

FALL RIVER

PUBLIC SCHOOLS

DISTRICT HANDBOOK

2025 - 2026

Grades Pre-K to 12

Fall River School Committee
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MISSION STATEMENT

The mission of the Fall River Public Schools is to provide a value added, high quality, all-encompassing, educational experience, ensuring preparation for successful transition to college and/or career, so that all students will attain their fullest potential and become responsible members of society. We are committed to educating in a respectful, safe, healthy, and supportive environment that links students, parents, and staff as a community of lifelong learners and capable problem solvers.

As we endeavor to accomplish our educational mission, we also strive for inclusiveness. Not only do we prohibit discrimination of any kind based upon race, color, sex, gender identity, religion, national origin, sexual orientation, homelessness, or disability – we proactively reach out to all students to ensure that active participation in all curricular and extracurricular programs is representative of our diverse student population. Equal educational opportunity is not only a legal requirement, but something we earnestly pursue.

VISION STATEMENT

The Fall River Public Schools shall be one where we strive for individualization and personalization of learning and teaching, where excellence for all is expected, and where collaboration and communication among all stakeholders are the norms. As such, our graduates will be reliable, personally and socially responsible, culturally proficient, physically fit, emotionally mature, technologically skilled, and civically engaged – locally, nationally, and globally. Our graduates will be appreciative of the fine and performing arts, athletics, and the value of lifelong learning; they will demonstrate personal integrity and compassion for others by being neighborly without distinction.

ABOUT OUR HANDBOOK

The Fall River Public Schools is pleased to present the 2025-2026 District Handbook to inform students and parents/guardians of the important procedures and policies that are in effect in our school system. The policies/procedures have been prepared by the Fall River Public Schools Administration and were approved by the Fall River School Committee.

The handbook is designed to provide an overview of our policies and procedures. To view all existing policies/procedures, please go to our website: <https://www.fallriverschools.org/> and click on the District Information tab, then District and Student Handbooks. Please be sure to review this handbook with your child(ren) and keep a copy for future reference. Best wishes for a successful 2025-2026 school year!

ACADEMIC CALENDAR 2025-2026

<i>Professional Development/Orientation Day:</i> (No school for students)	Tuesday, August 26, 2025
<i>Opening Day of School:</i>	Wednesday, August 27, 2025 (PreK begins 9/2/25; Kindergarten begins 9/5/25)
<i>No school</i>	Friday, August 29, 2025
<i>Labor Day-No school:</i>	Monday, September 1, 2025
<i>Columbus Day:</i>	Monday, October 13, 2025
Professional Development Day: (No school for students)	Tuesday, November 4, 2025
<i>Veterans Day:</i>	Tuesday, November 11, 2025
<i>Early Release Day (for staff & students):</i>	Wednesday, November 26, 2025
<i>Thanksgiving Recess:</i>	Thursday, November 27, 2025 and Friday, November 28, 2025
<i>Early Release Day (for staff & students):</i>	Friday, December 19, 2025
<i>Christmas-New Year Recess:</i>	December 22, 2025 through January 2, 2026 (Recess begins at the early release of school on Friday, December 19, 2025 /school resumes on Monday, January 5, 2026)
<i>Martin Luther King Jr.'s Birthday Observance:</i>	Monday, January 19, 2026
Professional Development Day: (No school for students)	Friday, February 6, 2026
<i>Winter Recess:</i>	February 16, 2026 through February 20, 2026 (Recess begins at the close of school on Friday, February 13, 2026 /school resumes on Monday, February 23, 2026)
<i>Good Friday:</i>	Friday, April 3, 2026 *no school in session /district offices will be closed
<i>Spring Recess:</i>	April 20, 2026, through April 24, 2026 (Recess begins at the close of school on Friday, April 17, 2026 /school resumes on Monday, April 27, 2026)
<i>Memorial Day:</i>	Monday, May 25, 2026
<i>Last Day for Durfee High School Seniors:</i>	Monday, June 1, 2026
<i>Durfee High School Graduation:</i>	Friday, June 5, 2026
<i>Closing Day of School:</i>	Wednesday, June 17, 2026 (NOTE: The last two days of school are half-days for students)
<i>Juneteenth Holiday</i>	Friday, June 19, 2026
<i>Inclement Weather Date:</i>	Thursday, June 25, 2026
The 2025-2026 Instructional School Year is scheduled to end on Wednesday June 17, 2026. If a school day is cancelled due to inclement weather conditions or other emergencies, the day or days will be added to the closing date of the school year. If five instructional school days are cancelled due to inclement weather conditions or other emergencies, schools will close on Thursday, June 25, 2026. All personnel must be prepared for a Thursday, June 25th closing. NOTE: In the event that any of the Professional Development Days are cancelled because of inclement weather or other emergencies, they will be made up at the conclusion of the 2025-2026 school year.	
End of Trimesters: (Elementary)	I Trimester (58 days): Friday, November 21 II Trimester (61 days): Friday, March 13 III Trimester (61 days): Closing date/inclement weather date

NO SCHOOL ANNOUNCEMENTS

Upon receipt of a severe weather alert, heavy snowfall, icy streets or when other hazards make streets unsafe, the Superintendent, in conjunction with the executive team, will decide whether the school session will be canceled or delayed by 2 hours. Cancellation and delay announcements will be made using the ParentSquare platform, and families can expect to receive phone, text, and email messages. Additionally, the information will be posted on the district website and the district's social media platforms.

Automated Messaging Service: During the school year, the Fall River Public Schools (FRPS) will be using a communication platform for school-to-parent communication. Parents may receive messages from the district regarding school closure or cancellations, transportation or any activities taking place at the district level. Our school staff may also send parents information that is specific to our school, such as Open House, field trips or school-based events. Parents are asked to please be sure all phone numbers are kept current in the school office.

EMERGENCY EARLY DISMISSALS

The FRPS will dismiss or cancel school in the event that an emergency situation exists, which could affect the safety and welfare of our students. At the beginning of each school year, all parents/guardians will be informed of the School Department's policy as it relates to no school, delays, and early dismissals for emergency reasons.

For those students who are not regularly provided with transportation by FRPS, it is the expectation of the FRPS that each parent/guardian will make arrangements for their student to get home safely in the event school is dismissed early. The FRPS will make every effort possible to provide the general public with at least one-hour notification through the local media prior to the dismissal of students for emergency reasons.

All employees of the FRPS will make every reasonable effort to assist in ensuring that students get home safely.

ATTENDANCE

Why Attendance Matters

Fall River Public Schools' goal is to ensure that every student attends school regularly and is actively engaged in their learning. Attending school regularly has a huge impact on a student's academic success and helps them feel better about school—and themselves. Families play a key role in building this habit from Pre-Kindergarten through 12th grade so that students learn that going to school on time every day is important. Developing the skill of consistent attendance will help students succeed in their academic career, as a student, and through college and in the workplace.

While some absences are unavoidable due to health problems or other circumstances, when students miss too much school—regardless of the reason – it often causes them to fall behind academically. Your child is less likely to succeed if he or she is chronically absent—which means missing 18 or more days over the course of an entire school year.

