some second arrangement in addition to your job is prohibited, unless an exemption applies. (See Section 20)

A municipal employee generally may not have a financial interest in a municipal contract, including a second municipal job. A municipal employee is also generally prohibited from having an indirect financial interest in a contract that the city or town has with someone else. This provision is intended to prevent municipal employees from having an "inside track" to further financial opportunities.

Example of violation: Legal counsel to the town housing authority becomes the acting executive director of the authority, and is paid in both positions.

Example of violation: A selectman buys a surplus truck from the town DPW.

Example of violation: A full-time secretary for the board of health wants to have a second job working part-time for the town library. She will violate Section 20 unless she can meet the requirements of an exemption.

Example of violation: A city councilor wants to work for a non-profit that receives funding under a contract with her city. Unless she can satisfy the requirements of an exemption under Section 20, she cannot take the job.

There are numerous exemptions. A municipal employee may hold multiple unpaid or elected positions. Some exemptions apply only to special municipal employees. Specific exemptions may cover housing-related benefits, public safety positions, certain elected positions, small towns, and other specific situations. Please call the Ethics Commission's Legal Division for advice about a specific situation.

IV. After you leave municipal employment. (See Section 18)

(a) Forever ban. After you leave your municipal job, you may never work for anyone other than the municipality on a matter that you worked on as a municipal employee.

If you participated in a matter as a municipal employee, you cannot ever be paid to work on that same matter for anyone other than the municipality, nor may you act for someone else, whether paid or not. The purpose of this restriction is to bar former employees from selling to private interests their familiarity with the facts of particular matters that are of continuing concern to their former municipal employer. The restriction does not prohibit former municipal employees from using the expertise acquired in government service in their subsequent private activities.

Example of violation: A former school department employee works for a contractor under a contract that she helped to draft and oversees for the school department.

(b) One year cooling-off period. For one year after you leave your municipal job you may not participate in any matter over which you had official responsibility during your last two years of public service.

Former municipal employees are barred for one year after they leave municipal employment from personally appearing before any agency of the municipality in connection with matters that were under their authority in their prior municipal positions during the two years before they left.

Example: An assistant town manager negotiates a three-year contract with a company. The town manager who supervised the assistant, and had official responsibility for the contract but did not participate in negotiating it, leaves her job to work for the company to which the contract was awarded. The former manager may not call or write the town in connection with the company's work on the contract for one year after leaving the town.

A former municipal employee who participated as such in general legislation on

expanded gaming and related matters may not become an officer or employee of, or acquire a financial interest in, an applicant for a gaming license, or a gaming licensee, for one year after his public employment ceases.

(c) Partners. Your partners will be subject to restrictions while you serve as a municipal employee and after your municipal service ends.

Partners of municipal employees and former municipal employees are also subject to restrictions under the conflict of interest law. If a municipal employee participated in a matter, or if he has official responsibility for a matter, then his partner may not act on behalf of anyone other than the municipality or provide services as an attorney to anyone but the city or town in relation to the matter.

Example: While serving on a city's historic district commission, an architect reviewed an application to get landmark status for a building. His partners at his architecture firm may not prepare and sign plans for the owner of the building or otherwise act on the owner's behalf in relation to the application for landmark status. In addition, because the architect has official responsibility as a commissioner for every matter that comes before the commission, his partners may not communicate with the commission or otherwise act on behalf of any client on any matter that comes before the commission during the time that the architect serves on the commission.

Example: A former town counsel joins a law firm as a partner. Because she litigated a lawsuit for the town, her new partners cannot represent any private clients in the lawsuit for one year after her job with the town ended.

**** This summary is not intended to be legal advice and, because it is a summary, it does not mention every provision of the conflict law that may apply in a particular situation. The Massachusetts State Ethics Commission's website, www.mass.gov/ethics, contains further information about how the law applies in many situations. You can also contact the Commission's Legal Division via its website, by telephone, or by letter.

