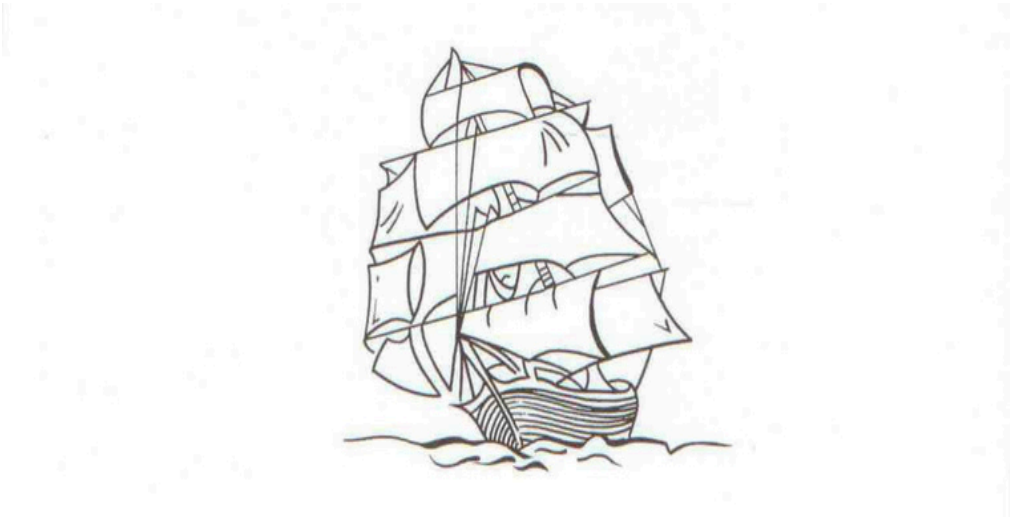
Rupert A. Nock Middle School



2026-2027 Parent--Student Handbook

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NEWBURYPORT PUBLIC SCHOOLS MISSION STATEMENT

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

CLIPPER VALUES

Respect

- Am I showing respect for myself?
- Am I showing respect for the rights and worth of others?
- Am I showing respect for school and community property?
- Am I showing respect for the environment?
- Am I showing respect for others' views?

Kindness

- Am I showing kindness by treating others the way I want to be treated?
- Am I showing kindness by promoting the welfare of others?
- Am I showing kindness by being patient with others?
- Am I showing kindness by acting with empathy and compassion?

Innovation

- Does my work stretch my understanding?
- Am I approaching problems in new and different ways?
- Are we advancing innovation in all areas?
- Do I foster and celebrate creativity in all of its different forms?
- Do I understand the purpose of innovative practice?
- Is the innovative practice rigorous as well as creative?

Perseverance

- Do I know how to approach a problem without a clear answer?
- Am I willing to take risks?
- Do I recognize what is holding me back?
- Do I set goals for myself?
- Am I able to use strategies to overcome challenges?
- Am I doing my personal best?

Responsibility

- Do I accept responsibility for my actions and my words?
- Do I accept responsibility for contributing to my class or group?
- Do I accept responsibility for my personal growth?
- Do I accept responsibility for making ethical choices?
- Do I accept responsibility for contributing to my local or global community?
- Do I take ownership of my responsibilities?

Reflection

- Do I think before I act?
- Do I give sufficient time for reflection before I take action?
- Am I willing and able to make change and act based on the feedback I receive?
- Do I value my own work and that of others?
- Do I have an understanding of my learning style, strengths and weaknesses?

About the Rupert A. Nock Middle School

The Rupert A. Nock Middle school is a 6-8th grade school serving approximately 550 students. We have two teaching teams at each grade level that we call Crimson and Gold (the colors of the Newburyport Clippers). Each teaching team has 5 teachers: English Language Arts, Math, Science, Social Studies and World Language Spanish.

In addition to our general education classes, students have a daily Explore class where they explore subject areas such as Wellness, Physical Education, Engineering, Art and Music Technology. We have an elective orchestra and band.

Our curricula and protocols are designed to create a welcoming environment where middle school children can learn and practice skills to make them life-long learners and active citizens.

GENERAL PROCEDURES

Visiting the Building

All visitors are welcome to the building and need to report first to the main office. Guests must sign in at the office to receive a visitor's pass. Guests will not be allowed in classes during school, unless prior arrangements have been made with the principal and classroom teachers. Persons looking to meet with a teacher for the purpose of discussing a particular concern shall do so at any time that does not interrupt the normal school program. Persons wishing to make an appointment with a teacher may do so by contacting a teacher by email or phoning the Middle School office at 978-465-4447.

Volunteering

All in-school volunteers and school event chaperones must be checked through the Criminal Offender Record Investigation (CORI) check process and fingerprinted. Please contact our main office for more information.

Residency Verification

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

Withdrawal

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

School Cancellation

School cancelation will be aired on the local radio station and local TV stations. Also, a district wide Blackboard Connect telephone call, email and text message to parents/guardians will be generated from the Superintendent’s Office. If there is no cancellation announcement school will be held as usual.

Delayed Opening

On occasion, weather conditions may permit school to operate but require that the opening of school be delayed. When the above conditions exist, as determined by the Superintendent of Schools, the opening of school will be delayed by either one or two hours. RAN Middle School will begin at 8:30 A.M. (one-hour delay) or 9:30 A.M. (two-hour delay). The buses will operate one or two hours later than their normal schedule. Schools will be dismissed at their usual time.

Extra Help

There are many opportunities for students to receive extra help after school. After-school extra help may be initiated by the teacher, student or parent. Extra help is held from 2:15 to 3:00, but may vary from teacher to teacher. Each staff member stays after school at least 1 day per week to assist students. Extra help should not be considered as a punishment by students, but rather as a student taking responsibility for his or her learning. Late bus available for bus students in need of transportation after extra help sessions are completed. Late bus picks up approximately 3:15 at the front of the school.

Student Records

- Inspection or copies--Parental requests should be made at least two days prior to inspection of records or date copies are needed. Request signature forms are available in the Principal's office.
- Non-custodial Parent--As of July 12, 2006 Massachusetts law (General Laws Chapter 71, Section 34H) specifies detailed procedures that govern access to student records by parents who do not have physical custody of their children. For more information, please contact the Principal's office.

Report Cards, Aspen X2 Grade Book

Digital report cards are issued three times a year. The Nock uses an on-line open grade book called Aspen x2. Students and parents have access to all grades and assignments through this portal. If you do not have a parent/family portal password, or need assistance with the Aspen X2 system, please email our help desk at rt-x2@rt.newburyport.k12.ma.us.

We encourage you to check your grades regularly and to contact teachers with any concerns. Since parents can track grades throughout the trimester, **interim term reports are not mailed**.

Field Trips/Placed Based Trips

Field trips are planned each year to complement the program of studies at each grade level. They offer students the chance for a different view of subject matter studied in the classroom. Each field trip has specific goals to accomplish, and it is expected that all students will attend. If, however, a student's behavior suggests that his/her participation may pose a risk, then the parents and student will be notified in advance that the student will not be permitted to attend a particular field trip.

When Nock Middle School students are on field trips, they are the representatives of the community of Newburyport. As such, we have particularly high expectations concerning their behavior. **All school rules apply while students are outside the building and on the bus**.

Arrival and Dismissal

Students at the Middle School are to be on school grounds only during the regularly scheduled school day and for school sponsored activities. Once a student has arrived at school s/he may not leave school

without written permission. A student is considered being at school when a parent drops off the student or when they arrive at their bus stop.

Arrival:

- Students walking to school are to come directly to school and are not to trespass on private property.
- **Students should not arrive to school prior to 7:30 A.M.**
- Students will enter the building at 7:32 A.M. and go directly to their Advisory daily.
- Students will not be allowed in any undesignated area of the building before 7:30 A.M. without written permission from a teacher.

Dismissal:

- Upon dismissal from school, all students are to report directly to assigned areas (extra help, detention, intramurals, etc.) or leave the school building and school grounds immediately. **Adult supervision ends at 2:30 p.m.**
- Students walking home are to go directly from school and are not to trespass on private property or loiter on streets or areas adjacent to the school.

Walkers

Student safety is a primary concern of the school. To see that student's get across busy streets safely, crossing guards are located at the intersections of Route 1 and Pond St., High St. and Johnson St., at High St. and Toppans Lane, and on Low Street.

Students are reminded to use sidewalks and good judgment when walking, and leave in time to arrive at school before 7:45 A.M.

Bicycles

Students may ride their bicycles to school under the following conditions:

- They obey safety regulations for bicycles.
- They walk their bicycles on school grounds to and from the bike rack.
- **They park and lock** their bicycles in the racks provided by the school.

Bicycle racks are around the school and are clearly visible to all of the classrooms in that part of the building. **Bikes should always be locked**. The school takes every reasonable measure to ensure the security of bicycles however the school is not responsible for loss of or damage to bicycles.

Bus Transportation

Students eligible for Mandated Transportation are the following:

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

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

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

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

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

Bus Rules

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

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

Corridor Expectations

While in hallways and stair wells, students will walk, keep to the right, and talk in soft voices. Running and yelling present a safety hazard for staff and students and disturb classes which are in progress, therefore, these behaviors are not acceptable in the school.

Students have adequate time to file between classes. A late to class hall pass from the teacher is the only excuse that is acceptable for arriving to class late. Discipline for tardiness to class is the responsibility of the teacher.

Bathroom Privileges

Students must have permission and a hall pass from a teacher to use the boy's and girl's rooms. Bathrooms are not places to visit or meet friends between classes. Everyone is expected to help keep the bathrooms clean, neat, and free from vandalism and to report any of these problems to a teacher.

Elevator Use

The elevator has restricted usage. Any student whose physical condition precludes climbing stairs must have permission from the Nurse or the office before using the elevator.

Fire Drills

Fire drill procedures are posted in every room. Students and teachers will evacuate the building according to these directions. There are a few basic guidelines which must be followed.

1. Absolutely no talking during a fire drill.
2. Know the exit and the outside meeting location.
3. Exit quickly and in an orderly fashion.
4. Pay attention to the teacher for a change in directions.
5. Be ready to act in case of an emergency.

A false alarm is not a prank; it endangers the students and staff of the school as well as the safety of the firefighters who are rushing to respond to the alarm. Anyone involved in pulling a false alarm at ANY time will face disciplinary consequences and possibly legal prosecution.

Cell Phones and personal devices (PHONE AWAY FOR THE DAY)

Students are not allowed to use cell phones during the school day. There is a telephone in the main office available for students to use upon permission from the office staff. Policy for students using cell phones for the day:

First Time: Phone goes to the teacher until the end of the day and returns to the student at the end of the day. A communication home will be made to make parents/guardians aware.

Second Time: Phone is sent down to the office/Assistant Principal until the end of the day and returned. A communication home will be made to make parents/guardians aware.

Third Time: Phone goes to Administration, contact parents and student will sign a phone agreement.

If there are extenuating circumstances that a parent or guardian needs to be in contact with their child please contact the Nock Administration so accommodations can be made. Otherwise, if you need to get a message to your child, please call the office and we will ensure the message is delivered. Watches that have technology to receive and send messages or emails are seen as “phones”.

Lockers

Every student is assigned a locker on the first day of school. The lockers are equipped with a combination lock so that all belongings can be kept safe and secure. Lockers are to be kept neat and clean so that items that are needed can be found. Students should not write on or otherwise deface their assigned lockers or those of any other students. Lockers are cleaned periodically during the school year and checked by advisors. Students are reminded that lockers are provided for student convenience and the school cannot take responsibility for items missing from them. Lockers are school property and will be searched by the Principal or his/her designee if there is reasonable suspicion that there is something illegal, dangerous, stolen, or disruptive to the operation of the school located in the locker. Lockers will store lunches, phones and jackets.

Care of Books and Equipment

Textbooks and other learning materials constitute a sizable financial investment for learning. Students are responsible for all books and pieces of equipment used or borrowed. When books are issued to students, teachers will record the number of the book issued to each student. If a book or piece of equipment is lost or damaged students will be held responsible for the cost of replacement.

Dropping off Items to Students

Items such as homework, lunches and musical instruments which have been forgotten and brought to school by parents will be left in the main office.

To avoid excessive interruptions in class time, it is the student's responsibility to check in the office for these items or they will be given to students during their lunch period.

Lunch

Each grade level is assigned a separate thirty-minute lunch. The school lunch program is set up to provide every student with a nutritionally balanced meal. In addition to the basic meal there are other items available for students to purchase to go with their school or bag lunch. Items include: milk, juices, pretzels, chips, ice cream and salads. The Newburyport School District's Food Service Department provides parents/guardians a convenient, easy and secure online prepayment service to deposit money into your child's school meal account at any time. This service also provides the ability to view your child's account balance through the web site MyNutrikids.com. Simply go to the district web site at www.newburyport.k12.ma.us. Click on the School Lunch link and then click on the MyNutrikids.com link and follow the directions to create an account. A free and reduced lunch program is offered for eligible students. Applications for this program are available in September.

Items not permitted in school

The following items are not permitted (or allowed to be used) in the school building or on school grounds:

- gambling devices
- water pistols and water balloons
- matches, lighters, any other device used to start fire
- chains of any type
- aerosol sprays such as AXE
- laser pointer or pens
- vapes or any other tobacco/nicotine or other drug related device
- weapons of any type or size including all types and sizes of knives
- other devices deemed inappropriate by the Principal or Assistant Principal

The following items are not allowed to be used in the school building, during the school day.