Research shows:

- Children chronically absent in kindergarten and 1st grade are much less likely to read at grade level by the end of 3rd grade.
- By 6th grade, chronic absence is a proven early warning sign for students at risk of dropping out of school.
- By 9th grade, good attendance can predict graduation rates even better than 8th-grade test scores.

Absences can add up quickly. A child is chronically absent if he or she misses just two days every month!! We don't want your child to fall behind in school and get discouraged. Please ensure that your child attends school every day and arrives on time.

For more school attendance information, please visit the following school webpage:

- <https://www.fallriverschools.org/departments/attendance-support>

Attendance Information for All Levels Pre-K to 12

FRPS is dedicated to supporting students and their families through a range of support staff:

- Attendance Officers
- Adjustment Counselors (SACs),
- Guidance Counselors,
- Administrators
- Teachers
- Parent Community Facilitators
- School support staff

FRPS staff communicates by telephone, letters, or home visits with parents/guardians of children who are chronically absent. They work with community partners, such as the Family Resource Center or the Department of Children and Families (DCF), to offer support to families and assist them in getting their children to school every day on time.

School Attendance Officers are mandated to take parents or students to court if truancy continues and children are being denied a consistent and comprehensive education.

Parents/guardians have a **legal responsibility** to ensure their child attends each school calendar day.

State Laws Regarding Attendance

The following State Laws outline the responsibilities of parents/guardians for monitoring and preventing children's absences from school:

- The Commonwealth of Massachusetts states that **parents are required** to ensure children between the ages of 6 to 16 attend school. (Chapter 76, section 1 of the MA General Laws)
- Parents/guardians must provide the school with accurate contact information and must inform the school regarding the reason for a child's absence. (Chapter 76, section 1A of the MA General Laws)
- Educational professionals are mandated to report to the Department of Children and Family (DCF) their belief that a child is suffering from educational neglect. *M.G.L. c. 119, section 51A*
- Without a warrant, School Attendance Officers may apprehend truants found wandering and return them to school.
- If truancy persists, School Attendance Officers may file a Child Requiring Assistance application with Juvenile Court. If a student is in elementary school, a criminal complaint for Failure to Cause School Attendance may be filed against the parent. (<http://www.mass.gov/courts/selfhelp/family/cra.html>)
- Families that receive benefits under Transitional Aid to Families with Dependent Children may be subject to specific attendance requirements.

Parent/Guardian Information and Responsibilities

Parents/guardians have a **legal responsibility** to ensure their child attends each school calendar day. Chapter 76, section 2 of the MA General Laws. Parents/guardians must provide the school with accurate contact information and must inform the school regarding the reason for a child's absence. (Chapter 76, section 1A of the MA General Laws).

On the day a student is absent, it is the responsibility of a parent or guardian to telephone your child's school within the first 90 minutes of the school day to give a valid reason for the absence. Families are also encouraged to use Parent Square to communicate with our schools directly.

School Attendance Lines

Alfred S. Letourneau Elementary	508-676-2170
B.M.C. Durfee High School	508-675-8100
Carlton M. Viveiros Elementary School	508-675-8300
Early Learning Center	508-675-8224

Edmond P. Talbot Middle School	508-675-8350
Fall River Learning Center	774-688-4087
Frank M. Silvia Elementary School	508-675-9811
Henry Lord Community School	508-675-8208
James Madison Morton Middle School	508-675-8340
James Tansey Elementary School	508-675-8206
John J. Doran Community School	508-675-8225
Mary L. Fonseca Elementary School	508-675-8177
Matthew J. Kuss Middle School	508-675-8335
Robert L. Medeiros Resiliency Preparatory Academy	508-675-8230
Samuel Watson Elementary School	508-675-8240
Spencer Borden Elementary School	508-675-8202
Stone Day School	508-675-8210
Westall Elementary School	508-675-8570
William S. Greene Elementary School	508-675-8325

Chronic Absenteeism

A student who misses 10% or more of school *due to excused and unexcused absences* is considered chronically absent. (e.g., school is in session for 30 days, and the student is absent a total of 3 or more excused and unexcused days)

- The state of Massachusetts DOES NOT recognize or differentiate between excused or unexcused absences; *an absence is an absence*.
- Fall River Public Schools monitors student attendance so that ALL STUDENTS remain *under 17* excused or unexcused absences for the school year.
- **18 or more** excused or unexcused absences in a school year designate your student chronically absent with the state of Massachusetts.
- Chronically absent students may be ineligible to move from one grade to the next. Circumstances surrounding promotion or retention will be considered by the school principal on an individual basis.

Truancy

- Under state law, a school-aged child who is not excused from attendance and who “willfully” fails to attend school for more than 8 school days in a quarter is considered *habitually truant*. A parent/guardian note does not excuse an absence if the absence does not meet the criteria to be excused.

Excused Absences

Excused absences will be permitted under the following circumstances:

- Student illness or injury with a valid doctor’s note specifying the dates to be excused

Note: Wellness visits should be scheduled after school hours or at the beginning or end of a school day so students can still be in school for as much of the school day as is possible.

- Death in the immediate family (parental note required/Principal discretion for verification) *Note: Students shall be entitled to excused absence(s) for up to **THREE SCHOOL DAYS** at time of death or thereabouts. Immediate family shall include parent/guardian, grandparent, child, sibling, or step-family members. (Principal discretion can approve additional time as needed)*

- In the case of the death of an aunt, uncle, niece, or nephew, an absence of ONE calendar day to attend the funeral. (Principal discretion can approve additional time as needed)
- Religious holidays as determined by the MA Department of Elementary and Secondary Education (DESE) (parental note required)
- Court/Legal summons (student's name must appear on the summons)
- School-approved activities
- College visits (documentation required)

What are unexcused absences?

An absence is considered unexcused when a student misses school for reasons that are not accepted by the school, with or without parental permission. Unexcused absences including the following:

- Attending parent/guardian appointments
- Attending parent/guardian court summons
- Family travel/vacation
- Staying home to take care of siblings or other family members
- Missing the school bus
- Sleeping late
- Weather-related absences other than when the district has canceled school
- Undocumented illness/injury

Absence-Notification

On the day a student is absent, it is the responsibility of a parent or guardian to telephone your child's school within the first 90 minutes of the school day to give a valid reason for the absence. Families are also encouraged to use Parent Square to communicate with our schools directly.

All FRPS families will receive an automated message via email, text, or phone (Parent Square) when their child is marked absent from school within a timeframe, as determined by the Superintendent, after the official start of the individual school day.

Suspensions

Students who are absent due to out-of-school suspensions will be provided work and expected to complete all assignments. Absences due to suspension are considered excused but still count against a student's chronically absent total.

Tardies

A student who is not in his/her school at the start of the school day is considered tardy. Any school delays declared by the Superintendent will not count as a tardy for students. Frequent or chronic tardiness shall result in a parent-school conference to determine whether additional action is necessary.

For a school day to be counted towards a student's attendance, he/she must be present for 50% or more of the school day. Anything less will be counted as an absence.