Non-Discrimination in Relation to Pregnancy or a Condition Related to an Employee's Pregnancy

In accordance with the provisions of the Massachusetts Pregnant Workers Fairness Act, Cambridge Public School employees have the right to be free from discrimination in relation to pregnancy or a condition related to the employee's pregnancy including, but not limited to, lactation, or the need to express breast milk for a nursing child, including the right to reasonable accommodations for conditions related to pregnancy. The Cambridge Public Schools is committed to maintaining an educational environment and workplace where employees are not discriminated against in relation to pregnancy or a condition related to an employee's pregnancy. To meet this end, the Cambridge Public Schools will not tolerate discrimination against an individual in relation to pregnancy or a condition related to an employee's pregnancy with regards to job application procedures, hiring, advancement, or discharge of employees, employee compensation, job training, or other conditions of employment.

Furthermore, reasonable accommodation shall be made by the Cambridge Public Schools for an employee's pregnancy or any condition related to the employee's pregnancy, including, but not limited to, lactation, or the need to express breast milk for a nursing child, if the employee so

requests, unless the Cambridge Public Schools demonstrates that the accommodation required would impose an undue hardship on the school district. In order to determine effective reasonable accommodations to enable an employee to perform the essential functions of their job, the Cambridge Public Schools shall engage in a timely, good faith and interactive process with the employee. The Cambridge Public Schools may require that documentation about the need for a reasonable accommodation come from an appropriate health care or rehabilitation professional; provided, however in accordance with the provisions of the Massachusetts Pregnant Workers Fairness Act, the Cambridge Public Schools will not require, and an employee shall not be required to obtain, documentation from an appropriate health care or rehabilitation professional for the following accommodations: (1) more frequent restroom, food and water breaks; (2) seating; and (3) limits on lifting over 20 pounds. An "appropriate" health care or rehabilitation professional" shall include, but shall not be limited to, a medical doctor, including a psychiatrist, a psychologist, a nurse practitioner, a physician assistant, a psychiatric clinical nurse specialist, a physical therapist, an occupational therapist, a speech therapist, a vocational rehabilitation specialist, a midwife, a lactation consultant, or another licensed mental health professional authorized to perform specified mental health services consistent with law. The Cambridge Public Schools may require documentation for an extension of the accommodation beyond the originally agreed to accommodation.

The Cambridge Public Schools further incorporates as if fully set forth herein its policies entitled Non-Discrimination Policy and Prohibition Against Sexual Harassment, Non-Discrimination on the Basis of Disability and Non-Discrimination on the Basis of Sex.

Notice Regarding Right to Domestic Violence Leave

You have a right to take up to 15 days of unpaid leave from work in any 12 month period if:

- You, or a family member, is a victim of abusive behavior;
- You, or a family member, is seeking assistance as a result of abusive behavior (i.e. legal or medical services, counseling, or victim's services); and
- You are not the perpetrator of the abusive behavior against such family member

"Abuse" is defined as: attempting to cause or causing physical harm; placing another in fear of imminent serious physical harm; causing another to engage involuntarily in sexual relations by force, threat or duress or engaging or threatening to engage in sexual activity with a dependent child; engaging in mental abuse, which includes threats, intimidation or acts designed to induce terror; depriving another of medical care, housing, food or other necessities of life; or restraining the liberty of another.

"Abusive behavior" is defined as: any behavior constituting domestic violence, stalking, sexual assault, or kidnapping.

"Family member" is defined as: persons who are married to one another; persons in a substantive dating or engagement relationship and who reside together; persons having a child in common regardless of whether they have ever married or resided together; a parent, step-parent, child, step-child, sibling, grandparent or grandchild; or persons in a guardianship relationship.

You should provide advance notice to your supervisor and Human Resources. If you or

your family member's safety is threatened by imminent danger, advance notice is not required; however, you must notify your supervisor or Human Resources, within 3 workdays, that you have taken a domestic violence leave.

Domestic leave is not available unless all other available leave is exhausted (i.e. vacation, personal, sick, family and medical).

You are required to provide documentation to your supervisor or the Office of Human Resources to support a domestic violence leave. (i.e. protective order, police report, medical documentation, sworn statement by social worker, medical care worker, shelter worker, or lawyer).

All information related to a domestic violence leave shall be kept confidential, except where disclosure is consented to by you, ordered by the court, required by state or federal law, required in the course of an investigation, or necessary to protect your safety or that of your fellow employees.

You may not be discriminated against for exercising your rights under the State's Domestic Violence Leave Laws.