- cell phones
- skateboards
- rollerblades
- other items deemed inappropriate by the Principal or Assistant Principal

Skateboards and rollerblades are not to be used on school property between the hours of 7:35 a.m.-2:30 p.m. After 2:30 they may be used only in the Skateboard Park at the rear of the Middle School building.

If a student is found in violation of these guidelines, the item in question will be taken away and returned only when a parent/guardian comes to claim it. Disciplinary consequences, including notifying the police, may apply.

Policy regarding items that are prohibited by state law (i.e. illegal drugs, weapons, etc.) is covered in the Code of Conduct section of this handbook.

Student Dress Code

Students, teachers and administrators of Newburyport schools are expected to dress in a manner that is appropriate for a place of work or study. By “appropriate" the School Committee means that we require dress that is non-destructive to school property, that complies with sound health practices and that does not distract from the educational process. Teachers and administrators also have an obligation to serve as role models for students in the manner of their dress.

While it is not practical to publish a definitive list of requirements or prohibitions, the following guidelines should be followed: Hats will not be worn or carried on one’s person in school. Midriffs and backs should be covered. Clothing may not bear inappropriate words, pictures, promote drugs and/or alcohol.

Any staff member who feels that a student is inappropriately dressed may send the student to the Main Office, where the Principal or Assistant Principal will make the final determination regarding the dress. Students will be given an opportunity to change into appropriate clothing. Refusal to comply, or any act of defiance is a disciplinary matter.

Translation of school documents

The Newburyport Public Schools is committed to its obligation under Title VI of the Civil Rights Act of 1964 (Title VI), Section 504 of the Rehabilitation Act of 1973 (Section 504), and Title II of the Americans with Disabilities Act of 1990 (Title 11). As part of the District's obligations, during initial student registration, all parents/guardians will be inquired, in their native language or a language they can understand, whether they would like notices and information from their child's school and the District to be provided in a language other than English. The District will record this information in all relevant student information files or folders and in any electronic student information system. In addition, during initial student registration, the District will also inquire whether parents/guardians require the student-parent handbook translated and, upon Parent request, the District will translate the parent-student handbook into the Parents' native language or a language they can understand.

All notices or documents containing essential information will also be translated for parents/guardians who have requested notices in a language other than English. Essential information includes but is not limited to the following: information about special education matters arising under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973 *(e.g.,* IEP or 504 meetings); report cards and other academic progress reports; information about the disciplinary process; requests for parent/guardian permission for student participation in District/school sponsored programs and activities; promotional materials and announcements distributed to students that contain information about school and District activities for which notice is needed to participate in such activities *(e.g.,* testing, activities requiring an application, parent-teacher conferences, open houses); Student-parent handbooks; documents concerning enrollment or registration; Documents concerning academic options

and planning; documents concerning screening procedures requesting a student's language background and a parent's/guardian's preferred method of communication; information related to public health and safety; and any other written information describing the rights and responsibilities of parents/guardians or students and the benefits and services available to parents/guardians and students. The District will also provide written or oral translations of information that is not deemed "essential information" upon receiving a reasonable, specific request for such information from limited-English proficiency ("LEP") parents/guardians.

In addition, when a District employee needs to communicate with an LEP parent/guardian orally regarding essential information, the communication will be provided, without undue delay, in a language that the parent/guardian understands by means of a qualified interpreter.

For any questions please contact the Rupert A. Nock Principal at (978)465-4447.

ATTENDANCE OVERVIEW AND POLICIES

ATTENDANCE

The Newburyport Public Schools expects parents [Note – All references to 'parent' mean parent(s) or guardian(s)] and students to make every reasonable effort to have their children attend school every day. The continuity of day-to-day instruction is a critical dynamic to the overall success of each student

If a pattern of absences develops, the administration, along with the appropriate personnel from the Newburyport Police Department will consider filing a Child Requiring Assistance complaint with the Essex County Court for truancy. Please see the Student Absence Notification Program below for further details.

For general, excused absences, it is the responsibility of the student to make up all missed assignments, tests or quizzes. The student will have as many days missed in order to make up the work. For example, if a student is absent for two (2) days, the student will have two (2) days to make up the required work.

If a student is to be absent for an extended period of time due to illness, (fourteen or more consecutive days), the family may be eligible to receive some tutorial services. If you believe your child will have an extended absence, please contact the principal's office.

Participation in after-school or evening events will not be allowed for students absent on the day of the event

Excused Absences

Students may be excused temporarily from school attendance for the following reasons:

- Illness or quarantine
- Bereavement of serious illness in family
- Weather so inclement as to endanger the health of the child
- For observance of major religious holidays (see Religious Observations below)
- For other exceptional reasons when approval of the school administrator

Absence Notification/Verification Procedure

When your child is absent, either for an "excused" reason as set forth above or another reason, please call the Absence Alert Line: 978- 465-4450 or email- nockattendance@newburyport.k12.ma.us

Please provide the following information when reporting a student absence:

- Identify yourself/calling party
- Student's name, grade and home room teacher's name
- Date(s) of absence

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

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

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

Documenting Absence if Not Called-In on Day of Absence

If the absence is not verified by phone on the day of the absence, students will be required to present an absence note.

Medical Absence and Student Illness

Absences of five (5) days or longer require a note from a physician's office.

When should you call the nurse regarding a student illness?

- A new medical diagnosis or change in health or emotional status, i.e. the diagnosis of an allergy
- A newly prescribed medication
- Any change(s) in current medication
- A serious injury, illness, or hospitalization
- An injury that will require crutches and/or wheelchair or elevator use, e.g. fracture, sprain, stitches or cast
- A contagious disease (e.g. chicken pox, flu, strep throat, pertussis)
- Extended period of absence with atypical symptom
- Recent changes in family history that may affect your child, such as a birth, recent loss or sudden illness

Tardiness

It is important that students start their day off on the right foot and arriving late to school can negatively impact a student's day. As students grow and learn it is essential for their future success that they assume more responsibilities for their actions, choices and behaviors. Arriving to school on time is one of these responsibilities. Students arriving after the start of school are considered tardy and need to sign in at the office with an adult. Tardiness is noted on report cards. Although, we realize that emergencies occur on occasion, we expect students to arrive at school on time. If a family is experiencing difficulty getting a student to school on time, please contact the school administrative office for assistance.

Students who have five an excess of (5) unexcused late arrivals in a trimester will be required to make up the time after school. Excessively tardy students will be assigned an Administrative Office Detention and will serve it with the Nock Assistant Principal and parents will be notified. It will be a time where a student could meet with a teacher or complete assignments in the main office.

Excused Dismissal

Please try to schedule appointments after school hours. In the event that you have to dismiss your child, send a note to your child's teacher including the day, time, and who will pick up your child. In cases where we are not familiar with the adult, identification will be required. No child will be released without an adult escort.

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

Family Vacations

Sometimes families plan vacations that occur during regularly scheduled school time. The Newburyport Public School department does not encourage or condone such action. Instead, the schools uphold Massachusetts General Law, Chapter 76, Sections 1-21 entitled "School Attendance". This section of the law requires parents to "cause" their children to regularly attend school. Individuals who induce student

absenteeism are liable for fines up to $200. With this in mind, we reaffirm the position that parents are responsible for their children to attend school every day that classes are in session.

Absences due to family vacation are unexcused. A child who is absent from school due to a family vacation taken during the school year is of particular concern. It is important for children to receive continuous instruction; every day missed sets a child back and creates added pressure on the child and on the school. The school calendar is published in advance of the school year to help parents plan family trips so that they coincide with school vacations. Parents are urged to comply with the school calendar.

The practice of the school department is not to provide advance and/or make up work when the student is absent from school due to vacation. Since assignments are based upon material previously taught, work must be made up after the child returns. Parental cooperation in this matter is appreciated.

Students who are absent at the time when state or national standardized tests are administered will be allowed to make up missed tests to the extent that scheduled make up time is available and consistent with state law and regulations.

Religious Observations

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

Attendance Failure

Absences greater than seven (7) days in a semester are considered excessive. If a student is repeatedly absent or tardy without an acceptable excuse, the Principal may take necessary action, including retention, withholding of credit or receiving an incomplete. All absences, including absences excused by parents, will could toward the trimester limit.

The exceptions for the purpose of this policy are documented, excused absences for:

- Family bereavement or serious illness in the family
- School-approved field trips
- Observance of major religious holidays
- Legal (with documentation from court or lawyer)
- Medical excuse, absences due to illness or doctor appointment (with date-specific medical documentation for each day of absence provided by physician in order for absence to be excused)

STUDENT DISCIPLINE OVERVIEW

Specific Misconduct and Disciplinary Action

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

Enforcement of discipline is based on a system of progressive actions, starting with restorative justice, with a goal of limiting the use of long-term suspension as a consequence for student misconduct until other consequences need to be considered, as appropriate. The administrator will exercise discretion in determining disciplinary consequences. The administrator may utilize his/her discretion to significantly increase penalties in the cases of second and third offenses or for other factors. In determining the severity of the penalty or suspension, the appropriate administrator may consider all relevant facts, including but not limited to: 1) previous disciplinary record, 2) severity of disruption to the educational process, 3) degree of danger to self and/or others, 4) the degree to which the student is willing to change his/her inappropriate behavior and 5) whether alternative consequences are appropriate to re-engage the student in learning. Alternative consequences may include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and positive behavioral interventions and supports.

Student Conduct and Discipline Policies

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

Students are governed by the policies, regulations, and rules of this district and state law, which are applicable in school, on the school grounds, at a school activity away from school, on the way to or from school, and on a school bus. Students may also be subject to discipline for actions that affect the operation of the school but which occur beyond the areas listed above (cyber-bullying, harassment of school personnel, among others).

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

Process for Classroom Discipline

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

1. A student/teacher conference or teacher detention to resolve the problem;
2. Communication with the parent through phone, email or conference;
3. A teacher/parent/student conference to resolve the problem;
4. Referral of the student to the Assistant Principal for disciplinary action.
5. Guidelines for Referrals to the Assistant Principal and/or his/her Designee

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

Consequences

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

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

1. Teacher-Student Conferences

Every teacher has the right to request that a student report after school for extra help or for disciplinary reasons. Students and teachers will make every effort to honor these appointments. The Teacher-Student Conference will be held upon the teacher's request.

2. Parent Conferences

Meetings may be arranged including parents/guardians, the student, administration, faculty and/or involved or pertinent personnel.

3. Exclusion from Areas of the School

If student behavior is disruptive and/or causes a safety concern, s/he may be excluded from an area of the school (for example a class, the library, a laboratory) for a period of time.

4. Loss of Activity Privileges

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

Participation in clubs and activities at Newburyport Schools and attending school-sponsored, school-related events is a privilege afforded to students who remain in good standing (e.g. acceptable attendance, no disciplinary action). To participate in school activities, events and clubs, students are expected to maintain good attendance and demonstrate good behavior and citizenship during school and at school-sponsored events. Eligibility for participation in activities, events, clubs, awards, scholarships and honorary positions at Newburyport Schools is limited to students who are currently enrolled in and attending Newburyport public schools in good standing. Students not meeting these expectations may be excluded at the discretion of the Principal or his/her designee. A student's removal from extracurricular activities and attendance at school sponsored events is not subject to the procedural requirements of Massachusetts Laws Chapter 71, section 37H ¾ (Principal's Hearing). The removal is not a suspension for the purpose of counting the school days that a student is suspended. Parents will be notified when a student is removed or excluded from extracurricular activities.

5. Suspensions (see Appendix A for Suspension Policies)

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

6. Sending Student Home

If the situation indicates that the student should be removed from the premises, the administrator shall attempt to reach the student's parents or guardians to request that they come to school for their child. The administrator may forgo the previous provision in the event of mass violations of school rules and where it is not possible to keep the student(s) on school grounds and restore order to protect people on school property. Even in such an emergency situation, the administrator will take into account such factors as the distance to home and the age of the individual students involved and shall take whatever action is necessary and possible, including having the student removed from the campus by the police.

7. Multiple Suspension Alternatives

The administration may, at its discretion, substitute community service projects in place of some portion of multiple suspensions. The community service suspension alternative can only be approved in conjunction with consecutive external suspensions, and only when the administration feels that the specifics of the individual situation warrant such consideration.

9. Corporal Punishment

Corporal punishment in public schools is illegal in Massachusetts. School staff may not hit or physically punish students. School staff may, however, use reasonable force if necessary to protect students, other persons, or themselves from an assault by a student.

10. Discipline of Students with Disabilities

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

Code of Conduct

Plagiarism/Cheating

A student who is found cheating or plagiarizing his/her schoolwork will lose credit for that assignment, will meet with the teacher, and will serve a detention. Parents will be notified. Subsequent offenses may result in suspension (OSS) from school. Further disciplinary action will be given at the principal/assistant principal's discretion.

Examples of plagiarism/cheating follow, but are not limited to: 1. Failure to credit an appropriate author(s). 2. Downloading Internet materials without citing appropriate source and author. 3. The sale or purchase and submission of teacher-directed academic assignments-prose, poetry, term papers, and/or any such written document. 4. The use of online translators (Internet translation sites are prohibited). 5. Unauthorized use of any electronic device during the time of a formal assessment/test/exam.