Dismissals

- All requests for early dismissals must be submitted in writing (written note or email) and given to the principal or designee at the start of the school day or, if possible, give the school 24-hour notice.
- Teachers are teaching students up to the final dismissal time. While early dismissals are discouraged, it is recognized that emergencies sometimes arise.
- Frequent or chronic early dismissals shall result in a parent-school conference to determine whether additional action is necessary.

Middle and High School Only Related Attendance Policy:

Impact on Grades/D4 Policy

- After the 4th unexcused absence of a class during a term at our traditional middle schools and Durfee High School, a student's grade will be lowered to a 65(D4) unless they participate in the attendance buyback initiative listed below. Students who have earned a grade lower than 65 will continue to earn their actual academic grade.
 - Community Schools (Doran/HLCS) on a trimester schedule will follow the D5 policy so that the absence ratio in the policy is consistent with that of schools on a term schedule.
- In extraordinary cases, a student with demonstrated proficiency who is in jeopardy of receiving a D4 or D5 due to the attendance policy may appeal the decision to the principal or designee. The principal's decision will be final.

Attendance Buyback Initiative

- Students at our traditional middle schools and Durfee High School who are in danger of or have hit their 4th unexcused absence (D4) in any term can request a buyback.
 - Students at our community schools (Doran/HLCS) who are in danger of or have hit their 5th unexcused absence (D5) in any term can request a buyback.
- The student must request a buyback form from a school-based administrator and are responsible for returning the form back to their school-based administrator when it is complete.
- A buy-back takes 5 consecutive days of being present.

During the duration of time, the student is on a buyback, they must:

- Have 100% attendance.
- Be on time to school and all classes (No Tardies and No Dismissals).
- Complete ALL work on time
- Show positive classroom and school-wide behavior. If the student successfully completes the agreed-upon expectations, one absence will be excused and entered into their attendance record as excused (buy-back). Students may buy back a maximum of two absences per term.

District Response When A Student Misses School

When a student is absent from school, the school staff will make every effort to find out why the student is absent. Each school shall follow the outlined tiered approach to supporting students who are absent from school.

When a student is absent from school, the parent/ guardian can expect:

- **Tier 1:**
 - All Students: Daily automated calls regarding attendance from schools via Parent Square.
 - Any Students with historically Poor Attendance/Chronic Absenteeism: In addition to the automated call, the student will receive a call and/or email from school-based staff for the purpose of information gathering, messaging around the importance of regular attendance, and to seek a commitment to attend beginning the next school day.
 - Any student absent for 2 consecutive days, without communication by parent/guardian, in addition to the automated call, should expect to hear from school staff to discuss absences.
 - **Students Absent Three Consecutive Days:** In addition to the automated call, the student will receive a call from a building administrator for the purpose of information gathering, messaging around the importance of regular attendance, and to seek a commitment to attend beginning the next school day.

If contact is not made OR once a student has been absent for 10% of the school year, a referral will be made to the school Student Support Team or Attendance Team for a personal student intervention and incentive plan to foster school attendance.

If the actions listed above are unsuccessful and/or absences continue, the following actions will be taken:

- **Tier II:**
 - Students Absent Four Consecutive Days (Unaccounted For): When the Attendance Officer/SAC/school counselor is able to meet with the student(s) and family, a personal student intervention and incentive plan to foster school attendance will be created.
 - If the building administrator/attendance officer is unable to reach the student or family and the student is still unaccounted for, an unscheduled home visit will be made by the Attendance Officer and potentially SAC or school counselor.
 - If the Attendance Officer/SAC/school counselor is unable to meet with the student and family, a Tier III referral will be made.

- **Tier III:**

- Students Absent Five Consecutive Days (Unaccounted For):
- **At the request of building leadership, SROs may conduct safety and wellness checks for unaccounted students. (This is mandatory for students who have not made contact or have not been seen for 5 consecutive school days.)**
- Staff may file a 51A with DCF (this is not mandatory but an option to be considered by the administrative team).
- Attendance officers can make additional unannounced home visits to the homes of unaccounted students.

Should All School Interventions Fail?

Attendance officers may file an Adult Failure to Cause School Attendance complaint against the Parent/guardian when elementary students (6 yrs. old and up) with 7 unexcused days or in a 6-month period.

School Attendance Officers can initiate court action in the form of a CRA on middle and high school students (up to age 16) with:

- 9 or more unexcused absences in a quarter
- 11 or more unexcused absences in a trimester

Remote/ Hybrid Attendance Policy

In the event that hybrid learning is allowed and required due to a state of emergency Fall River Public Schools must implement remote or hybrid learning. All students will be expected to be active participants in all classes every day. If we cannot move safely to 100% full in-person learning, we will remain in the hybrid or remote model for as long as necessary. If a student is absent from class, the school will seek to implement the protocols described in the “**DISTRICT RESPONSE WHEN A STUDENT MISSES SCHOOL**” section of the district attendance policy.

STUDENT TRANSFER PROCESS

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

FRPS students are assigned to neighborhood school(s) based on their residence. Students may be reassigned based on needs for specialized programming or in consideration of enrollment numbers.

At FRPS, an “in-district student transfer” is defined as a student moving from a district-assigned school to another FRPS school. Decisions around in-district student transfer requests are made using the following process:

The transfer request portal opens the first week of July;

Requests are reviewed during the first 2 weeks of August by a district team; and

The final decision on a student transfer request is granted by the Superintendent.

In-district transfer requests are granted based on the availability of seats at the requested school once informed enrollment projections are finalized for each school. Priority is given to families with siblings at the requested school, followed by hardships, then preference. Students who are chronically absent will not be eligible for an in-district transfer.

Transportation will not be provided when a student is assigned to a school based on a request.

Students who have been granted an in-district transfer will be reassigned to their neighborhood school if they become chronically absent. Additionally, students may be reassigned to their neighborhood schools if the requested school becomes over-enrolled from one year to the next.

To submit a transfer request, a parent/guardian must fill out the transfer request form online, located on the FRPS webpage during the month of July.

SPECIAL EDUCATION PLACEMENT AND TRANSFER PROCESS:

Fall River Public Schools follows Massachusetts state regulations regarding placement of students with disabilities, 603 C.M.R. 28.06 et. seq. Any transfer requests for students with disabilities will be considered in conjunction with the student's IEP Team and special education placement regulations.

NON-DISCRIMINATION AND HARASSMENT POLICY

The Fall River Public Schools does not tolerate discrimination against students, parents, employees or the general public on the basis of race, color, national origin, sex, sexual orientation, gender identity, disability, homelessness, religion, age or immigration status. The Fall River Public Schools is also committed to maintaining a school environment free of harassment based on race, color, religion, national origin, gender, sexual orientation, gender identity, pregnancy or pregnancy status, age or disability. In addition, the district provides equal access to all designated youth groups. Consistent with the requirements of the McKinney-Vento Act, the district also does not discriminate against students on the basis of homelessness.