Frequently Asked Questions Regarding Media Releases

In order for school staff, Cambridge Public Schools ("CPS") volunteers, chaperones, student teachers, interns and/or CPS contracted vendors to be able to record, film, photograph, audiotape or videotape a student's image, likeness, spoken words, student work, performance and movement in any form, a student MUST have a signed media release on file. Verbal permission from a parent/guardian/caregiver is not acceptable.

Additionally, in order for school staff, CPS volunteers, chaperones, student teachers, interns and/or CPS contracted vendors to be able to record, film, photograph, audiotape or videotape an adult's image, likeness, spoken words, student work, performance and movement in any form, for a school sponsored program, event or classroom visit there also MUST be a signed media release on file. Verbal permission is not acceptable.

What is the purpose of the media release?

The media release has two purposes:

A. The media release has several purposes. It is to permit CPS staff to record, film, photograph, audiotape or videotape a student or adult's image, likeness, spoken words, student work or learning experiences, performance and movement and/or adult work or learning experiences, performance and movement, in any form. It also is to permit CPS to publish this information along with the student's name, scholarship, awards, honors and/or post-high school plans and/or the adult's name in order to highlight and share the activities and achievements of CPS students, staff and other adults visiting schools, classrooms or other school-sponsored programs or events with local media (whether print, electronic, digital or other forms of media) and in school district and/or school-based publications (whether print, electronic, digital or other forms of media), including the CPS website and social media, any website that has been approved for use by the CPS Information, Communication and Technology Services (ICTS) department, for broadcasting on television (including Cambridge Educational Access (CEA-TV)), and/or displaying, publishing, distributing or exhibiting such information at community or school-based events (such as a school's open house or a public exhibition of student work or awards or as part of classroom instruction).

B. To permit CPS staff to record, film, photograph, audiotape and/or videotape

students and/or adults within the classroom as part of a particular learning experience for the purposes of utilizing the recording, film, photograph, audiotape and/or videotape with students, teachers and/or administrators within the school district for educational purposes. Staff members who plan learning experiences that include the recording, filming, photographing, audiotaping and/or videotaping of students and/or adults must obtain, in advance, approval from their principal/head of upper school. Only CPS-owned equipment may be used for such purposes. Personal equipment may not be used with the exception of either (i) personal equipment used in conjunction with a CPS-owned digital media card for storage of any recordings, film, photographs, audiotape or videotape, or (ii) personal equipment that has installed the CPS-sanctioned SchoolCam software that is designed to store any recordings, film, photographs, audiotape or videotape directly and only to CPS' GoogleDrive. In these latter two instances, staff also need to have a signed CPS Student Data Breach Agreement on file with the school district's ICTS Office. The media release does not apply to videotaping by security cameras that are located in schools and on school buses as no consent is necessary for videotaping in those particular circumstances.

What is the school district's process for obtaining media releases for students?

At the start of each school year media releases are distributed to the parents/guardians/caregivers of all Cambridge Public School students as part of the annual forms that are distributed to parents/guardians/caregivers. Parents/guardians/caregivers are asked to Opt In via General Media Release, which covers both A and B, above: or to Opt In via a Release of Student Data for Educational Purposes Only, which permits only the uses described in section B, above. Parents/guardians/caregivers may also choose to leave the form blank, thereby granting none of the permissions outlined above. If parents/guardians/caregivers sign both options, the student is considered to have a signed General Media Release. Parents/guardians/caregivers review the media release and return the signed or unsigned form to their child's school.

What is the school district's process for obtaining media releases for adults?

If there is a specific school or classroom event or program at which it is contemplated that adults will be recorded, filmed, photographed, audiotaped and/or videotaped, school staff should notify the school principal/head of upper school so that a customized media release form can be created for the specific event. Once the form is created the principal/head of upper school will provide the media release to school staff who can then provide the form to participating adults for signature prior to any recording, filming, photographing, audiotaping and/or videotaping occurring.

Is it acceptable for school staff to just get verbal permission from a parent/guardian/caregiver to record, film, photograph, audiotape or videotape a student?

No. Verbal permission is not sufficient. A current media release signed by the student's parent/guardian/caregiver must be on file with the school before any student is recorded, filmed, photographed, audiotaped or videotaped.