Forgery/Misrepresentation

Signing a name other than your own is considered forgery. This includes, but is not limited to, the names of parents, teachers, staff members, and peers. Misrepresentation electronically or over the phone is also considered a serious infraction. Disciplinary consequences will be at the discretion of the teacher or administrator.

Conduct

Students at Newburyport Schools are expected to demonstrate the Clipper Values and act in a respectful, courteous manner at all times, including those times when they are in the corridors, classroom, cafeteria, on the bus or otherwise traveling to and from school. This respect and courtesy shall be extended to fellow students, teachers, administrators and staff members.

CAFETERIA BEHAVIOR EXPECTATIONS

All students have the right to eat in a safe, clean and peaceful environment.

- You are expected to attend lunch in the cafeteria unless you have a pass from a staff member to do otherwise.
- You must enter in an orderly manner and join the lunch line at the end.
- You are expected to speak in a conversational tone at all times.
- When you have finished your lunch you will dispose of your garbage, go back to your seat, and wait for dismissal.
- You are not to take food of any kind out of the cafeteria.
- When the adult on duty raises his/her hand, you are to stop whatever you are doing, raise your hand, and listen quietly.
- You will be dismissed by table at the end of your 15-minute lunch period and are to proceed to your assigned recess area.
- You are expected to be courteous, respectful and cooperative at all times.
- You must leave your table and area clean.
- You are not to throw food or any other item or pop bags, cups or milk cartons.
- You must receive permission to leave the cafeteria from one of the supervising teachers. If you wish to meet with a teacher, go to the library, work in the computer room, etc. you must have a signed pass AHEAD of time.

- You are not to steal any food item

Possible Consequences:

- 1st time: Verbal warning, office detention, parent contact
- Then: office detention, removal from lunch, parent-student meeting, suspension

ATTITUDE, BEHAVIOR, AND LANGUAGE CODE

You are expected to be respectful and courteous at all times while you are on school grounds, on the buses, on the way to and from school and during school related activities. You are expected to be courteous and respectful to all school personnel when you have any contact with them in school or outside of school.

Rules:

1. You may not refuse any reasonable request made of you by a staff member. This includes being told to report to the main office. This is called insubordination. You may not be rude, disrespectful, lie or talk back to any staff member.
    a. Consequences:
        i. 1st time: Team or office detention
        ii. Then: Office referral, 1-3 day Suspension
2. You may not use rude, profane, obscene or improper language or inappropriate gestures directed at any staff member.
    a. Consequences:
        i. 1st time: office referral, detention, Meeting between administrator, parents and teacher, possible suspension
        ii. Then: office referral, Suspension, Meeting between administrator and parents.
3. You may not use rude, profane, obscene or improper language or inappropriate gestures directed at any student.
    a. Consequences:
        i. 1st time: Team or office detention
        ii. Then: Office referral, Suspension
4. You may not yell or create a disturbance in school
    a. Consequences:
        i. 1st time: Verbal warning
        ii. Then: Office referral, Office detention

PHYSICAL CONTACT/THREATS CODE

You have the right to attend school without the fear of physical harm or threats. No student may commit any act which places the health or safety of the students and staff in jeopardy.

1. You may not play-fight or play-scuffle with another student.
    a. Consequences:
        i. 1st time: Verbal warning
        ii. Then: Team or office detention
2. You may not push, trip or hit another student with the intent to harm.

a. Consequences (depending upon the severity):
    i. 1st time: Office referral, Office Detention, Parent Notification
    ii. Then: Possible Suspension, Parent Notification/Conference

3. You may not throw objects in the school building or on school grounds that are potentially dangerous to other people.
    a. Consequences:
        i. 1st time: Verbal Warning, Office referral
        ii. 2nd time: Office detention, Parent notification
4. You may not physically attack or assault another student.
    a. Consequences (depending upon the severity):
        i. 1st time: Office referral, 1-5-day Suspension, Parent Conference, police referral
        ii. Then: 5-10-day Suspension, Parent Conference with Principal or Assistant Principal, police referral
5. You may not threaten to harm another student, either verbally or in writing. You may not ask other students to threaten or hurt another student.
    a. Consequences:
        i. 1st time: Office referral, Possible School Suspension or detention
        ii. 2nd time: 3-5 days Suspension, Parent Conference

All consequences listed are guidelines. Each situation may warrant modification.

Gambling

Gambling in the building or on school grounds is not acceptable. Violations will be referred to the Assistant Principal for disciplinary action.

School Property

We care a great deal about, and are very proud of, our school building and facilities and we hope that you will share that with us. The building and its equipment need to be treated with care and respect in order for them to remain attractive and functional. It is expected that you will treat all school property well, pick up any paper or litter that you see in the classrooms, corridors, lavatories, dining areas or grounds, and that you immediately report any marring or destruction of property which you observe in the building to a teacher or custodian.

Rules:

1. You may not purposefully damage, abuse, or deface any school property. This includes writing and scratching on walls, desks and lockers.
2. You may not purposefully destroy any school property or the property of others.
3. You may not steal or be in possession of anything stolen that belongs to another member of the school community or the school it.

Possible Consequences:

- In lieu of or in addition to team detention, teacher may ask students to clean defaced property.
- Names of students will be forwarded to office. In lieu of or in addition to office detention, students will be assessed charges for damages and/or cleaning.
- Office referral; front office will evaluate and assess damage. A bill will be sent to parents.
- Incidents of vandalism will be reported to the police.

- Possible School Suspension

Tobacco, Smoking, Vaping

Use of any tobacco products, including, but not limited to: cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco and snuff and electronic cigarettes, electronic cigars, electronic pipes or other similar products that rely on vaporization, within the school buildings, school facilities, on school grounds or school buses, or at school sponsored events by any individual, including school personnel and students, is prohibited at all times.

A student determined to be in violation of this policy shall be subject to disciplinary action pursuant to the student discipline code as outlined below. In addition, police may be notified.

VAPING DIVERSION PROGRAM

First Violation:

- Notification to coach/club/activity/co-curricular advisors for the implementation of a probationary period due to a "Chemical Health Violation".
- Dismissed to custody of the parents immediately for the remainder of the school day.
- In lieu of 2-day suspension, students will participate in a school run diversion program. The program will consist of multi-step after school sessions, one session per week for a duration to be established by the Nock Administration. The program will be organized and facilitated by members of the staff including the Assistant Principal, counselors, nurses, and teachers. Students must complete all sessions.
- Students who do not show or refuse to complete the diversion program will be subject to disciplinary outcomes.
- Students will do a weekly check-in with a school adjustment counselor throughout the length of the diversion program.
- The final step of the Diversion Program will serve as a reflective re-entry meeting held with the Nock Administration as well the violating student(s) and their parent/guardian.

Second and subsequent violations:

- Sent home with parents and suspended the following day(s) (OSS).
- Student will be required to meet regularly with a school adjustment counselor and referrals to outside resources will be provided.

Safety Issues

Any act that imperils the safety of others, including but not limited to: throwing objects (snowballs, ice, food, water, etc.) or other actions which could cause injury or damage is forbidden. The severity of discipline will depend on the severity of the incident.

Trespassing/Triggering Alarm

Students who enter the building when the facility is shut down will be considered trespassing. Students who trigger the security alarm will be required to pay for the custodial overtime to do a building check.

Arson, Pulling Fire Alarms, or False Dialing 911

Pulling fire alarms, arson and dialing 911(when there is not an emergency) are violations of state laws. If such instances occur, the school will inform the police and may file a court complaint against the student(s). In addition, the student(s) will receive a suspension. If a second offense is committed, the school administration will recommend that the student be excluded from school.

Assault on an Administrator, Teacher, Teacher's aide or other staff

Any student, who assaults an administrator, teacher, teacher's aide, or other educational or support 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. The student will be suspended and a hearing will be held with the principal to consider expulsion of the student. Police will be notified (see Memorandum of Understanding)

Student Searches

The Fourth Amendment to the Constitution of the United States prohibits unreasonable search and seizures. If, however, there is reasonable suspicion to believe that a student has violated school rules or the law, or is in possession contraband (e.g. weapons, narcotics, alcohol, stolen property) on his/her person or possessions or located in his/her locker, Newburyport Schools reserves the right to search that student, his/her possession(s) and/or locker. This shall be done in the presence of the principal or his/her designee and the student, if possible. Lockers are the property of Newburyport Public Schools and are provided as a privilege for convenience only. The locker, in its entirety, including the space within the locker, shall be the property of the school. Students are cautioned that they may use the locker subject to the right of the school to open the locker at any time for inspection, and there should be no expectation of privacy in the student locker.

When necessary, the school may work in cooperation with local authorities to allow the use of K-9 units. Every effort will be made to limit direct contact between the K-9 units and the students.

Theft

Students involved in the act of stealing or receiving stolen property may receive disciplinary consequences up to and including suspension (OSS). Additionally, students should expect to pay restitution and notification of parents. Depending on the circumstances, the police may be notified. (See the Memorandum of Understanding).

Students involved in a second or subsequent offences may be suspended (OSS) for up to five days.

Vandalism

Vandalism includes all willful damage to school or personal property. Depending on the circumstances and severity, the police may be notified. Students involved in vandalism of school property may receive disciplinary consequences such as detention, Friday Extended-day detention, or suspension (OSS). Additionally, students should expect to pay restitution.

Second or subsequent offenses will result in more severe consequences.

Weapons

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 knife (including pocket knives and box cutters) may be subject to expulsion from the school by the principal. State laws identify such possession as a crime punishable by substantial fines and/or imprisonment. The student will be suspended and a hearing will be held with the principal to consider expulsion of a student found in possession of a dangerous weapon in school or at school activities. Police will be notified (See Memorandum of Understanding).

Possession or Use of a Deadly Weapon

The term "dangerous or deadly weapon" is used to include knives, chains, section of pipe, tire irons, razors, razor blades, guns, and any other object used by a student to intimidate or to inflict bodily harm on another person.

A student found to be in possession of a dangerous or deadly weapon will receive an external suspension, pending review by the principal for further suspension or expulsion: parents and police are notified verbally and in writing.

Massachusetts General Law, .71, s.10 states: "Whoever not being a law enforcement officer, and notwithstanding any license obtained by him under the provisions of Chapter 140, carries on his person a firearm as hereinafter defined, loaded or unloaded, in any building or on the grounds of any secondary school, college or university without the written authorization of the board or officer in charge of such secondary school, college or university shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both. For the purpose of this paragraph, "firearm" shall mean any pistol, revolver, rifle, or smoothbore arm from which a shot, bullet, or pellet can be discharged by whatever means."

Bullying, cyberbullying (see full District Policy in Appendix B)

Acts of bullying or cyberbullying are prohibited:

(i) on school grounds and property immediately adjacent to school grounds, at a school-sponsored or school-related activity, function, or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased, or used by a school district of schools; or through the use of technology or an electronic device owned, leased, or used by a school district or school, and

(ii) at a location, activity, function, or program that is not school-related through the use of technology or an electronic device that is not owned, leased, or used by a school district or school, if the acts create event a hostile environment at school for the target or witnesses, infringe on their rights at school, or materially and substantially disrupt the education process or the orderly operation of a school.

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

As stated in M.G.L. c. 71, § 37O, nothing in this Plan requires the Newburyport Public Schools to staff any non-school related activities, functions, or programs.

Definitions

Bullying as defined in M.G.L. c. 71, § 37O, is the repeated use by one or more students or a member of the school staff of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:

1. causes physical or emotional harm to the target or damage to the target's property;
2. places the target in reasonable fear of harm to himself or herself or of damage to his or her property;
3. creates a hostile environment at school for the target;
4. infringes on the rights of the target at school; or

5. materially and substantially disrupts the education process or the orderly operation of a school.
The Newburyport Public Schools also defines bullying as unfair and one-sided and involves an imbalance of power. It happens when someone is repeatedly hurting, frightening, threatening, or leaving someone out on purpose.

~~Cyberbullying~~ is bullying through the use of technology or electronic devices such as telephones, cell phones, photographs, computers, and the Internet. It includes, but is not limited to, email, text messages, and Internet postings, and social media.

Cyberbullying shall also include the creation of a web page or blog in which the creator assumes the identity of another person; or the knowing impersonation of another person. Cyberbullying shall also include the distribution by electronic means of a communication to more than one persons 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 of bullying.

Reporting bullying or retaliation

The Newburyport Public Schools believe that anyone who becomes aware of bullying or retaliation has an obligation to report. Reports of bullying or retaliation may be made by staff, students, parents or guardians, or others and can be made anonymously. It is a requirement that all Newburyport Public School staff immediately report instances of bullying or retaliation when they become aware of or witness.

The Incident Reporting Form will be made available in prevalent areas of all schools and on school websites. Use of an Incident Reporting Form is not required as a condition of making a report. Reporting of incidents can be handwritten and submitted to the principal or an anonymous drop box. If filled out electronically, the report should be emailed to the principal.

Hierarchy of Bullying Behaviors and Their Possible Interventions

Please note that any of the interventions listed may be enacted. Depending upon the severity or frequency of the behavior, a Level One offense may arise to that of a Level Two intervention and a Level Two offense may arise to that of a Level Three intervention.