The Superintendent shall designate at least one administrator to serve as the compliance officer for the district's non-discrimination policies in education-related activities, including but not limited to responding to inquiries related to Title VI of the Civil Rights Act of 1964; Title VII of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973; Title II of the Americans with Disabilities Act; the Age Act; M.G.L. c. 76, § 5; M.G.L. c. 151B and 151C; and 603 C.M.R. § 26.00. Inquiries about the application of Title IX to the district may be referred to the district's Title IX Coordinator, to the Assistant Secretary of the U.S. Department of Education, or both.

The Fall River Public Schools' 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 employment, admission to a public school of Fall River 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, age, homelessness, disability or immigration status.

In addition to designating at least one administrator to handle inquiries regarding the district's nondiscrimination policies, the Superintendent shall adopt and publish one or more grievance procedures for addressing reports of discrimination, harassment and retaliation under the protected classes identified in this policy. If an individual interested in filing a complaint that they have been discriminated against because of their race, color, sex, gender identity, religion, national origin, sexual orientation, homelessness, disability, or immigration status, their complaint should be filed in accordance with the district's grievance procedures for discrimination, harassment, and retaliation.

The student handbooks and grievance procedures shall identify the name, office address and telephone number for the compliance officer(s) for the above-referenced statutes and this policy and be posted on the district's website.

The individual listed below has been designated to handle the inquiries regarding the district's non-discrimination policies in education-related activities, including but not limited to inquiries related to Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Age Act.

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HOMELESS EDUCATION POLICY & PROCEDURES

As required by law, the district will work with homeless children and youth and unaccompanied youths¹ (collectively, "homeless students") as well as their families or legal guardians to provide stability in school attendance and other services. Special attention will be given to ensuring the enrollment and attendance of homeless students not currently attending school. Homeless students will be provided district services for which they are eligible, including Head Start and comparable pre-school programs, Title I, similar state programs, special education, bilingual education, vocational and technical education programs, gifted and talented programs, school nutrition programs, summer programming and extracurricular activities.

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

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

Students Remaining in Schools of Origin

It is presumed to be in the best interest of homeless students to remain in their schools of origin, i.e. the school that the student was attending at the time he or she became homeless, or the last school the student attended prior to becoming homeless. Homeless students may continue to attend their school of origin for as long as they remain homeless or until the end of the academic year in which they obtain permanent housing. For homeless students who complete the final grade level served by the school of origin, the term "school of origin" shall also include the receiving school in the same school district educating students at the next grade level.

Homeless students are entitled to transportation comparable to that provided for all other students attending school in the district. The district will transport students who are sheltered or temporarily residing within the district to the students' school of origin. For homeless students attending a school of origin located outside the district in which the student is sheltered or temporarily residing, the district in which the school of origin is located will coordinate with the district in which the student is sheltered or temporarily residing to provide the transportation services necessary for the student, and these districts will divide the cost equally. Formerly homeless students who find permanent housing mid-school year will continue to receive transportation services until the end of the school year.

Students Enrolling in District Where Sheltered or Temporarily Residing

Parents or guardians may elect to enroll homeless students in the school district in which the student is sheltered or temporarily residing, rather than having the student remain in the school of origin. Enrollment changes for homeless students should take place immediately. If homeless students are unable to provide written proof of their shelter or temporary residence in the district, the homeless liaison will work with the family seeking enrollment to determine homelessness. Information regarding a homeless student's living arrangement shall be considered a student education

¹ "A homeless child or youth not in the physical custody of a parent or guardian." 42 USC §11434a.

record, and not directory information. Records containing information about the homeless student's living arrangement may not be disclosed without the consent of the parent or satisfaction of another student-privacy related exemption.

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

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

Dispute Resolution

If the district disagrees with a parent or guardian's decision to keep a student enrolled in the school of origin and considers enrollment in the district where the student is sheltered or temporarily residing to be in the student's best interest, the district will explain to the parent, in writing and in a language the parent can understand², the rationale for its determination and provide parent with written notice of their rights to appeal the district's determination to the Massachusetts Department of Elementary and Secondary Education³. During the pendency of any such appeal, the student should remain enrolled in the school selected by the parent or guardian, receiving transportation to school and access to other available services and programs.

The Massachusetts Department of Elementary and Secondary Education's Advisory on Homeless Education Assistance contains additional information about educating homeless students and the appeal process. This advisory is available at the following link: <http://www.doe.mass.edu/mv/haa/mckinnevento.docx>

Homeless Liaison

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

The FRPS McKinney-Vento Liaison is Cynthia Couto, Director of the Parent and Community Engagement Center.

367 Ray St
Fall River, MA 02720
508-675-8421
ccouto@fallriverschools.org

² Translation of communications of this type is required by Title I, among other laws. See, e.g. 20 USC § 6312.

³ Information about the dispute resolution process managed by the Department of Elementary and Secondary Education can be located here: <http://www.doe.mass.edu/mv/haa/03-7.html>

DRUG/ALCOHOL AND TOBACCO USE PROHIBITION

A student shall not, regardless of the quantity, use or consume, possess, buy or sell, or give away any beverage containing alcohol; any tobacco product, including vapor/E-cigarettes; marijuana; steroids; or any controlled substance. The School Committee prohibits the use or consumption by students of alcohol, tobacco products, or drugs on school property, at any school function, or at any school sponsored event. Additionally, any student who is under the influence of drugs or alcoholic beverages prior to, or during, attendance at or participation in a school-sponsored activity, will be barred from that activity and may be subject to disciplinary action.

Use of any tobacco products, including, but not limited to: cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff, electronic cigarettes, electronic cigars, electronic pipes or other similar products that rely on vaporization or aerosolization, 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 staff member determined to be in violation of this policy may be subject to disciplinary action.

A student determined to be in violation of this policy may be subject to disciplinary action pursuant to the student discipline code.

Verbal Screening

The school district shall utilize, in accordance with law, a verbal screening tool approved by the Department of Elementary and Secondary Education to screen students for substance abuse disorders. The tool shall be administered by trained staff on an annual basis at grades 7 and 9. Parents/guardians shall be notified prior to the opening of school each year. Parents/guardians shall have the right to opt out of the screening by written notice prior to or during the screening. All statements made by a student during a screening are confidential and shall not be disclosed except in the event of immediate medical emergency or in accordance with law. De-identified results shall be reported to the Department of Public Health within 90 days of the completion of the screening process

BULLYING PREVENTION AND INTERVENTION

The FRPS endeavors to maintain a safe learning environment where students can achieve the highest academic standards. The Fall River Public School district is committed to creating an environment in which every student develops emotionally, academically, and physically in a caring and supportive atmosphere free from harassment, intimidation, bullying or cyber-bullying.

We recognize that certain students may be more vulnerable to becoming targets 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. Accordingly, in an effort to support vulnerable students, the district will identify specific steps it will take to create a safe and supportive environment for vulnerable populations in the school community,

To this end, bullying, cyber bullying and/or retaliation shall be prohibited and the district will provide all students with the skills, knowledge, and strategies to prevent or respond to bullying, harassment.