Is it acceptable for school staff to just get verbal permission from an adult visiting a school, classroom or school-sponsored program or

event to record, film, photograph, audiotape or videotape that adult?

No. Verbal permission is not sufficient. A current media release signed by an adult must be on file with the school before any adult who is visiting a school, classroom or school-sponsored program or event is recorded, filmed, photographed, audiotaped or videotaped.

How does a school staff member know if a student has a signed media release form on file?

A school staff member who has a legitimate educational interest can log in to Aspen to view this information. After locating the student in Aspen, select Forms from the drop-down menu to see this information. School staff can also contact the school clerk.

How does a school staff member know if an adult has a signed media release form on file?

Media release forms for adults are collected on a case-by-case basis for specific events. A school staff member should check with the principal/head of upper school or designee who is coordinating the school or classroom program or event at which adults are being recorded, filmed, photographed, audiotaped or videotaped.

What happens if there are no signed media releases on file for all students who could potentially be recorded, filmed, photographed, audiotaped or videotaped?

Only students who have a current signed media release on file can be recorded, filmed, photographed, audiotaped or videotaped. However, no student can be excluded from participating in a school activity or learning experience due to the fact that they do not have a current signed media release on file. School staff are responsible for ensuring that all students are able to participate in any school activity or learning experience and that only those students who have current signed media releases on file are recorded, filmed, photographed, audiotaped or videotaped.

What happens if there are no signed media releases on file for all adults who could potentially be recorded, filmed, photographed, audiotaped or videotaped?

Only adults participating in school or classroom sponsored events or programs who have a signed media release on file can be recorded, filmed, photographed, audiotaped or videotaped. However, no adults participating in school or classroom sponsored events or programs can be excluded from participating in a school or classroom activity or program due to the fact that they do not have a signed media release on file. School staff are responsible for ensuring that only those adults who have signed media releases on file are recorded, filmed, photographed, audiotaped or videotaped.

Can school staff record, film, photograph, audiotape or videotape a student or adult who does not have a signed media release on file and subsequently just crop, edit or blur the image the student and/or adult out of the finalized work?

As stated above, the operational expectation is that a current signed media release will be on file before any student or adult is recorded, filmed, photographed, audiotaped or videotaped by CPS staff and/or by CPS volunteers, chaperones,

student teachers, interns or CPS contracted vendors. In other words, in order for school staff, CPS volunteers, chaperones, student teachers, interns and/or CPS contracted vendors to be able to record, film, photograph, audiotape or videotape a student or an adult's image, likeness, spoken words, student work, performance and movement in any form, a signed media release on file MUST be on file.

If a student or adult does not have a signed media release on file and is inadvertently or mistakenly recorded, filmed, photographed, audiotaped or videotaped, then the recording, film, photograph, audiotape or videotape, then the recording, film, photograph, audiotape or videotape may either be cropped, edited or blurred to remove the appearance of the student and/or adult for which there is no signed media release on file but only if:

a. the parent/guardian/caregiver gives specific written authorized consent for use of that particular recording, film, photograph, audiotape or videotape of the student to be used for a specific purpose, or

b. the adult gives specific written authorized consent for use of that particular recording, film, photograph, audiotape or videotape of the adult to be used for a specific purpose, then.

Alternatively, such recording, film, photograph, audiotape or videotape may be destroyed.

What steps do school staff need to take if a student does not have a current signed media release on file and a specific or special event is being planned?

School staff are responsible for ensuring that all students are able to participate in any specific or special school event and that only those students who have current signed media releases on file are recorded, filmed, photographed, audiotaped or videotaped. If the specific or special event has been approved by the school principal/head of upper school, then they will work with the Office of Legal Counsel regarding the creation of a customized media release form for the specific event. The school will then distribute that form to parents/guardians/caregivers of students that do not already have signed media releases on file to sign prior to the event. Only students who have signed media releases on file (either the school district's annual media release or a specific event media release) will be able to be recorded, filmed, photographed, audiotaped or videotaped. However, no student can be excluded from participating in a specific or special event due to the fact that they do not have a current signed media release on file.

How long should signed media releases be retained?