Level One Bullying Behaviors	Level One: Possible Interventions
Gossiping/Spreading Rumors	
Embarrassing someone on purpose	1. Apology and making amends by:
Pushing/Kicking/Hitting	a) repairing, cleaning, replacing
Spitting	b) writing a report or designing a poster on the topic
Mocking/Mimicking	2. Loss of privileges
Name-calling/Put Downs	3. Parent Notification
Dirty Looks	4. Develop A Behavior Plan
Teasing in a hurtful way	
Daring someone to break a school rule	
Excluding from a group	

A pattern of Level One offenses may result in consequences for Level Two offenses and referral to intervention service

Level Two Bullying Behaviors

Threatening to take or destroy a possession

Taking or destroying a possession

Making verbal threats to harm or intimidate

Viciously encouraging others to exclude someone

Viciously encouraging others to spread rumors

Locking someone in a confined space

Using force to get someone to act unsafely

Retaliation against someone reporting bullying

Teasing in a racial/sexual manner

Humiliating someone publically

Level Two Possible Interventions

1. Loss of privileges
2. Making amends
    a.) Community Service
        b.) writing a report or designing a poster on the topic
    3. Office detention issued
    4. Student Behavior Plan/Counseling Intervention
5. Out-Of-School suspension

Level Three Bullying Behaviors

Physical violence/inflicting bodily harm

Threatening with a weapon

Maliciously excluding

Manipulating social order to achieve rejection

Malicious rumor mongering

Threatening with total isolation by peer group

Verbal threats of aggression

Verbal threats of violence or of inflicting bodily harm

Threats of using coercion against family or friends

Coercion

Retaliation Racial/Sexual Harassment

Level Three Possible Interventions

1. Student Behavior Plan
2. Referral to one-on-one small group intervention sessions
3. Out-Of-School suspension
    4. Short-term Suspension for one to ten days
    5. Long-term suspension for more than ten days
    6. Expulsion from school or school district

Criminal behavior will be referred to law enforcement for further action

HARRASSMENT POLICY

INCLUDING HARASSMENT BASED UPON SEX, RACE, COLOR, NATIONAL ORIGIN, RELIGION, AGE, DISABILITY, SEXUAL ORIENTATION, AND GENDER IDENTITY

Newburyport Public Schools is committed to the prevention of harassment based upon sex, race, color, national origin, religion, age, disability, sexual orientation, and gender identity. It is the policy of the Newburyport Public Schools to provide a school and workplace and environment free from harassment. The Newburyport Public Schools strictly enforces a prohibition against harassment of any of its student or employees, 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 School District to and its commitment to ensuring equal opportunity in education and employment.

Harassment consists of unwelcome conduct, whether verbal, written, or physical, that is based on a characteristic protected by law, such as sex, race, color, national origin, religion, age, disability, sexual orientation or gender identity. The Newburyport Public Schools will not tolerate any harassing conduct that: has the purpose, or effect, of creating an intimidating, hostile or offensive academic or work environment; has the purpose, or effect, of substantially or unreasonably interfering with an individual's academic or work performance; or otherwise adversely affects an individual's academic or employment opportunities. The Newburyport Public Schools prohibits and will not tolerate harassment of employees or students occurring in the schools or work place. For the purposes of this policy, "workplace" or "school" also includes school-sponsored social events, trips, sports events, work-related travel or similar events connected with school or employment.

Staff, students or third party complaints of harassment based upon sex, race, color, national origin, religion, age disability, sexual orientation and gender identity be reported to those individuals indicated below. Upon receipt of a complaint of harassment, the Newburyport Public Schools will respond promptly by taking interim measures to protect the complainant from further harassment and by conducting a timely, thorough and impartial investigation. Where it is determined that prohibited conduct has occurred, the school District will act promptly to eliminate the conduct and will impose corrective action if appropriate, up to and including school-related discipline or termination of employment. In all actions taken, the School District will strive to provide due process rights to those persons involved, while minimizing the burden to the complainant student or teacher.
Any retaliation against an individual who has complained about harassment or retaliation; or any retaliation again any individual who has cooperated with an investigation of a harassment or retaliation compliant is similarly unlawful and will not be tolerated. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment. Claims of retaliation will also be investigated pursuant to this policy and procedures, and corrective action will be taken as appropriate.

The policy and procedures set forth herein shall apply to complaints pursuant to both state and federal laws, including Title VI of the Civil Rights Act of 1964; Title IX of the Education Amendment Act of 1972; Section 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act; and Massachusetts General Laws Chapter 151B.

RESPONSIBILITIES

~~Individual~~: All students, teachers, administrators and other school personnel of the Newburyport Public Schools are responsible for creating an environment that is free of harassment, and for conducting themselves in a manner consistent with the spirit and intent of this policy.

Principals: Principals are responsible to ensure that this policy is conspicuously posted in appropriate student/employee work areas, on the website, school and district, and that it is printed in each school's student handbook. The posting shall include the name, mailing address, and telephone number of each school's harassment contact, as well as the name, address, and telephone number of the School District's Civil Rights Officer.

Superintendent or Designee: The Newburyport Public Schools are responsible for the dissemination of this policy and training. The School District will ensure that it will:

1. develop a method of discussing this policy with students and employees;
2. provide appropriate training to administrators and others who are assigned the responsibility to implement the procedures of this policy; and
3. see that this policy is reviewed periodically for compliance with state and federal law.

PROCEDURES: REPORT, INVESTIGATION, RESPONSE

REPORTING

Any person who believes that a student, teacher, administrator or other school personnel has engaged in conduct prohibited by this policy, whether such conduct has been directed at him/her or some other person, is encouraged to report the alleged prohibited conduct as soon as possible to the appropriate individual listed in this policy.

The reporting party or complainant is encouraged to use the Harassment Report Form available on the School District's website, or from the school principal, each School District's Central Office or Superintendent's Office. Oral reports/complaints will also be accepted. Nothing in this policy shall prevent any person from reporting alleged prohibited conduct directly to the district's Civil Rights Officer, or to the Superintendent. Further, nothing in this policy shall prevent any person from reporting alleged prohibited conduct to a different administrator than the administrator designated, or in the case of a student, to a district employee.

The School District designates the Director of Pupil Services as the Civil Rights Officer with responsibility to oversee administration of these procedures and to monitor compliance. If a complaint involves the Director of Pupil Services, the complaint shall be made or filed directly with the Superintendent. If a complaint involves the Superintendent, the report will be filed directly with the School Committee.

In each school there are two (2) designees with the responsibility for receiving and investigating oral or written reports of alleged harassment. Any employee who receives a report of alleged harassment shall promptly inform the principal, or other school administrator as indicated below. If the complaint involves the school principal, the complaint shall be filed with the Superintendent.

The School District and school-level harassment contacts are as follows:

Civil Rights Officers: Pam Kealey, Human Resources Director; Superintendent of Schools (alternate)
Title IX Coordinator: Pam Kealey, Human Resources Director
Francis T. Bresnahan Elementary School: Jamie Sokolowski; Allison Byrnes Asst. Principal
Edward G. Molin Upper Elementary School: Tara Rossi, Principal; Leigh Curtis Pare, Assistant Principal
Rupert A. Nock Middle School: Nicholas Markos, Principal; Matthew Condon, Assistant Principal
Newburyport High School: Principal: Andy Wulf, Principal;
Michael Testa, Associate Principal

INVESTIGATION
Upon receipt of a report or complaint of alleged harassment, the responsible administrator shall initiate a timely investigation of the complaint. Interim measures shall also be taken to protect the complainant from further harassment during the pendency of the investigation.

If warranted by the circumstances of the complaint, the School District's Civil Rights Officer may assist the school contact with the investigation, may assume responsibility for the investigation, or may authorize an investigation by a third party who shall report to the District's Civil Rights Officer.

The investigation may consist of personal interviews with the complainant(s), the individual(s) against whom the complaint is filed, and others that may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.

In determining whether the conduct alleged constitutes a violation of this policy, the investigator shall consider the surrounding circumstances, including but not limited to: the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationship between the parties involved and the context in which the alleged conduct occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all facts and surrounding circumstances.

Upon completion of the investigation, the harassment contact shall generate an investigation report, which will include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy. The complainant will be informed in writing as to whether or not the allegation of harassment was substantiated. In accordance with state and federal law regarding law or records privacy, the complainant will also be informed that appropriate corrective action has been taken.

CORRECTIVE ACTION
Upon completion of an investigation and substantiation of the complaint, the School District will take appropriate corrective action. Such action may include, but is not limited to: an apology, direction to stop the offensive behavior, counseling, training, warning, suspension, exclusion,

expulsion, transfer, remediation, termination or discharge. School District action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Massachusetts and federal laws and School District policies.

In the case of substantiated harassment by an employee, the Superintendent will include a written statement of the findings, the corrective action taken, and the consequences of continued harassment, in the individual's personnel file.

In the case of substantiated harassment by a student, the principal will include a written statement, as above, in the student's discipline file.

During the entire process of reporting, investigating, and corrective action (if applicable), confidentiality will be maintained to every extent possible.
If harassing conduct constitutes a hate crime or abuse/neglect of a child, it will be reported to the appropriate state agencies/authorities as required by law.

RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES

Nothing in this policy shall be deemed to effect a complainant's right to other remedies at law, including administrative appeals or lawsuits. Administrative agencies with jurisdiction in these matters include:

The Massachusetts Commission Against Discrimination
One Ashburton Place, Room 601
Boston, MA 02108
(617) 727-3990

Massachusetts Department of Elementary and Secondary Education
75 Pleasant Street
Malden, MA 02148
(781) 388-3300

The U.S. Department of Education, Office for Civil Rights
222 J.W. McCormack Post Office & Courthouse, 7th Floor
Boston, MA 02109-4557
(617) 223-9662

Newburyport Police Department
4 Green Street
Newburyport, MA 01950
(978) 462-4411

NEWBURYPORT PUBLIC SCHOOLS

Harassment ComplaintReport

Voluntary Report of Incident

Date of Complaint Report: _____

Time of Complaint Report: _____

Method of Report: _____

Reported By: _____ **Signature:** _____

Reported To: _____ **Signature:** _____

Summary of Allegations: (please include time, date, location, witnesses and frequency, use back side of form if necessary)

_____

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What was the effect? _____

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_____

What assistance can we provide? _____

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_____

NEWBURYPORT PUBLIC SCHOOLS
ACTIONS TAKEN SUBSEQUENT TO HARASSMENT COMPLAINT

Written By: _____

Signature: _____

Date: _____

Copies to: _____

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NEWBURYPORT PUBLIC SCHOOLS

Follow-up Steps to Voluntary Report Form

After a Voluntary Report Form (Har – 1) has been completed, the following steps are recommended:

1. **Make an appointment to meet with the complainant to update him/her on what has happened and to check on the individual's wellbeing (within 2 working days, if possible.)**

   Date: _____

2. **Explain what steps you will take next.**

   Steps: _____

   _____

   _____

3. **Inform a back-up person (the other building or district representative) about the incident in case a related event occurs while you are out of the building.**

   Back-up Person: _____

   Note: Log a brief summary of the report in a file that is turned into the assistant superintendent at the end of each month.

   Your signature: _____

   Name of Complainant: _____

   Date: _____

NEWBURYPORT PUBLIC SCHOOLS

Required Follow-Up
Harassment

Date: _____

Comments: **Matter has been resolved and problem has not continued.**

Matter has not been resolved and problem continues.

_____

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Your Signature: _____

Name of Complainant: _____

Form:Har–4
POLICY AGAINST HARASSMENT

Memorandum of Understanding: Collaborative Initiative Involving the Newburyport Schools, Police, and District Attorney

I. General Principles:

The Newburyport Public Schools, the Newburyport Police Department, and the Essex County District Attorney's Office agree to coordinate their response to violent, delinquent, or criminal acts by students and to alcohol and other drug use, which occur on school premises or at school sponsored or school-related events. To ensure a safe educational environment, this collaborative effort between school administration and law enforcement supports "zero tolerance" for drugs, alcohol, weapons and violence. Non-students involved in such acts on school premises or at school events are to be reported as students are.

It continues to remain the sole prerogative of school officials to impose discipline for infractions of school rules and policies. In cases where the school has reported an incident to the police, as described below, the school agrees to notify the police department before suspending a student under the provisions of M.G.L. Chapter 71, Section 37H 1/2.

M.G.L. Chapter 71, Section 37H requires each school district to have a written Code of Conduct reflected in student handbooks stating the standards and procedures to assure building security and safety of students and school personnel, and the disciplinary measures to be taken in cases involving the possession or use of illegal substances or weapons, the use of force, vandalism, or civil rights violations. Reference to this Memorandum shall be made in these handbooks.

II. Objectives

A. To develop and implement a process for school officials and local police to coordinate a response to criminal/delinquent behavior and to refer appropriate first time or early offenders, ages 7-17, to the Essex County District Attorney's Juvenile Diversion Program. The Juvenile Diversion Program is an alternative to the court system. Participating youth are required to attend counseling/education programs, perform community service and in some cases pay restitution. Youth who successfully complete the Juvenile Diversion Program will have no court record.

B. To work with the Substance Abuse Advisory Committee, which should include representatives for the school age population, local police, clergy, parents, teachers, school administrators, community agency representatives and the District Attorney's Juvenile Diversion Coordinator, and which should make recommendations to the appropriate school officials and parent groups concerning more effective ways to promote an awareness of the dangers of drug and alcohol use and abuse and sound preventative measures.

III. Procedures

While acknowledging that school officials are not agents of the police or Commonwealth and the Commonwealth and police are not agents of the agents of the school, the school and police should develop policies and protocols for coordinated efforts.