DEFINITIONS

“Bullying” is the repeated use by one or more students or by 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:

- causes physical or emotional harm to the target or damage to the target’s property;

- places the target in reasonable fear of harm to him/herself, or of damage to his/her property;
- creates a hostile environment at school for the target;
- infringes on the rights of the target at school; or
- materially and substantially disrupts the education process or the orderly operation of a school. For purposes of this section, bullying shall include cyber-bullying.

Acts of bullying, which include cyberbullying, are prohibited

- 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 or school; or through the use of technology or an electronic device owned, leased, or used by a school district or school; and
- at a location, activity, function, or program that is not school-related, or through the use of technology or an electronic device that is not owned, leased, or used by a school district or school, if the acts create a hostile environment at school for the target, infringe on the rights of the target 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.

The Fall River Public Schools has developed a Bullying Prevention and Intervention Plan that is applicable to all students, staff, and schools within the FRPS. Parents, caregivers, students, staff, and community members can access the full Plan on the Fall River Public Schools website under District Information > [Policies and Procedures](#) > Bullying Prevention and Intervention Policy and Procedures. The following contains relevant portions of the Bullying Prevention and Intervention Plan.

I. DEFINITIONS

The following definitions are provided by M. G. L. c. 71, § 37O and its implementing regulation at 603 C.M.R. 49.02:

Aggressor - perpetrator of bullying or retaliation as defined in M.G.L. c. 71, §37O.

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

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

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

Perpetrator - a student 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 who engages in bullying or retaliation.

Principal - the administrative leader of a public school, charter school, collaborative school, or approved private day or residential school, or his or her designee for the purposes of implementing the school's bullying prevention and intervention plan.

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

School - an approved private day or residential school, collaborative school, or charter school.

School grounds - property on which a school building or facility is located or property that is owned, leased or used by a school district, charter school, non-public school, approved private day or residential school, or collaborative school for a school-sponsored activity, function, program, instruction or training.

Target – a student victim of bullying or retaliation as defined in M. G. L. c. 71, § 37O.

Victim – a student against whom bullying or retaliation has been perpetrated.

PROHIBITION AGAINST BULLYING AND RETALIATION

Bullying and retaliation are prohibited. For the purpose of this Plan, references to bullying shall include cyber-bullying.

Bullying is prohibited:

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

POLICIES AND PROCEDURES FOR REPORTING AND RESPONDING TO BULLYING AND RETALIATION

The Fall River Public School district has a clear process for reporting and responding to incidents of bullying or retaliation.

Reports of suspected bullying or retaliation may be made by staff, students, parents or guardians, or others, to the Principal or designee, and may be oral or written. Use of a formal Incident Reporting Form is not required as a condition of making a report. If the allegation involves the Principal, or his/her designee, as the alleged aggressor, staff, students, parents/guardians, or others shall report it immediately to the Superintendent. If the allegation involves the Superintendent as the alleged aggressor, reports shall immediately be made to the school committee.

The district expects students, parents/guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student as the target to report it to the Principal or designee (or Superintendent or designee, or school community, when applicable).

District staff members are required to report immediately to the Principal or designee (or Superintendent or designee, or school committee, as applicable) any instance of suspected bullying or retaliation the staff member becomes aware of or witnesses, including reports made to them by students, parents/guardians/, or other staff. Oral reports made by or to a staff member shall be recorded in writing by the Principal or designee.

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

Reports made by students, parents or guardians, or other individuals who are not district staff members, may be made anonymously. Any report made anonymously will be thoroughly investigated, however, a student will not be disciplined on the basis of an anonymous report.

The district will make a variety of reporting resources available to the school community including, but not limited to, an incident reporting form, a dedicated mailing address, and an email address(es) for each school's designee.

The district will: 1) include a copy of an incident reporting form in the beginning of the year packets for students and parents or guardians; 2) will post it in the school's main office, counseling office, school nurse's office, and other locations determined by the principal or designee; and 3) post it on district's website. An 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 district will provide the school community, including but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity, and paraprofessionals, 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, Superintendent or designee (if the Principal is the alleged aggressor), and school committee (if the Superintendent is the alleged aggressor), will be incorporated in student and staff handbooks, on the district website, and in information about the Plan that is made available to parents or guardians.

Nothing in this Plan shall be construed to limit an individual's ability to call 911 where a threat to safety of a student and/or other individuals is present. If there is concern about anyone's immediate safety, please call 911 first, then notify an administrator. Nothing in this Plan prevents an individual from reporting to the police a crime. Nothing in this Plan prohibits an individual from exercising their responsibilities as a mandated reporter under M. G. L. c. 119, § 51A and nothing in this Plan shall be used to deter an individual from reporting neglect or abuse to the appropriate state agency.

Reporting by Students, Parents or Guardians, and Others

The Fall River Public School 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.

Responding to a report of bullying or retaliation

After receiving a report of bullying, and clarifying the allegations, the district may dismiss the allegation of bullying if, after considering all of the allegations as true, the allegations do not constitute bullying under Massachusetts law.

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 alleged target and/or the alleged aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a "safe person" for the alleged target; altering the alleged aggressor's schedule and access to the alleged target; and other steps to promote safety may be taken, as appropriate, if the alleged aggressor is a staff member. 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, which may include the safety strategies listed above, for protecting from bullying or retaliation a student or staff member who has reported bullying or retaliation, a student or staff member who has witnessed bullying or retaliation, a student or staff member who provides information during an investigation, or a student or staff member who has reliable information about a reported act of bullying or retaliation.

Investigation

After clarifying the allegations and making a preliminary determination that the facts as alleged, if true, would meet the statutory definition of bullying or retaliation, the Principal or designee will promptly commence an investigation. The Principal or designee will gather evidence, including, if necessary, interviewing students, staff, witnesses, parents or guardians, and/or others.

During any interviews, the Principal or designee will inform the alleged aggressor, alleged target, witnesses, and any other individual involved in the investigation, that retaliation is strictly prohibited and will result in disciplinary action. The Principal or designee will maintain confidentiality during the investigation to the extent practicable, and in accordance with state and federal law regarding the privacy of student records and mandated reporting.

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.

Procedures for investigating reports of bullying and retaliation will be consistent with school or district policies and procedures for bullying investigations. If necessary, the principal or designee will consult with legal counsel about the investigation.

Determinations

The principal or designee will make a determination as to whether the preponderance of the evidence supports a finding that bullying occurred, and if so, what remedial action is required including any necessary responsive and/or disciplinary action.

If bullying or retaliation is substantiated, the principal or designee will take reasonable steps to prevent recurrence and to ensure that the target is not restricted in participating in school or in school activities.

Depending upon the circumstances, the principal or designee may 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.

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.

Report of Bullying Substantiated

Notice to Parent/Guardian

Upon the determination that bullying or retaliation occurred, the principal or designee shall promptly notify the parents or guardians of the target and the aggressor. In the event that an allegation of bullying or retaliation by a staff member is substantiated, the principal or designee will promptly notify the staff member. The principal or designee may, but is not required to, contact parents or guardians prior to a determination. Notice shall be in the primary language of the home.

Notice shall include the following information: determination and actions taken to prevent further acts of bullying or retaliation.