Signed media releases must be retained for either a) seven (7) year after the last date of the school year in which the media release was executed, or b) seven (7) years after the student transfers, graduates or withdraws from the school district, whichever is later.

Are original recordings, film, photographs, audiotape or videotape ever released?

Copies of recordings, film, photographs, audiotape or videotape may be released by CPS, in whole or in part, by CPS to local media, whether print, electronic, digital or other forms of media and in school district and/or school-based publications, whether print, electronic, digital or other forms of

media, including the CPS website and social media, any website that has been approved for use by the CPS Information, Communication and Technology Services (ICTS) department, for broadcasting on television, including Cambridge Educational Access (CEA-TV), and/or displaying, publishing, distributing or exhibiting such information at community or school-based events (such as a school's open house or a public exhibition of student work or awards or as part of classroom instruction).

How long are recordings, film, photographs, audiotape or videotapes retained before erased or destroyed?

It depends on the content and nature of the recordings, film, photographs, audiotape or videotapes. The school principal/head of upper school should be consulted before any recordings, film, photographs, audiotape or videotapes are destroyed.

Does the media release cover the use of recordings, film, photographs, audiotape or videotape by external organizations or sources for purposes other than the school district highlighting and sharing the activities and achievements of CPS students (such as inclusion in professional development materials, submission in connection with an application for an educator award or grant)?

No. In such situations, school staff need to obtain approval from their school principal/head of upper school. The school principal/head of upper school will then obtain approval from the Superintendent or designee The school will then distribute a customized media release form to parents/guardians/caregivers as well as to any adults that appear in the recordings, film, photographs, audiotape or videotape to sign.

What if an external organization wants to record, film, photographs, audiotape or videotape during the school day (such as a film or television show or a school of higher education)?

The external organization must first obtain permission from the Superintendent of Schools or designee and the school principal/head of upper school and the teacher(s) or other school staff involved. The school will then distribute a customized media release form for the specific event form to parents/guardians/caregivers as well as any adults that will be in attendance to sign prior to the event. Only students and adults who have signed media releases on file for the specific event will be able to be recorded, filmed, photographed, audiotaped or videotaped. However, no student can be excluded from participating in a school activity or learning experience due to the fact that they do not have a current signed media release on file. Adults who have a legitimate right to be in attendance at the event also cannot be excluded due to the fact that they do not have a current signed media release on file. School staff are responsible for ensuring that all students are able to participate in any school activity or learning experience. School staff also are responsible for ensuring that only those students and adults who have current signed media releases on file are recorded, filmed, photographed, audiotaped or videotaped by the external organization for the specific event.

The school district notes, however, that with the proliferation of mobile digital and electronic media, the school district cannot control the actions of private individuals or organizations unconnected to the school district. At school-related

activities that are open to the public (e.g., athletic events, music concerts, school plays and/or graduations) students and adults who are either participating or spectators may be recorded, filmed, photographed, audiotaped or videotaped.

Prohibition Against Tobacco Use on School Premises

Use of any and all forms of tobacco products within the school buildings, school facilities, or on school grounds or school buses by any individual, including school personnel and students, is prohibited at all times. The term "tobacco products" shall mean tobacco in any form, including but not limited to cigarettes, cigars, snuff, chewing tobacco, e-cigarettes, nicotine vaporizers, smokeless tobacco products and other products of a similar nature. This policy shall pertain to all school-sponsored and/or school-related events, including athletic games, whether such events occur on school district property or grounds. School property and/or grounds shall be defined as all ground up to the curbs of sidewalks surrounding each school. Specifically, the Cambridge Rindge and Latin School grounds include the Cambridge Public Library grounds which are considered school grounds as to all student policies.

A staff member determined to be in violation of this policy shall be subject to disciplinary action.
Based upon the specific circumstances of a violation of these requirements, a student may be subject to disciplinary action and may be referred to an appropriate City/health education program on tobacco assistance and/or substance abuse.

Additionally, in accordance with the City of Cambridge policy on establishment of a "no smoking zone" around municipal buildings, a "no smoking zone" will be in effect outside all entrances, ventilation air intakes and operable windows to Cambridge Public Schools buildings for a distance of twenty (20) feet.