A. The Superintendent of Schools and the school Principal are responsible for reporting acts. The Police Chief shall designate an officer (or officers) to coordinate all reported criminal acts.

A mandatory reportable act shall include:

Any serious incident of assaultive behavior, assault and battery, destruction of property, or theft;

Violation of a restraining order;

Possession of a dangerous weapon;

Finding any student who is in actual or constructive possession of what is reasonably believed to be a controlled substance as defined by state law, except that possession of drugs pursuant to a valid prescription is a discretionary reportable act; and

Having a reasonable belief that any student has sold or offered to sell or otherwise distributed a drug that is believed to be a controlled substance under the law.

A discretionary reportable act shall include

Any student's violation of a state criminal statute which warrants reporting but is not as serious as a mandatory reportable act; and

Finding any student, regardless of age, who is reasonably believed to be under the influence of alcohol or other drugs.

B. Any teacher or other school employee who has reasonable grounds to believe that student has committed a mandatory reportable act or a discretionary reportable act, as defined above, shall take (or cause to be taken) the student to the Principal or Superintendent. The Principal/Superintendent shall ask the reporting teacher/employee what happened and take custody of any physical evidence.

C. The Principal/Superintendent shall inform the student and his/her parent or guardian of the nature of the offense and inform them that certain offenses must be reported to the police. The Principal/Superintendent may offer the student the opportunity to respond to the teacher/employee's report. The Principal/Superintendent shall in the case of a mandatory reportable act, and may in the case of a discretionary reportable act, notify the police of the incident and the existence of any physical evidence. All contraband (drug, alcohol, firearms, and dangerous weapons) shall be immediately surrendered to the appropriate police department. In addition, the Principal/Superintendent will comply with M.G.L. Chapter 71, Section 37L requiring that an incident involving a student's possession or use of a dangerous weapon on school premises at any time be reported in writing to the Chief of Police. This report must be filed in any case involving a student's possession or use of a dangerous weapon on school premises, regardless of whether it occurred during school hours, and whether or not the student has been expelled

D. School personnel are permitted to search a student's clothing, personal possessions or locker at the direction of the Principal/Superintendent if there is a reasonable basis for believing that the student is concealing material the possession of which is prohibited by federal, state, or local law, or the provisions of the School Discipline Code. However, if the Principal/Superintendent believes, prior to the search, that the student's act should be reported to the police, they should inform the police that the school intends to conduct the search. The Principal/Superintendent shall inform students in writing at the beginning of each school year of this practice. The Principal/Superintendent should keep a record of such searches detailing time, place, reasons and witnesses.

E. Upon notification from the Principal/Superintendent, police shall respond in cases of mandatory reportable acts and may respond in other cases.

F. Juvenile offenders who meet the eligibility criteria for the Essex County District Attorney's Juvenile Diversion Program may be admitted to that program in lieu of prosecution. The Juvenile

Diversion/Juvenile Justice Coordinator together with police and the Assistant District Attorney will decide which candidates should be offered the Juvenile Diversion Program. Cases that are not appropriate for Juvenile Diversion will be prosecuted through the Juvenile Justice System. For those student offenders who have reached their seventeenth birthday, the police and the Assistant District Attorney will decide which adult cases to prosecute in the criminal court.

TECHNOLOGY ACCEPTABLE USE POLICY

Introduction

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

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

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

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

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

Technologies Covered

NPS may provide the privilege of Internet access, desktop computers, mobile computers or devices, video conferencing capabilities, online collaboration capabilities, message boards, email, and more. This Acceptable Use Policy applies to both school-owned technology equipment utilizing the NPS network, the NPS Internet connection, and/or private networks/Internet connections accessed from school owned devices at any time. This Acceptable Use Policy also applies to privately owned devices accessing the NPS network, the NPS Internet connection, and/or private networks/Internet connections while on school property. As new technologies emerge, NPS will seek to provide access to them. The policies outlined in this document cover all available technologies now and into the future, not just those specifically listed or currently available.

Usage Policies

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

Web Access

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

Email

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

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

Legal Implications of Electronic Mail (Email)

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

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

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

Network Accounts

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

Network Use Limitations

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

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

Social/Web 2.0 / Collaborative Content

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

Personally-Owned Devices Policy

Students in grades kindergarten through eighth, should keep personally-owned devices (including laptops, tablets, smart phones, cell phones, e-readers, iPod touch, gaming devices) turned off and put away during school hours (with the exception of assistive devices) unless in the event of an emergency or as instructed by a teacher or staff for educational purposes. Devices are to be used as part of classroom lessons upon teacher approval. Because of security concerns, when personally-owned mobile devices are used on campus, they must be used over the school network.

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

Security

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

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

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

Downloading and Sharing Software

Users may not copy, download or share any type of copyrighted materials (including music or films) without the owner's permission. Users may not copy or download software without the express authorization of IT staff. This includes copying school-purchased software to your home computer. Software is protected by federal copyright law, which says that you can't make additional copies of software without the permission of the software publisher. Users should not download or attempt to download or run .exe programs over the school network without express permission form IT staff. You may be able to download other file types such as images or videos, provided they are allowed by fair use rules or permitted by author or a Creative Commons License. For the security of our network, download such files only from reputable sites, and only for educational purposes. Unauthorized copying or sharing of software (including video and music files), is illegal and may subject the copier to substantial civil and criminal penalties. The school district assumes no responsibility for copyright or licensing violations by students or staff.

Netiquette

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

Plagiarism

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

Personal Safety

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

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

Cyberbullying

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

Social Media Policy

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

Communication with Students and Parents

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

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

Vandalism

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

Privacy

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

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

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

Limitation of Liability

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

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

Violations of this Acceptable Use Policy

Violations of this policy may have disciplinary repercussions, including:

• Suspension or termination of network, technology, or computer privileges;

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

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

TECHNOLOGY EQUIPMENT AGREEMENT

Students are responsible for equipment used or borrowed. Students must pay for lost or damaged materials that have assigned to them. Students may be issued team detention(s) for failure to adhere to the policy.

All Nock students will be issued a Chromebook. Each student will also receive a charger and a carrying case. Students are expected to return the Chromebook in full working order with no damage other than standard use upon leaving Nock. Students are not allowed to place stickers or decals on the Chromebook. Removal of decal may result in a $10 replacement/repair fee. Students are not allowed to remove district placed or manufacturer placed decals from their Chromebooks. Any damage or mechanical problems should be reported to the homeroom teachers and/or the technology integrator. Students will not be assigned a Chromebook until this agreement is signed by both Parent/Guardian and Student.

Students are expected to:

- Properly store his/her Chromebook in the homeroom cart at the end of each day.
- Handle his/her Chromebook with care when transporting it to and from class.

Replacement Costs

- Chromebook $325
- Touchscreen $125
- Sleeve $25
- Charger $50

***Other repairs will be billed based on assessed damage and cost of replacements

By signing below, I agree to follow the Rupert A. Nock Middle School Technology Equipment Agreement. I understand my use of district technology resources is a privilege and requires proper care.

Student Name (Print): Date:

Student Name (Sign): Date:

Parent/Guardian (Print): Date:

Parent/Guardian (Sign): Date:

Google Workspace for Education Overview and Consent

Newburyport Public Schools (NPS) use Google Workspace for Education software services to support our students' education. Google Workspace for Education is a set of education productivity tools including Gmail, Calendar, Docs, Sheets, Classroom, and more.

Upon enrollment, a Google Workspace for Education account (a Google account managed by NPS) is created for every student. Students use their accounts to complete assignments, explore content, communicate with their teachers (grades 6-12), and learn 21st century digital skills. Students access and use the following "Core Services": Calendar, Classroom, Drive & Docs, Gmail, and Sites.

In addition, educators may create course content where students use what Google calls "Additional Services". These include YouTube (school restricted mode), Google Maps, Google Earth, and Google Translate.
Google requires schools to obtain parental consent before allowing students under 18 to use these "Additional Services". For more details, please review the Google Workspace for Education privacy policies.

By signing the NPS Handbook form, you give NPS permission to provide your child access to "Additional Services" through their Google Workspace for Education account. To opt out of "Additional Services" please print and complete this form and return it to your child's principal. Link/Form to the Handbook can be found on our website.

If you have questions about our student Google educational accounts, please contact our Tech Department at support@newburyport.k12.ma.us.

NONDISCRIMINATION

Public schools have the responsibility to overcome, insofar as possible, any barriers that prevent children from achieving their potential. The public school system will do its part. This commitment to the community is affirmed in the following statements of the School System's intent to:

1. Promote the rights and responsibilities of all individuals as set forth in the State and Federal Constitutions, pertinent legislation, and applicable judicial interpretations.

2. Encourage positive experience in human values for children and youth and adults, all of whom have differing personal and family characteristics and who come from various socioeconomic, racial and ethnic groups.

3. Work toward a more integrated society and to enlist the support of individuals as well as groups and agencies, both private and governmental, in such an effort.

4. Use all appropriate communication and action techniques to air and reduce the grievances of individuals and groups.

5. Carefully consider, in all the decisions made within the school system, the potential benefits or adverse consequences that those decisions might have on the human relations aspect of all segments of society.

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

This policy of nondiscrimination will extend to students, staff, the general public, and individuals with whom it does business. 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, sexual orientation, or disability.

If anyone has a complaint, or feels that they have been discriminated against because of their race, color, sex, gender identity, religion, national origin, sexual orientation, or disability, their complaint should be registered with the Title IX compliance officer.

NONDISCRIMINATION STATEMENT

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

The Newburyport Public Schools is committed to maintaining a school environment free of harassment based on race, color, religion, national origin, age, sex, gender identity, sexual orientation, or disability. Harassment by administrators, staff, and support personnel, students, vendors and other individuals at school, or at school-sponsored events, is unlawful and is strictly prohibited. The Newburyport Public

Schools requires all employees and students to conduct themselves in an appropriate manner with respect to their fellow employees, students and all members of the school community.

To file a complaint alleging discrimination by Newburyport Public Schools on the basis of race, color, national origin, sex, gender identity, disability, age, sexual orientation, or religion or to make inquiry concerning the application of Title VI, Title IX, Section 504, the ADA, the Age Discrimination Act, or applicable state laws and their respective implementing regulations, please contact:

District Level:
Pamela Kealey , Title IX Coordinator, Civil Rights Officer
Newburyport Public Schools
70 Low Street
Newburyport, MA 01950
978-465-4456

School Level:
Nicholas Markos Principal
Rupert A. Nock Middle School
70 Low Street
Newburyport, MA 01950
978-465-4447

Inquiries concerning the applicability of the aforementioned federal laws and regulations to Newburyport Public Schools also may be referred to:

Office for Civil Rights
U.S. DOE
5 Post Office Square, 8th Floor
Boston, MA 02109-3921
Phone: 617-289-0111; or, 1-800-437-0833
FAX: 617-289-0150
e-mail: OCR.Boston@ed.gov

A grievant may file a complaint with OCR, generally,

1. within 180 calendar days of alleged discrimination or harassment; or,

2. within 60 calendar days of receiving notice of Newburyport Public School's final disposition on a complaint filed through Newburyport Public Schools; or,
3. within 60 calendar days of receiving a final decision by the Massachusetts Department of Elementary & Secondary Education, Bureau of Special Education Appeals; or,
4. instead of filing a complaint with Newburyport Public Schools

Inquiries relative to state law may be referred to the Massachusetts Department of Education, 75 Pleasant St., Malden, MA 02148-4906 (phone 781-338-3000, or, 1-800-439-2370) or the Massachusetts Commission Against Discrimination at One Ashburton Place #601, Boston, MA 02108 (telephone 617-994-6000).

NONDISCRIMINATION ON THE BASIS OF HANDICAP

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

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

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

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

Auxiliary Aids and Services

"Auxiliary Aids and Services" includes:

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

Limits of Required Modification

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

Notice

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

Compliance Coordinator

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

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

1. Discrimination against a qualified handicapped person solely on the basis of handicap is unfair.
2. To the extent possible, qualified handicapped persons should be in the mainstream of life in a school community.

Accordingly, employees of the school system will comply with the above requirements of the law and policy statements of the School System to ensure nondiscrimination on the basis of handicap.

Appendix A—Suspension Policies

In-school Suspension Procedures

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

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

Notice of In-School Suspension:

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

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

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

Parent Meeting:

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

No Right to Appeal:

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

OUT-OF-SCHOOL SUSPENSION PROCEDURES UNDER M.G.L. CH. 71, SEC. 37H¾:

Due Process Procedures for Out-of-School Suspensions:

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

Notice for Any Out-of-School Suspension:

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

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

1. the rights set forth in 603 CMR 53.08(3)(b) ; and
2. the right to appeal the principal's decision to the superintendent.

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

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

Emergency Removal of Student:

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

(a) Make immediate and reasonable efforts to orally notify the student and the student's parent of the emergency removal, the reason for the need for emergency removal, the disciplinary offense, the basis for the charge, the potential consequences, including potential length of suspension, the opportunity for a hearing including the date/time/location of the hearing, the right to interpreter services, and other rights permitted for students who may be placed on long-term suspension as set forth in 603 CMR. 53.08(3)(b);

(b) Provide written notice to the student and parent, including the information described in 603 CMR 53.06(2);

(c) Provide the student an opportunity for a hearing with the principal or his/her designee that complies with 603 CMR 53.08(2) or 53.08(3), as applicable, and the parent an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the principal, student, and parent.