Notice for the target's parents/guardians shall include the following information about the Department of Elementary and Secondary Education Program's (DESE's) Problem Resolution System and the process for seeking assistance or filing a PRS claim: Any parent/guardian 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 compliance@doe.mass.edu or individuals can call 781-338-3700.

Notices to parents/guardians will comply with federal and state law regarding the confidentiality of student records, and other privacy laws and regulations.

To this end, the principal or designee cannot inform the target's parents/guardians about any disciplinary action taken against the aggressor, unless the information is directly related to the victim (e.g., stay away or no contact order).

Responses to Bullying

Upon the principal or designee determining that bullying or retaliation has occurred, the district will use a range of responses that balance the need for accountability with the need to teach appropriate behavior. 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. The Principal or designee may also implement a safety plan.

Teaching Appropriate Behavior Through Skills-building

The Principal or designee may consider the following skill-building strategies, and other individualized interventions to remediate or prevent further bullying and retaliation:

- offering individualized skill-building sessions based on the district's anti-bullying curriculum;
- providing relevant educational activities for individual students or groups of students, in consultation with adjustment counselors/guidance counselors and other appropriate school personnel;
- implementing a range of academic and nonacademic positive behavioral supports to help students understand prosocial 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/or
- providing counseling or referral to appropriate services for aggressors and targets, and for appropriate family members of said students, regardless of their status under the law

Taking Disciplinary Action

If the principal or designee decides that disciplinary action is appropriate, the disciplinary action will be determined based on the facts and findings of the investigation, 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 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 and statutes regarding student discipline.

Discipline procedures for staff members will be referred to the Human Resources Department consistent with applicable policies and procedures.

Follow Up with Target

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 there is evidence to support recurrence, supportive measures will be implemented immediately

Report of Bullying Unsubstantiated

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.

The principal or designee may consider what adjustments, if any, are needed in the school environment to enhance the alleged target's sense of safety and that of others.

Notice to Another School or District

If the reported incident involves students from more than one school district, charter school, non-public school, approved 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.

Notice to Law Enforcement

Prior to the first day of school, the Superintendent or designee shall communicate with the police chief or designee regarding notices of bullying:...At any point after receiving a report of bullying or retaliation, including after an investigation, if the principal has a reasonable basis to believe that criminal charges may be pursued, the principal will notify the Fall River Police Department and document her/his reasons. Notice shall be compliant with any established agreements between the district and law enforcement and consistent with DESE regulations, including that a principal may disclose a determination of bullying or retaliation to law enforcement without consent of a student or their parent. The principal shall communicate with law enforcement in a manner that protects the privacy of the target, the aggressor, and any student witnesses to the extent practicable under the circumstances. The principal is not required to report allegations or determinations of bullying or retaliation to law enforcement if such situations can be handled appropriately within the school. In deciding whether to notify law enforcement, the principal may consult with the school's resource officer and any other individual deemed appropriate by the principal.

If an incident of bullying or retaliation occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in school, the principal shall immediately contact the Fall River Police Department if the principal has a reasonable basis to believe that criminal charges may be pursued against the aggressor.

CODE OF CONDUCT

The Fall River Public Schools has developed a Code of Conduct, which is available here: <https://fallriverschools.org/district-information/policies-and-procedures>.

FRPS is committed to ensuring that our schools are safe, secure and orderly environments in which teaching and learning take place each day. A safe and supportive school depends upon the efforts of all members of the school community—teachers, students, administrators, parents, counselors, social workers, safety personnel, related service providers, cafeteria, custodial and bus staff—to treat one another with mutual respect.

The Code of Conduct applies to all students and provides a description of conduct that does not meet the standards of behavior expected of students in the Fall River Public Schools. It includes a range of interventions and a range of possible disciplinary and intervention measures which schools may use to address misbehavior, including alternatives to suspension.

Please refer to the complete Code of Conduct linked above for additional information. The Fall River Public Schools complies with Massachusetts law and regulations regarding student discipline.

DISCIPLINARY DUE PROCESS

Student disciplinary offenses that may result in suspension or expulsion are subject to certain due process rights and procedures. The following sections provide you with information about these rights.

Suspensions and expulsions of students shall be imposed in compliance with constitutional, statutory, and regulatory requirements, including M. G. L. c. 76, §17; M. G. L. c. 76, §21; M. G. L. c. 71, §37H; M. G. L. c. 71, §37H 1/2; and M. G. L. c. 71, §37H 3/4. The principal, and/or a designee, where permitted, may exercise their discretion to impose suspensions and expulsions for school rules violations within the limitations and the due process provisions set forth.

Due Process Under M.G.L. 71, § 37H ¾

(For ALL offenses except for possession of a dangerous weapon, possession of a controlled substance, assault on staff and felony offenses)

Please note: these due process procedures apply to M.G.L. c. 71, § 37H ¾ ONLY. For due process procedures for offenses under M.G.L. c. 71, §§ 37H and 37H 1/2 please see the appropriate sections below.

Definitions Under M.G.L. c. 71, § 37H 3/4

Superintendent – the Superintendent or designee for disciplinary purposes.

Expulsion: the removal of a student from the school premises, regular classroom activities, and school activities for more than ninety (90) consecutive school days.

In-School Suspension: the removal of a student from regular classroom activities, but not from the school premises, for no more than ten (10) consecutive school days, or no more than ten (10) school days cumulatively for multiple infractions during the school year. *Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days.

Short-Term Suspension: the removal of a student from the school premises and regular classroom activities for ten (10) consecutive school days or less. A principal may, in their discretion, allow a student to serve a short-term suspension in school. Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days.

Long-Term Suspension: 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.

Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days. Except for students who are charged with a disciplinary offense set forth in M.G.L. c. 71, § 37H(a) or (b), or M.G.L. c. 71, § 37H ½ no student may be placed on long-term suspension for one or more disciplinary offenses for more than 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.

Principal: the primary administrator of the school or the principal's designee for disciplinary purposes.

Written Notice: Written correspondence sent by hand-delivery, certified mail, first-class mail, or 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.

Please note: these due process procedures apply to M.G.L. c. 71, § 37H ¾ ONLY. For due process procedures for offenses under M.G.L. c. 71, §§ 37H and 37H 1/2 please see the appropriate sections below.

All school principals and principal's designees and the Superintendent and Superintendent's designees when acting as a decision-maker at a disciplinary hearing or appeal to consider student discipline for violations of school rules other than offenses involving drugs, weapons, assaults on school staff and felony offenses, shall, when deciding the consequences for the student, consider ways to re-engage the student in the learning process.

The principal or designee shall not suspend the student until alternative remedies have been employed, and their use and results documented unless specific reasons are documented as to why such alternative remedies would be unsuitable or counter-productive, or unless the student's continued presence in school would pose a specific, documentable concern about the infliction of serious bodily injury or other serious harm upon another person while in school. M.G.L. c. 71, § 37H 3/4(b).