Academic Freedom

The Cambridge School Committee and the Cambridge Public Schools seeks to education students in the democratic tradition, to foster a recognition of individual rights and social responsibility, to inspire meaningful awareness of and respect for the Constitution and Bill of Rights. Fairness in procedures will be observed both to safeguard the legitimate interests of the schools and to exhibit by appropriate example the basic objectives of a democratic society as set forth in the Constitution of the United States.

Teaching About Controversial Issues/Controversial Speakers

An important goal of the schools is to help prepare students for intelligent and conscientious participation as citizens in our democratic society. One step toward meeting this goal is to introduce students to reasoned and dispassionate approaches to the analysis of contemporary social and political issues. To insure that these issues can be examined in an atmosphere as free from emotion and prejudice as the times permit, the School Committee establishes the following guidelines for discussion of controversial issues in the schools.

<u>Teacher-Planned Classroom Discussions</u>

1. Controversial issues selected by teachers for classroom discussion must relate directly to the objectives and content of courses approved by the School Committee for inclusion in the curriculum.

2. The teachers' right to introduce controversial issues in classroom presentations does not include the right of advocacy. Teachers must refrain from using their positions to express partisan points of view.

3. The approach to discussion of these issues in the classroom must be objective and scholarly with minimum emphasis on opinion and maximum emphasis on intelligent analysis.

4. Teachers must ensure that the reasoned arguments of all sides of an issue are given equal presentation and emphasis in classroom discussions.

5. Teachers may invite visitors from outside the schools to give presentations on controversial issues when the visitors offer qualifications and resources not available in the schools. All visitors are to be guided by the standards of language usage that prevail in the classrooms and by the standards of scholarly inquiry set forth above. Whenever possible, teachers who invite visitors to present one side of an issue will also invite visitors to present the other side(s).

6. In all cases teachers must obtain from the appropriate principal/head of upper school permission to invite visitors for classroom presentations. Permission must be requested at least 48 hours before the scheduled time of presentation.

Student-Initiated Forums on Controversial Issues

Student groups may request permission to conduct forums on contro-versial issues in the schools. The principal/head of upper school may grant such re-quests under the following conditions:

1. Preparation for presentation of a forum will not cause any student or teacher to miss class and will not cause the cancellation of any class.

2. Adequate advance planning must be conducted for each forum. A request to hold a forum must be received by the principal/head of upper school at least three weeks before the scheduled date of presentation. For each request the principal/head of upper school will appoint, after consultation with the requesting student group, an adult advisory group consisting of at least two parents and two faculty members.

3. The standards for approach to discussion, style of presentation, and use of visitors as defined above will apply to student-initiated forums.

Requests from Groups or Individuals outside the Schools

No permission will be granted non-school groups or individuals to make presentations on controversial issues in the schools during school hours. Requests for after-school or evening use will be processed in accordance with the School Committee's policy on community use of school facilities.

No permission will be granted outsiders for distribution of literature on controversial issues to students in general or to class groups.

A principal/head of upper school may grant an outside group or individual permission to post one notice of a public meeting for discussion of issues if the language of that notice conforms to the standards that prevail in the community. The principal/head of upper school will determine the appropriate bulletin board for such notices.

Community Resource Persons

Human resources are those individuals or groups who are invited into the schools to present supplementary information and ideas to the classroom course of study. The classroom use of resource persons from the community can be an invaluable educational instrument. Like field trips, resource speakers can help to eliminate artificial barriers which may exist between school and community.

These experiences also afford students the opportunity to benefit from community viewpoints. A resource person should not be indiscriminately selected, but rather should be invited to participate in the class or school program when there exists an actual need for his special contributions. Care should be taken in selecting these speakers so that they are individuals who respect diversity in thinking and varying views and who are not attempting to inappropriately influence points of view.

A teacher who wishes to invite someone to a class as part of the instructional plan shall consult the principal/head of upper school who shall obtain permission from the Superintendent or designee in advance. The School Committee's policies on teaching about controversial issues and CORI checks shall be observed, and teachers shall bear in mind that teaching and advocacy are two different concepts; one-sided advocacy shall be avoided.

Approval of qualified and competent resource persons shall not be reasonably withheld. In no circumstances should anyone else be allowed to give instruction or address students of the Cambridge Public Schools, unless the Superintendent or designee has given express written approval.