(d) Render a decision orally on the same day as the hearing, and in writing no later than the following school day, which meets the requirements of 603 CMR 53.08(2)(c) and 53.08(2)(d) or 603 CMR 53.08(3)(c) and 53.08(3)(d), as applicable.

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

SHORT-TERM SUSPENSION PROCEDURES UNDER M.G.L. CH. 71, SEC. 37H¾ :

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

Principal Hearing - Short-term Suspension:

(a) The purpose of the hearing with the principal or his/her designee is to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction. At a minimum, the principal or his/her designee shall discuss

the disciplinary offense, the basis for the charge, and any other pertinent information. The student also shall have an opportunity to present information, including mitigating facts that the principal or his/her designee should consider in determining whether other remedies and consequences may be appropriate as alternatives to suspension. The principal or his/her designee shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the principal should consider in determining consequences for the student.

(b) Based on the available information, including mitigating circumstances, the principal or his/her designee shall determine whether the student committed the disciplinary offense, and, if so, what remedy or consequence will be imposed.

(c) The principal or his/her designee shall notify the student and parent of the determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal, as provided in 603 CMR 53.13(1). The determination shall be in writing and may be in the form of an update to the original written notice.

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

No Right to Appeal:

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

LONG-TERM SUSPENSION PROCEDURES UNDER M.G.L. CH. 71, SEC. 37H¾:

A Long-Term Suspension is the removal of a student from the school premises and regular classroom activities for more than ten (10) consecutive school days, or for more than ten (10) school days cumulatively for multiple disciplinary offenses in any school year. The principal or his/her designee, may, in his or her discretion, may allow a student to serve a long-term suspension in school. Except for students who are charged with a disciplinary offense set forth in Massachusetts General Laws Chapter 71, §37 H, or in Massachusetts General laws Chapter 71 § 37H ½, no student may be placed on long-term suspension for one or more disciplinary offenses for more than ninety (90) school days in a school year beginning with the first day that the student is removed from school. No long-term suspension shall extend beyond the end of the school year in which such suspension is imposed. Any student facing a potential long-term suspension is entitled to a hearing with the Principal or his/her designee with the following process

Principal Hearing - Long-term Suspension:
(a) The purpose of the hearing with the principal or his/her designee is to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the

alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction. At a minimum, the principal or his/her designee shall discuss the disciplinary offense, the basis for the charge, and any other pertinent information. The student also shall have an opportunity to present information, including mitigating facts, that the principal should consider in determining whether other remedies and consequences may be appropriate as alternatives to suspension. The principal or his/her designee shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the principal should consider in determining consequences for the student.

(b) In addition to the rights afforded a student in a short-term suspension hearing, the student shall have the following additional rights:

1. In advance of the hearing, the opportunity to review the student's record and the documents upon which the principal may rely in making a determination to suspend the student or not;
2. the right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense;
3. the right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so;
4. the right to cross-examine witnesses presented by the school district;
5. the right to request that the hearing be recorded by the principal, and to receive a copy of the audio recording upon request. If the student or parent requests an audio recording, the principal shall inform all participants before the hearing that an audio record will be made and a copy will be provided to the student and parent upon request.

(c) The principal or his/her designee shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the principal should consider in determining consequences for the student.

(d) Based on the evidence, the principal or his/her designee shall determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension. The principal or his/her designee shall send the written determination to the student and parent by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or any other method of delivery agreed to by the principal and the parent. If the principal or his/her designee decides to suspend the student, the written determination shall:

1. Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing;
2. Set out the key facts and conclusions reached by the principal;
3. Identify the length and effective date of the suspension, as well as a date of return to school;
4. Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school;

5. Inform the student of the right to appeal the principal's decision to the superintendent or designee, but only if the principal has imposed a long-term suspension. Notice of the right of appeal shall be in English and the primary language of the home if other than English as determined by the home language survey, or other means of communication where appropriate, and shall include the following information stated in plain language:

a) the process for appealing the decision, including that the student or parent must file a written notice of appeal with the superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent may request and receive from the superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days; and that the long-term suspension will remain in effect unless and until the superintendent decides to reverse the principal's determination on appeal.

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

Superintendent's Appeal Hearing:

(1) A student who is placed on long-term suspension following a hearing with the principal shall have the right to appeal the principal's decision to the superintendent.

(2) The student or parent shall file a notice of appeal with the superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent may request and receive from the superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days. If the appeal is not timely filed, the superintendent may deny the appeal, or may allow the appeal in his or her discretion, for good cause.

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

(4) The superintendent shall make a good faith effort to include the parent in the hearing. The superintendent shall be presumed to have made a good faith effort if he or she has made efforts to find a day and time for the hearing that would allow the parent and superintendent to participate. The superintendent shall send written notice to the parent of the date, time, and location of the hearing.

(5) The superintendent shall conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence shall be. The superintendent shall arrange for an audio recording of the hearing, a copy of which shall be provided to the student or parent upon request. The superintendent shall inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent upon request.

(6) The student shall have all the rights afforded the student at the principal's hearing for long-term suspension.

(7) The superintendent shall issue a written decision within five (5) calendar days of the hearing which meets the requirements of 603 CMR 53.08(3)(c)1 through 5. If the superintendent determines that the student committed the disciplinary offense, the superintendent may impose the same or a lesser consequence than the principal, but shall not impose a suspension greater than that imposed by the principal's decision.

(8) The decision of the superintendent shall be the final decision of the school district, with regard to the suspension.

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

LONG-TERM SUSPENSION/EXPULSION PROCEDURES FOR SPECIAL CIRCUMSTANCES:

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

1. Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun, a knife, or their facsimile, or anything used in the commission of assault and battery; or a controlled substance as defined in Chapter 94 C, including, but not limited to, marijuana, cocaine, and heroin, may be subject to long-term suspension or expulsion from the school by the principal or his/her designee.

2. Any student who assaults a principal, assistant principal, teacher, teacher's aide, or other educational staff on school premises or at school-sponsored or school-related events, including athletic games, may be subject to long-term suspension or expulsion from the school or school district by the principal or his/her designee.

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

a. A student shall receive written notice before the expulsion or a long-term suspension takes place and written notice of the right to appeal.

b. The student shall be given an opportunity for a hearing and the opportunity to present witnesses and evidence. The student may have an attorney at their own expense.

c. Following the hearing, the principal or his/her designee may, in his/her discretion, decide to suspend rather than expel the student.

d. The student may appeal the expulsion or long-term suspension to the Superintendent provided the appeal is requested in writing, within ten (10) calendar days following the long/term suspension or expulsion.

e. At the appeal hearing the student may be represented by an attorney and may present oral and written testimony.

f. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of MGL c. 71 Section 37H.

g. The Superintendent's decision is final.

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

PROCEDURES FOR STUDENTS WITH FELONY COMPLAINT OR CONVICTION:

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

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

a. The student shall receive written notice before the suspension takes effect and written notice of the right to appeal.

b. The student shall be given an opportunity to respond to the charges before the suspension takes effect.

c. The student may appeal the suspension to the Superintendent, provided the appeal is requested in writing within five (5) calendar days following the suspension.

d. The Superintendent must hold the appeal hearing within three (3) calendar days of the request.

e. At the appeal hearing the student may be represented by an attorney. The student has the right to present oral or written testimony on his/her behalf.

f. The Superintendent must render a decision within five (5) calendar days.

g. The Superintendent's decision is final.

h. Any student who is suspended or expelled pursuant to this section shall have the opportunity to earn credits, as applicable, make up assignments, tests, papers and other school work as needed to make academic progress during the period of his/her removal.

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

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

a. A student shall receive written notice before the expulsion or a long-term suspension takes place and written notice of the right to appeal.

b. The student shall be given an opportunity to respond to the charges.

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

EDUCATION SERVICES AND ACADEMIC PROGRESS UNDER M.G.L. CH. 71, SECS. 37H, 37H1/2 AND 37H3/4:

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

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

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

Suspension of Students with Disabilities

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

• Any student with a disability may be suspended for up to ten (10) days during a school year. Disciplinary decisions are the same as for students without disabilities.

• Special circumstances exist if your child: possesses, uses, sells or solicits illegal drugs on school grounds or at a school-sponsored event; carries a weapon to school or a school-sponsored event; or inflicts serious bodily harm upon another person at school or a school-sponsored event. Under these circumstances, the principal may place your child in an interim alternate

educational setting (IAES) for up to 45 school days. Your child may remain in this IAES for a period of time not to exceed 45 school days. Thereafter, your child will return to the previously agreed-upon placement unless a hearing officer has ordered another placement, or you and the school agree to another placement.

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

• If your child is suspended for more than 10 school days in a school year, this removal is considered a "change of placement". A change of placement invokes certain procedural protections under federal special education law and Section 504.

• Prior to any removal that constitutes a change of placement, the school will convene a Team meeting to develop a plan for conducting a functional behavioral assessment (FBA) that will be used as the basis for developing specific strategies to address your child's problematic behavior.

• Prior to any removal that constitutes a change in placement, the school must inform you that the law requires the school district consider whether or not the behavior that forms the basis of the disciplinary action is related to your child's disability. This consideration is called a "manifestation determination". Parents have a right to participate in this process. All relevant information will be considered including the IEP or Section 504 Plan, teacher observations, and evaluations reports.

• At a manifestation determination meeting, the Team will consider:

• Did the student's disability cause or have a direct and substantial relationship to the conduct in question?

• Was the conduct a direct result of the district's failure to implement the IEP?

• If the manifestation determination decision is that the disciplinary action was related to the disability, then your child may not be removed from the current educational placement (unless under the special circumstances). The Team will review the IEP or Section 504 Plan and any behavioral intervention plans.

• If the manifestation determination decision is that the disciplinary action was not related to the disability, then the school may suspend or otherwise discipline your child according the school's code of conduct. For students with IEPs, during the period of time of removal from school that exceeds 10 school days, the school district must provide educational services that allow your child to continue to make educational progress. For students with Section 504 Plans, there is no automatic right to receive educational services beyond the 10th school day of suspension.

Special circumstances for exclusion

Special circumstances exist if your child: possesses, uses, sells or solicits illegal drugs on school grounds or at a school-sponsored event; carries a weapon to school or a school-sponsored event; or inflicts serious bodily harm upon another person at school or a school-sponsored event. Under these circumstances, the principal may place your child in an interim alternate educational setting (IAES) for up to 45 school days. Your child may remain in this IAES for a

period of time not to exceed 45 school days. Thereafter, your child will return to the previously agreed-upon placement unless a hearing officer has ordered another placement, or you and the school agree to another placement. For students with Section 504 Plans, there is no automatic right to receive educational services beyond the 10th school day of suspension.

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

NEWBURYPORT PUBLIC SCHOOLS

Bullying Prevention and Intervention Plan

Voted December 20, 2010
Newburyport School Committee

Updated June 25, 2025
*BPIP previously updated 4/13/2011, 3/12/2013, and 6/5/2017.

I. LEADERSHIP

A. Public Involvement in Developing the Plan: During the 2008-2009 school year, a group of stakeholders from the Newburyport School Community was formed that worked to develop a comprehensive anti-bullying policy. This group, the Anti-Bullying Policy Working Committee consisted of administrators, teachers, counselors, psychologists, parents, community organization members, and students.

After eight months of work, an Anti-Bullying Policy that is an integrated approach which incorporates disciplinary action, behavior management, preventative education, and restorative justice (a balanced approach to the needs of the victim, wrongdoer and the community through processes that preserve the safety and dignity of all) was implemented. The Policy identifies a hierarchy of bullying behaviors and their possible interventions.

In the development of the Bullying Prevention and Intervention Plan, as required by MGL c. 71 s. 370, we found that the Anti-Bullying Policy Working Committee that had developed the comprehensive Anti-Bullying Policy achieved significant groundwork as required by the Plan. Therefore, we brought together a sample population of that group to facilitate incorporating components of the Anti-Bullying Policy in drafting the Plan and then brought it to the full constituency group. This is the group that will be responsible for the review and updating of the Plan as not only required, but as needed.

B. Accessing Needs and Resources: At least once every four years, the district will administer a Department of Elementary and Secondary Education developed student survey to assess school climate and the prevalence, nature, and severity of bullying in our schools. Additionally, the school or district will annually report bullying incident data to the Department.

C. Planning and Oversight: The principal at each school is responsible for : 1) receiving reports on bullying; 2) collecting and analyzing building and/or school-wide data on bullying to assess the present problem and to measure improved outcomes; 3) creating a process for recording and tracking incident reports, and for accessing information related to targets and aggressors; 4) planning for the ongoing professional development that is required by the law; 5) planning supports that respond to the needs of targets and aggressors; 6) choosing and implementing the curricula that the school or district will use; 7) developing new or revising current policies and protocols under the Plan, including an Internet safety policy, and designating key staff to be in charge of implementation of them; 8) amending student and staff handbooks and codes of conduct to, among other things, make clear that bullying of students by school staff or other students will not be tolerated; 9) leading the parent or family engagement efforts and drafting parent information materials; and 10) reviewing and updating the Plan.

D. Priority Statement: The Newburyport Public Schools expects that all members of the school community will treat each other in a civil manner and with respect for differences. We recognize that certain students may be more vulnerable to becoming a target of bullying or harassment based on actual or perceived differentiating characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical, developmental or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics.