Emergency Removals; M.G.L. c. 71, § 37H ¾ - A principal may remove a student from school temporarily when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the principal's judgment, there is no alternative available to alleviate the danger or disruption. In such a case, the principal shall 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 make immediate and reasonable efforts to orally notify the student and the student's parent of: (1) the

emergency removal; (2) the reason for the need for emergency removal; (3) the disciplinary offense; (4) the basis for the charge; (5) the potential consequences, including the potential length of the student's suspension; (6) the opportunity for the student to have a hearing with the principal 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; (7) the date, time, and location of the hearing; and (8) the right of the student and the student's parent to interpreter services at the hearing if needed to participate. 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, the Principal must provide the student an opportunity for a hearing with the principal that complies with either the short-term due process or long-term due process set forth below, as applicable, and the parent an opportunity to attend the hearing. Additionally, the Principal is required to 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 notice of the decision for short-term suspension or long-term suspension as set forth below, whichever is applicable. A principal may 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.

In-School Suspension, M.G.L c. 71, § 37H ¾ - Removal of a student from regular classroom activities, but not from the school premises, for no more than (10) consecutive school days, or no more than ten (10) school days cumulatively for multiple infractions during the school year. Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days. In-school suspension for ten (10) days or less, consecutively or cumulatively during a school year, shall not be considered a short-term suspension. If a student is placed in in-school suspension for more than ten (10) days, consecutively or cumulatively during a school year, such suspension shall be deemed a long-term suspension for due process, appeal, and reporting purposes under 603 C.M.R. 53.00.

Due Process for In-School Suspension; M.G.L c. 71, § 37H ¾: Prior to the imposition of an In-School Suspension, the student will be informed of the disciplinary offense and provided with an opportunity to respond. If the principal determines that the student committed the disciplinary offense, the principal will provide oral notice to the student and parent of the length of the In-School Suspension and will make reasonable efforts to meet with the parent.

Principal's Decision – In-School Suspension; M.G.L c. 71, § 37H ¾: – On or before the day of suspension, the principal shall send written notice to the student and parent about the In-School Suspension, including the reason and the length of the In-School Suspension, and inviting the parent to a meeting with the principal for the purpose set forth in 603 C.M.R. 53.10(4), if such meeting has not already occurred. The principal shall deliver such notice on the day of the suspension by hand-delivery, certified mail, first-class mail, or email to an address provided by the parent for school communications, or by other method of delivery agreed to by the principal and the parent. Students have the right to appeal an In-School Suspension that will result in their In-School Suspension for more than ten (10) school days in a school year.

Short-Term Suspension; M.G.L c. 71, § 37H ¾: means the removal of a student from the school premises and regular classroom activities for ten (10) consecutive school days or less. A principal may, in their discretion, allow a student to serve a short-term suspension in school. Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days.

Due Process for Short-Term Suspension; M.G.L c. 71, § 37H ¾: In the case of disciplinary offenses not involving: a) possession of a dangerous weapon; b) possession of a controlled substance; c) assault on a member of the educational staff; or d) a felony charge or felony delinquency complaint or conviction, the student and parents will be given oral and written notice of the disciplinary offense with which the student is charged and the opportunity to participate in a hearing prior to the imposition of an out-of-school suspension.

Notice – Short-Term Suspension; M.G.L c. 71, § 37H ¾: Except as provided in cases of In-School Suspension or Emergency Removal, a principal may not impose a suspension as a consequence for a disciplinary offense without first providing the student and the parent oral and written notice, and providing the student an opportunity for a hearing on the charge and the parent an opportunity to participate in such hearing. The principal shall provide oral and written notice to the student and the parent in English and in the primary language of the home if other than English, or other means of communication where appropriate. The notice shall set forth in plain language: the disciplinary offense; the basis for the charge; the potential consequences, including the potential length of the student's suspension; the opportunity for the

student to have a hearing with the principal 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; the date, time, and location of the hearing; the right of the student and the student's parent to interpreter services at the hearing if needed to participate.

The principal shall make reasonable efforts to notify the parent orally of the opportunity to attend the hearing. To conduct a hearing without the parent present, the principal must be able to document reasonable efforts to include the parent. The principal is presumed to have made reasonable efforts if the principal 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.

Principal's Hearing - Short-Term Suspension; M.G.L c. 71, § 37H 3/4: At the principal's hearing, the student and parents (if participating) may dispute the charge(s) against the student and present information, including mitigating facts, for the principal's consideration in determining consequences for the student.

Principal's Decision – Short-Term Suspension; M.G.L c. 71, § 37H 3/4: The principal shall notify the student and parent of the determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal, as provided in M.G.L. c. 76, 21. The determination shall be in writing and may be in the form of an update to the original written notice. The principal's decision shall be final with no opportunity for appeal. If the student is in a public preschool program or in grades K through 3, the principal shall send a copy of the written determination to the Superintendent and explain the reasons for imposing an out-of-school suspension, before the short-term suspension takes effect.

Long-Term Suspension; M.G.L c. 71, § 37H 3/4: means 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. A principal may, in their discretion, allow a student to serve a long-term suspension in school. Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days. Except for students who are charged with a disciplinary offense set forth in subsections (a) or (b) of G.L. c. 71, § 37H, or in §37H 1/2 of G.L. c. 71, 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.

Due Process for Long-Term Suspension; M.G.L c. 71, § 37H 3/4: In the case of disciplinary offenses not involving: a) possession of a dangerous weapon; b) possession of a controlled substance; c) assault on a member of the educational staff; or d) a felony charge or felony delinquency complaint or conviction, the student and parents will be given oral and written notice of the disciplinary offense with which the student is charged and the opportunity to participate in a hearing prior to the imposition of an out-of-school suspension.

Notice - Long-Term Suspension; M.G.L c. 71, § 37H 3/4: Written notice of the date and time for the hearing will be provided in English and in the primary language of the Student's home and will identify the disciplinary offense with which the student has been charged, the basis for the charge, the potential length of the student's suspension, and inform the parent and student of the right to interpreter services if necessary to participate in the hearing.

Where a student may be subject to a Long-Term Suspension, the principal will also notify the student and parent of the following 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 their 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; and (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.

Principal's Hearing - Long-Term Suspension; M.G.L c. 71, § 37H 3/4: The student will have the rights identified in the written notice and the principal shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the principal should consider in determining consequences for the student.

Principal's Decision – Long-Term Suspension: M.G.L c. 71, § 37H ¾: Based on the evidence, the principal 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 shall send the written determination to the student and parent by hand-delivery, certified mail, first-class mail, or email to an address provided by the parent for school communications, or any other method of delivery agreed to by the principal and the parent. If the principal decides to suspend the student, the written determination shall: (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 as provided in M.G.L. c. 76, § 21; (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, 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 (b) the Long-Term Suspension will remain in effect unless and until the Superintendent decides to reverse the principal's determination on appeal.

Superintendent Appeals – Long-Term Suspension; M.G.L c. 71, § 37H 3/4: A student who is placed on Long-Term Suspension under M.G.L c. 71, § 37H ¾ following a hearing with the principal shall have the right to appeal the principal's decision to the Superintendent. The student or parent shall file a notice of appeal with the Superintendent within 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. If the appeal is not timely filed, the Superintendent may deny the appeal, or may allow the appeal in their discretion, for good cause.