The Newburyport Public Schools is committed to providing all students with a safe learning environment that is free from bullying, cyberbullying, and retaliation in our school buildings, on school grounds, or at school-related activities.

The Newburyport Public Schools will take specific steps to create a safe, supportive environment for all students and for vulnerable populations in the school community, and provide education to all students around strategies to prevent or respond to bullying. We will investigate all reports and complaints of bullying, cyberbullying, and retaliation, and take prompt action.

The Bullying Prevention and Intervention Plan is a comprehensive approach to addressing bullying and the Newburyport Public Schools is committed to working with students, staff, families, law enforcement agencies, and the community to prevent issues of violence. This plan provides for the same protection of all students regardless of their status under the law.

II. TRAINING AND PROFESSIONAL DEVELOPMENT

A. Annual Staff Training on the Plan: Annual training for all school staff on the Plan will include staff duties under the Plan, an overview of the steps that the principal or designee will follow upon receipt of a report of bullying or retaliation, and an overview of the bullying prevention curricula to be offered at all grades throughout the school or district. Staff members hired after the start of the school year are required to participate in school-based training during the school year in which they are hired, unless they can demonstrate participation in an acceptable and comparable program within the last two years.

B. Ongoing Professional Development: The goal of professional development is to establish a common understanding of tools necessary for staff to create a school climate that promotes safety, civil communication, and respect for differences. Professional development will build the skills of staff members to prevent, identify, and respond to bullying. As required by M.G.L. c. 71, § 37O, the content of schoolwide and district wide professional development will be informed by research and will include information on:

i. developmentally (or age) appropriate strategies to prevent bullying;
ii. developmentally (or age) 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 an aggressor, 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 cyberbullying; and
vi. Internet safety issues as they relate to cyberbullying.

Professional development will also address ways to prevent and respond to bullying or retaliation for students with disabilities 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. Additional areas identified by the school or district for professional development may include:

- promoting and modeling the use of respectful language,
- fostering an understanding of and respect for diversity and difference,
- building relationships and communicating with families,
- constructively managing classroom behaviors,
- using positive behavioral intervention strategies,
- applying constructive disciplinary practices,
- teaching students skills including positive communication, anger management, and empathy for others,
- engaging students in school or classroom planning and decision-making,
- maintaining a safe and caring classroom for all students, and
- engaging staff and those responsible for the implementation and oversight of the Plan to distinguish between acceptable managerial behaviors designed to correct misconduct, instill accountability in the school setting, etc. and bullying behaviors.

C. Written Notice to Staff: The school or district will provide all staff with an annual written notice of the Plan by publishing information about it, including sections related to staff duties and bullying of students by school staff, in the school or district employee handbook and the code of conduct.

III. ACCESS TO RESOURCES AND SERVICES

A. Identifying Resources: Newburyport Public Schools will offer access to resources and services to students impacted by bullying. The resources may include the following: establishing safety planning teams and identifying other agencies that can provide services. In conjunction with existing school personnel, the principals at each school will identify existing and needed resources, including but not limited those listed below.

B. Counseling and Other Services: The District offers culturally and linguistically appropriate resources for families within the district. In addition, the principal and other school staff will develop safety plans for students who have been targets of bullying or

retaliation, provide social skills programs to prevent bullying, and will offer education and/or intervention services for students exhibiting bullying behaviors. Newburyport Public Schools will consider using behavioral intervention plans and social skills groups.

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 the student has a disability that affects social skills development or the student may participate in or is vulnerable to bullying, harassment, or teasing because of his/her 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.

At least once every four years beginning in 2015/2016 school year, the district will administer a Dept. of Elementary and Secondary developed student survey to assess school climate and the prevalence, nature and severity of bullying in our schools. Additionally, the school or district will annually report bullying incident data to the Department.

D. Referral to Outside Services: The Superintendent and the principals at each school, in conjunction with other staff, may refer students and families to outside services. Referrals will comply with relevant laws and policies. Additionally, if administration determines that a bullying situation requires responsive services for either the target or the aggressor, school counseling staff, in consultation with other staff members, are responsible for the initial assessment of students' academic progress as well as personal/social concerns. Where necessary, the counselor will make available to the target or the aggressor and appropriate family members responsive services which may include individual and small group counseling, crisis counseling, referral to other agencies or professional resources. The counselor will cooperate and assist other agencies when there is a referral for responsive services. Student information will not be provided to outside agencies until the student's parent(s)/guardian(s) have signed a release of information form. All staff will comply with the state and federal child protection laws in reporting to appropriate protective service agencies.

IV. ACADEMIC AND NON-ACADEMIC SERVICES

A. Specific Bullying Prevention Approaches: Bullying prevention curricula will be informed by current research which, among other things, emphasizes the following approaches:

- using scripts and role plays to develop skills,
- empowering students to take action by knowing what to do when they witness other students or school staff engaged in acts of bullying or retaliation, including seeking adult assistance,
- helping students understand the dynamics of bullying and cyberbullying, including the underlying power imbalance,
- emphasizing cybersafety [and digital literacy], including safe and appropriate use of electronic communication technologies,
- enhancing students' skills for engaging in healthy relationships and respectful communications, and

- engaging students in a safe and supportive school environment that is respectful of diversity and difference.

Each year, District staff will review the Bullying Prevention and Intervention Plan with the students. Initiatives will also teach students about the student-related sections of the Bullying Prevention and Intervention Plan.

B. General Teaching Approaches that Support Bullying Prevention Efforts: The following approaches are integral to establishing a safe and supportive school environment. These underscore the importance of our bullying intervention and prevention initiatives:

- setting clear expectations for students and establishing school and classroom routines,
- creating safe and supportive school and classroom environments for all students, including students with disabilities, lesbian, gay, bisexual, transgender students, students experiencing homelessness, students who are in foster care settings, migrant students and military-connected students.
- using appropriate and positive responses and reinforcement, even when students require discipline,
- using positive behavioral supports,
- encouraging adults to develop positive relationships with students,
- modeling, teaching, and rewarding pro-social, healthy, and respectful behaviors,
- using positive approaches to behavioral health, including collaborative problem-solving, conflict resolution training, teamwork, and positive behavioral supports that aid in social and emotional development,
- using the Internet [and social media] safely, and
- supporting students' interest and participation in non-academic and extracurricular activities, particularly in their areas of strength.

V. POLICIES AND PROCEDURES FOR REPORTING AND RESPONDING TO BULLYING AND RETALIATION

A. Reporting Bullying or Retaliation: Reports of bullying or retaliation may be made by staff, students, parents or guardians, or others, and may be oral or written. Oral reports made by or to a staff member shall be recorded in writing. A school or district staff member is required to report immediately to the principal or designee or to the superintendent or designee when the principal or assistant principal is the alleged aggressor or to the school committee or designee when the superintendent is the alleged aggressor, any instance of bullying or retaliation the staff member becomes aware of or witnesses. Reports made by students, parents or guardians, or other individuals who are not school or district staff members, may be made anonymously. The school or district will make a variety of reporting resources available to the school community including, but not limited to, an Incident Reporting Form, a voicemail box, a dedicated mailing address, and an email address.

Use of an Incident Reporting Form is not required as a condition of making a report. The school or district will: 1) include a copy of the Incident Reporting Form in the beginning of the year packets for students and parents or guardians; 2) make it available in the school's main office, the counseling office, the school nurse's office, and other locations determined

by the principal or designee; and 3) post it on the school's website. The Incident Reporting Form will be made available in the most prevalent language(s) of origin of students and parents or guardians.

At the beginning of each school year, the school or district will provide the school community, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, paraprofessionals, students, and parents or guardians, with written notice of its policies for reporting acts of bullying and retaliation. A description of the reporting procedures and resources, including the name and contact information of the principal or designee, and the superintendent or designee when the principal or the assistant principal is the alleged aggressor, will be incorporated in student and staff handbooks, on the school or district website, and in information about the Plan that is made available to parents or guardians.

1. Reporting by Staff: A staff member will report immediately to the principal or designee, or to the superintendent or designee when the principal or the assistant principal is the alleged aggressor, or to the school committee or designee when the superintendent is the alleged aggressor when he/she witnesses or becomes aware of conduct that may be bullying or retaliation. The requirement to report as provided does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with school or district policies and procedures for behavior management and discipline.

2. Reporting by Students, Parents or Guardians, and Others: The school or district expects students, parents or guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the principal or designee, or superintendent or designee when the principal or assistant principal is the alleged aggressor. Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report. Students, parents or guardians, and others may request assistance from a staff member to complete a written report. Students will be provided practical, safe, private, and age-appropriate ways to report and discuss an incident of bullying with a staff member, or with the principal or designee, or superintendent or designee when the principal or assistant principal is the alleged aggressor.

B. Responding to a Report of Bullying or Retaliation Allegations of Bullying by a Student: In response to an allegation report of bullying or retaliation by a student, the following is recommended.

1. Safety: Before fully investigating the allegations of bullying or retaliation, the principal 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 or designee will take additional steps to promote safety during the course of and after the investigation, as necessary.

The principal 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.

2. Obligations to Notify Others: The principal or designee is obligated to notify the following of an allegation.

a. Notice to Parents or Guardians: Upon determining that bullying or retaliation has occurred, the principal or designee will promptly notify the parents or guardians of the target and the student aggressor of this, the procedures for responding to it, ad notice of actions to prevent further incidents. There may be circumstances in which the principal or designee contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.

b. Notice to Another School or District: If the reported incident involves students from more than one school district, charter school, non-public school, approve d private special education day or residential school, or collaborative school, the principal or designee first informed of the incident will promptly notify by telephone the principal or designee of the other school(s) of the incident so that each school may take appropriate action. All communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR 49.00.

c. Notice to Law Enforcement: At any point after receiving a report of bullying or retaliation, including after an investigation, if the principal or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the principal will notify the local law enforcement agency. Notice will be consistent with the requirements of 603 CMR 49.00 and locally established agreements with the local law enforcement agency. Also, if an incident occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in school, the principal or designee shall contact the local law enforcement agency if he or she has a reasonable basis to believe that criminal charges may be pursued against the student aggressor.

In making this determination, the principal will, consistent with the Plan and with applicable school or district policies and procedures, consult with the school resource officer, if any, and other individuals the principal or designee deems appropriate.

C. Investigation: The principal or designee will investigate promptly all reports of bullying or retaliation and, in doing so, will consider all available information known, including the nature of the allegation(s) and the ages of the students involved.

During the investigation the principal or designee will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The principal or designee (or whoever is conducting the investigation) will remind the alleged student aggressor, target, and witnesses of the importance of the investigation, their obligation to be truthful and that retaliation against someone who reports bullying or provides information during a bullying investigation is strictly prohibited and will result in disciplinary action.

Interviews may be conducted by the principal or designee, other staff members as determined by the principal or designee, and in consultation with the school counselor, as appropriate. To the extent practicable, and given his/her obligation to investigate and address the matter, the principal or designee will maintain confidentiality during the investigative process. The principal or designee will maintain a written record of the investigation. No discipline will be taken against an alleged aggressor based solely because of an anonymous report.

Procedures for investigating reports of bullying and retaliation will be consistent with school or district policies and procedures for investigations.

D. Determinations: The principal or designee will make a determination based upon all of the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the principal or designee will take steps reasonably calculated to prevent recurrence and to ensure that the target is not restricted in participating in school or in benefiting from school activities. The principal or designee will: 1) determine what remedial action is required, if any, and 2) determine what responsive actions and/or disciplinary action is necessary. The principal may impose a range of disciplinary actions against an aggressor for bullying or retaliation; provided, however, that the disciplinary actions shall balance the need for accountability with the need to teach appropriate behavior.

Depending upon the circumstances, the principal or designee may choose to consult with the students' teacher(s) and/or school counselor, and the target's or student aggressor's parents or guardians, to identify any underlying social or emotional issue(s) that may have contributed to the bullying behavior and to assess the level of need for additional social skills development.

The principal or designee will promptly notify the parents or guardians of the target and the aggressor about the results of the investigation and, if bullying or retaliation is found, what action is being taken to prevent further acts of bullying or retaliation. All notice to parents must comply with applicable state and federal privacy laws and regulations. Because of the legal requirements regarding the confidentiality of student records, the principal or designee cannot report specific information to the target's parent or guardian about the disciplinary action taken unless it involves a "stay away" order or other directive that the target must be aware of in order to report violations.

The principal or designee shall inform the parent or guardian of the target about the Department of Elementary and Secondary Education's problem resolution system and the process for accessing that system, regardless of the outcome of the bullying determination. In addition, the principal may refer targets, aggressors, and families for counseling.

E. Responses to Bullying*:* The District will include the following to remediate or prevent further bullying and retaliation.

1. Teaching Appropriate Behavior Through Skills Building: Upon the principal or designee determining that bullying or retaliation has occurred, the law requires that the school or district use a range of responses that balance the need for accountability with the need to teach appropriate behavior. M.G.L. c. 71, § 37O (d) (v). Skill-building approaches that the principal or designee may consider include but are not limited to:

   - offering individualized skill-building sessions based on the school's/district's anti-bullying curricula,
   - providing relevant educational activities for individual students or groups of students, in consultation with guidance counselors and other appropriate school personnel.
   - implementing a range of academic and nonacademic positive behavioral supports to help students understand pro-social ways to achieve their goals,
   - meeting with parents and guardians to engage parental support and to reinforce the anti-bullying curricula and social skills building activities at home,
   - adopting behavioral plans to include a focus on developing specific social skills, and
   - making a referral for evaluation.

2. Taking Disciplinary Action: If the principal or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the principal or designee, including the nature of the conduct, the age of the student(s) involved, and the need to balance accountability with the teaching of appropriate behavior. Discipline will be consistent with the Plan and with the school's or district's code of conduct.

   Discipline procedures for students with disabilities are governed by the federal Individuals with Disabilities Education Improvement Act (IDEA), which should be read in cooperation with state laws regarding student discipline.

   If the principal or designee determines that a student knowingly made a false allegation of bullying or retaliation, that student may be subject to disciplinary action.

3. Promoting Safety for the Target and Others**:** The principal or designee will consider what adjustments, if any, are needed in the school environment to enhance the target's sense of safety and that of others as well. One strategy that the principal or designee may use is to increase adult supervision at transition times and in locations where bullying is known to have occurred or is likely to occur.

   Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the principal 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 or designee will work with appropriate school staff to implement them immediately.

F. Responding to a Report of Bullying by School Staff: The Newburyport Public Schools will respond to and resolve a report of bullying of a student by school staff in accordance with district policy and procedures. This includes safety planning, notification to parent or guardians and others, investigation, and response similar to when a student is alleged to have bullied another student (see Sections B, C, D & E above). The district emphasizes the importance of an investigation, the need for the aggressor, target, and witnesses to be truthful, and that retaliation against someone who reports bullying or provides information during a bullying investigation is strictly prohibited and will result in disciplinary action.

VI. PROHIBITION AGAINST BULLYING AND RETALIATION

The law requires the Plan to include a statement prohibiting bullying, cyberbullying, and retaliation. The statement is included in the Plan, in the student handbook, and the staff handbook. The following statement is incorporated directly from M.G.L. c. 71, § 37O (b), and describes the law's requirements for the prohibitions of bullying.

Acts of bullying, which include cyberbullying, are prohibited:

(i) on school grounds and property immediately adjacent to school grounds, at a school-sponsored or school-related activity, function, or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased, or used by a school district of schools; or through the use of technology or an electronic device owned, leased, or used by a school district or school, and

(ii) at a location, activity, function, or program that is not school-related through the use of technology or an electronic device that is not owned, leased, or used by a school district or school, if the acts create event a hostile environment at school for the target or witnesses, infringe on their rights at school, or materially and substantially disrupt the education process or the orderly operation of a school.

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

As stated in M.G.L. c. 71, § 37O, nothing in this Plan requires the Newburyport Public Schools to staff any non-school related activities, functions, or programs.

VII. PROBLEM RESOLUTION SYSTEM

Any parent wishing to file a claim/concern or seeking assistance outside of the district may do so with the Department of Elementary and Secondary Education Program Resolution System (PRS). That information can be found at: http://www.doe.mass.edu/prs, emails can be sent to DESECompliance@mass.gov or individuals can call 781-338-3700. Problem Resolution System. Hard copies of this information will also be available at each school or district's Superintendent's office.

VIII. DEFINITIONS

Aggressor is a student who engages in bullying, cyberbullying, or retaliation.

Bystander/Witness a person who observes bullying behavior that he/she has witnessed and may or may not assist in the situation

CMR Code of Massachusetts Regulations

MGL Massachusetts General Law

Bullying as defined in M.G.L. c. 71, § 37O, is the repeated use by one or more students or a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:

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

The Newburyport Public Schools also defines bullying as unfair and one-sided and involves an imbalance of power. It happens when someone is repeatedly hurting, frightening, threatening, or leaving someone out on purpose.
Cyberbullying is bullying through the use of technology or electronic devices such as telephones, cell phones, photographs, computers, and the Internet. It includes, but is not limited to, email, text messages, and Internet postings, and social media.

Cyberbullying shall also include the creation of a web page or blog in which the creator assumes the identity of another person; or the knowing impersonation of another person. Cyberbullying shall also include the distribution by electronic means of a communication to more than one persons 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 of bullying.

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 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 includes, 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 is a student against whom bullying, cyberbullying, or retaliation has been perpetrated.

IX. TRAINING AND PROFESSIONAL DEVELOPMENT

Newburyport's Plan reflects the requirements under M.G.L. c. 71, § 37O to provide ongoing professional development for all staff, including but not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, and paraprofessionals.

M.G.L. 71, § 37O lists six topics that must be included in professional development. The law defines two levels of professional development that school systems must provide for all staff:

A. Annual staff training on the Plan: Annual training for all school staff on the Plan will include staff duties under the Plan, an overview of the steps that the principal or designee will follow upon receipt of a report of bullying or retaliation, and an overview of the bullying prevention curricula to be offered at all grades throughout the school or district. Staff members hired after the start of the school year are required to participate in school based training during the school year in which they are hired, unless they can demonstrate participation in an acceptable and comparable program within the last two years. The principal of the building is responsible to ensure this training occurs for any new staff member. The annual training will be conducted at the beginning of the school year. Most training will occur under the direction of the principal at each school. Any Newburyport Public School employee with training in recognized training programs may also lead trainings in each school building. Use of law enforcement to assist in training components of M.G.L. 71, § 37O will also be utilized.

The Superintendent shall ensure that:

1. Training is provided to all school staff, including teachers and para-educators; secretaries, cafeteria workers, administrators, nurses, guidance counselors; maintenance staff; coaches; advisors, and bus drivers on an annual basis as required by state law.
2. Bullying prevention programs and anti-bullying curriculum is formulated and regularly reviewed, as well as training provided for staff in implementing the curriculum.
3. The professional development plan is published annually and provided to every staff member.
4. We recognize that certain students may be more vulnerable targets of bullying, harassment, or teasing based on actual or perceived characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic, status, homelessness, academic status, gender identity or expression, physical appearance, or sensory, disability, or by association with a person who has or is perceived to have one or more of these characteristics. The school or district will identify specific steps it will

take to create a safe, supportive environment for vulnerable populations in the school community, and provide all students with the skills, knowledge, and strategies to prevent or respond to bullying, harassment, or teasing.

B. Ongoing professional development: The goal of professional development is to establish a common understanding of tools necessary for staff to create a school climate that promotes safety, civil communication, and respect for differences. Professional development will build the skills of staff members to prevent, identify, and respond to bullying. As required by M.G.L. c. 71, § 37O, the content of school wide and district wide professional development will be informed by research and will include information on:

- Developmentally (or age) appropriate strategies to prevent bullying
- Developmentally (or age) 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 an aggressor, target, 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;
- Information on the incidence and nature of cyberbullying
- Internet safety issues as they relate to cyberbullying

Ways to prevent and respond to bullying or retaliation for students with disabilities 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.

Each school leadership team may design professional development in-service based on a determination of staff needs. Additional objectives of professional development may include:

- promoting and modeling the use of respectful language
- fostering an understanding of and respect for diversity and difference
- building relationships and communicating with families
- constructively managing classroom behaviors
- using positive behavioral intervention strategies
- applying constructive disciplinary practices
- teaching students skills including positive communication, anger management, and
- empathy for others
- engaging students in school or classroom planning and decision-making and maintaining a safe and caring classroom for all students
- maintaining a safe and caring classroom environment for all students

The district will work with the bus company that serves the Newburyport Public Schools to ensure that professional development provided to bus drivers on an annual basis and meets the district's expectations for quality professional development.

C. Written notice to staff: The Newburyport Public Schools will provide all staff with an annual written notice of the Plan by publishing information about it, including sections related to staff responsibilities in each school's Staff Handbook.

X. COLLABORATION WITH FAMILIES

The law requires the district or school Plan to include provisions for informing parents or guardians about the bullying prevention and intervention curricula used by the school district or school including: (i) how parents and guardians can reinforce the curricula at home and support the school or district plan; (ii) the dynamics of bullying; and (iii) online safety and cyberbullying. Parents and guardians must also be notified in writing each year about the student-related sections of the Bullying Prevention and Intervention Plan, in the language(s) most prevalent among the parents or guardians. School- or district-specific approaches to collaboration should take into account age, climate, socio-economic factors, linguistic, and cultural make-up of students and the parents.

The Newburyport Public Schools has developed a comprehensive anti-bullying curriculum most appropriate for each school and grade in which they are implemented. The curriculum incorporates bullying prevention, conflict resolution and asset building. Collaborative decisions were made about the curricula taking into account students' developmental stages, school culture, community contexts, and district goals.

A. Parent education and resources: The school or district offers education programs for parents and guardians that are focused on the parental components of the bullying prevention curricula, anti-bullying curricula and any social competency curricula used by the district or school. The programs may be offered in collaboration with the home and school organizations, School Councils, Special Education Parent Advisory Council, athletics, Guidance Departments at the middle and high schools, Beacon Coalition and Youth Services organizations. Newburyport will host speakers, conduct parent forums on bullying and cyberbullying prevention on an ongoing basis. We provide parents with opportunities to participate in workshops held by agencies such as the Essex County District Attorney's Office and, the Massachusetts Department of Elementary and Secondary Education, and the Massachusetts Aggression Reduction Center (MARC).

B. Notification requirements: Every year, the Newburyport Pubic Schools inform parents or guardians of enrolled students about the bullying prevention and anti-bullying curricula that are being used. This notice includes information about the dynamics of bullying, including cyberbullying and online safety. The school or district provides parents information about the student-related sections of the Plan and the school's or district's Internet safety policy through the schools' student handbooks. All notices and information made available to parents or guardians will be in hard copy and electronic format and will be available in the language(s) most prevalent among parents or guardians. The school or district posts the Plan and related information on its website.

XI. RELATIONSHIP TO OTHER LAWS OR DISTRICT POLICIES

Consistent with state and federal laws, and the policies of the Newburyport Public Schools no person shall be discriminated against in obtaining the advantages, privilege and courses of study on account of race, color, religion, ancestry, national origin, sex, socioeconomic status, academic status, gender identity or expression, physical appearance, sexual orientation, or mental, physical, developmental, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics. Nothing in the Plan prevents the Newburyport Public Schools 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 or district policies.

In addition, nothing in the Plan is designed or intended to limit the authority of the Newburyport Public Schools to take disciplinary action or other action under M.G.L. c. 71, §§ 37H or 37H ½, M.G.L. c. 71, §§41 and 42, M.G.L.c 76 § 5, or other applicable laws, or local school or district policies, or collective bargaining agreements, in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.

REFERENCES:

United State Department of Education Office for Civil Rights Letter on Harassment and Bullying - October 26, 2010

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

LEGAL REFERENCES:

Title VII, Section 703, Civil Rights Act of 1964

Title IX of the Education Amendments of 1972

603 CMR 26.00	Mandatory Reporting
MGL 37H, 37H1/2	Policies relative to conduct of teachers or students; student handbook
MGL 71:370 MGL	School bullying prohibited; bullying prevention plans
265:43, 43A MGL	Crimes against a person
268:13B MGL	Intimidation of witnesses and jurors
269:14A	Annoying telephone calls

CROSS REFERENCE POLICIES:

JICD Anti-Bullying Policy and Hierarchy of Interventions

ACAB-1 Policy against Harassment

Appendix C

Translation and communication for families and students where English is a second language

The Newburyport Public Schools is committed to its obligation under Title VI of the Civil Rights Act of 1964 (Title VI), Section 504 of the Rehabilitation Act of 1973 (Section 504), and Title II of the Americans with Disabilities Act of 1990 (Title 11). As part of the District's obligations, during initial student registration, all parents/guardians will be inquired, in their native language or a language they can understand, whether they would like notices and information from their child's school and the District to be provided in a language other than English. The District will record this information in all relevant student information files or folders and in any electronic student information system. In addition, during initial student registration, the District will also inquire whether parents/guardians require the student-parent handbook translated and, upon Parent request, the District will translate the parent-student handbook into the Parents' native language or a language they can understand.

All notices or documents containing essential information will also be translated for parents/guardians who have requested notices in a language other than English. Essential information includes but is not limited to the following: information about special education matters arising under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973 *(e.g.,* IEP or 504 meetings); report cards and other academic progress reports; information about the disciplinary process; requests for parent/guardian permission for student participation in District/school sponsored programs and activities; promotional materials and announcements distributed to students that contain information about school and District activities for which notice is needed to participate in such activities *(e.g.,* testing, activities requiring an application, parent-teacher conferences, open houses); Student-parent handbooks; documents concerning enrollment or registration; Documents concerning academic options and planning; documents concerning screening procedures requesting a student's language background and a parent's/guardian's preferred method of communication; information related to public health and safety; and any other written information describing the rights and responsibilities of parents/guardians or students and the benefits and services available to parents/guardians and students. The District will also provide written or oral translations of information that is not deemed "essential information" upon receiving a reasonable, specific request for such information from limited-English proficiency ("LEP") parents/guardians.

In addition, when a District employee needs to communicate with an LEP parent/guardian orally regarding essential information, the communication will be provided, without undue delay, in a language that the parent/guardian understands by means of a qualified interpreter.

Rupert A. Nock Middle School—Handbook Sign-off Sheet

Please return this sheet to your child's homeroom/advisor.

I have read the entire handbook for the Rupert A. Nock Middle School for the school year 2023-24.

Student Name: _____

Grade: _____ Team: _____

Teacher: _____

Parent Signature: _____

Student Signature: _____

Date: _____