Superintendent Appeal Hearing; M.G.L c. 71, § 37H 3/4: The Superintendent shall hold the hearing within three (3) school days of the student's request, unless the student or parent requests an extension of up to seven (7) additional calendar days, in which case the Superintendent shall grant the extension. The Superintendent shall make a good faith effort to include the parent in the hearing. The Superintendent shall be presumed to have made a good faith effort if he or she has made efforts to find a day and time for the hearing that would allow the parent and Superintendent to participate. The Superintendent shall send written notice to the parent of the date, time, and location of the hearing. The Superintendent shall conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence shall be. The Superintendent shall arrange for an audio recording of the hearing, a copy of which shall be provided to the student or parent upon request. The Superintendent shall inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent upon request. The student shall have all the rights afforded the student at the principal's hearing for long-term suspension as identified above.

Superintendent's Decision; M.G.L c. 71, § 37H 3/4: The Superintendent shall issue a written decision within five (5) calendar days of the hearing which: (1) identifies the disciplinary offense and the date on which the hearing took place, and the participants at the hearing; (2) sets out the key facts and conclusions reached by the Superintendent; (3) identifies the length and effective date of the suspension, as well as a date of return to school; (4) includes notice of the student's opportunity to receive education services to make academic progress during the period of removal from school as provided in M.G.L. c. 76, § 21; and (5) notice of the right of appeal shall be in English and the primary language of the home if other than English, or other means of communication where appropriate. If the Superintendent determines that the student committed the disciplinary offense, the Superintendent may impose the same or a lesser consequence than the

principal, but shall not impose a suspension greater than that imposed by the principal's decision. The decision of the Superintendent shall be the final decision of the Fall River Public Schools with regard to the long-term suspension.

Due Process Under M.G.L. 71, §§ 37H and 37H1/2 Offenses

(For offenses involving: dangerous weapons, drugs, assaults on staff and felony offenses)

Short-Term Suspension: M.G.L. c. 71, §§ 37H and 37H 1/2 - For disciplinary offenses involving: a) possession of a dangerous weapon; b) possession of a controlled substance; c) assault on a member of the educational staff; or d) a felony charge or felony delinquency complaint or conviction, the student will be given oral notice of the violation with which the student is charged and an opportunity to respond thereto, prior to the principal's imposition of a short-term suspension or an interim suspension of less than ten (10) consecutive days pending formal proceedings. Upon imposition of a short term or interim suspension of ten (10) consecutive days or less pending further disciplinary proceedings, the student and parents will be provided with written notice of the suspension and the date and time of the formal disciplinary hearing.

Long-Term Suspension/Expulsion: M.G.L. c. 71, §§ 37H and 37H 1/2 - Unlike M.G.L. c. 71, § 37H 3/4, for offenses that fall within M.G.L. c. 71, §§ 37H and 37H 1/2, a principal may long-term suspend a student for more than ninety (90) days or permanently expel a student. Long term suspension/expulsion means the removal of a student from the school premises, regular classroom activities, and school activities for (1) possession of a dangerous weapon; (2) possession of a controlled substance; (3) assault on a member of the educational staff; or (4) a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school, as provided in G.L. c. 71, §§37H or 37H½. The principal's hearing and appeals process identified below apply to suspensions under M.G.L. c. 71 §§ 37H and 37H 1/2 in cases of suspension for more than ten (10) consecutive days.

Dangerous Weapons, Drugs and Assaults on Staff - M.G.L. c, 71, §37H

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 or a knife; or a controlled substance as defined in chapter ninety-four C, including, but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from the school and school district by the principal.
2. Any student who assaults a principal, assistant principal, teacher, teacher's aide, or other educational staff on school premises or at school-sponsored events, including athletic games, may be subject to expulsion from the school and school district by the principal.

Principal's Hearing, Long-Term Exclusion – M.G.L. c. 71, §37H - Any student who is charged with a violation of either paragraphs 1 or 2 shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation (at their own expense), along with the opportunity to present evidence and witnesses at said hearing before the principal. After said hearing, the principal may, in their discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraphs 1 or 2 above.

Appeal to the Superintendent – Long-Term Exclusion – M.G.L. c. 71, §37H - Any student who has been expelled from the Fall River Public Schools pursuant to these provisions shall have the right to appeal to the Superintendent. The expelled student shall have ten (10) days from the date of the expulsion in which to notify the Superintendent of their appeal. The student has the right to counsel (at his or her own expense) at a hearing before the Superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section.

Felony Complaints - M.G.L. c. 71, § 37H ½

Issuance of a Felony Criminal Complaint

Upon the issuance of a criminal complaint charging a student with a felony or upon the issuance of a felony delinquency complaint against a student, the principal of a school in which the student is enrolled may suspend such student for a period of time determined appropriate by said principal or headmaster if said principal or headmaster determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

Notice of Principal's Hearing/Decision – Long-Term Exclusion – M.G.L. c. 71, §37H1/2 - The student shall receive written notification of the charges and the opportunity for a hearing; provided, however, that the student may have representation (at his or her own expense), along with the opportunity to present evidence and witnesses at said hearing before the principal. After the hearing, the principal shall issue a written decision. The student shall also receive written notification of their right to appeal and the process for appealing such suspension; provided, however, that such suspension shall remain in effect prior to any appeal hearing conducted by the Superintendent.

Appeal to the Superintendent- Long-Term Exclusion - M.G.L. c. 71, §37H1/2 - The student shall have the right to appeal the suspension to the Superintendent in writing and must notify the Superintendent of their request for an appeal no later than five (5) calendar days following the effective date of the suspension. The Superintendent shall hold a hearing with the student and the student's parent or guardian within three (3) calendar days of the student's request for an appeal. At the hearing, the student shall have the right to present oral and written testimony on their behalf, and shall have the right to be represented by counsel at the student's own expense. The Superintendent shall have the authority to overturn or alter the decision of the principal, including recommending an alternate educational program for the student. The Superintendent shall render a decision on the appeal within five (5) calendar days of the hearing. Such decision shall be the final decision of the Fall River Public Schools with regard to the suspension.

Adjudication of Delinquency, Admission of Guilt or Conviction

Upon a student being convicted of a felony or felony delinquency charge or upon an adjudication or admission in court of guilt with respect to such a felony or felony delinquency, the principal of a school in which the student is enrolled may expel said student if such principal or headmaster determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

Notice of Principal's Hearing/Decision – Long-Term Exclusion - M.G.L. c. 71, §37H1/2 - The student shall receive written notification of the charges and be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation (at his/her own expense), along with the opportunity to present evidence and witnesses at said hearing before the principal. After the hearing, the principal shall issue a written decision, which will include reasons for an expulsion prior to such expulsion taking effect. The student shall also receive written notification of their right to appeal and the process for appealing such expulsion; provided, however, that the expulsion shall remain in effect prior to any appeal hearing conducted by the Superintendent.

Superintendent's Appeal/Decision – Long-Term Exclusion/Expulsion - M.G.L. c. 71, §37H 1/2 - The student shall have the right to appeal the long term suspension/expulsion to the Superintendent. The student shall notify the Superintendent, in writing, of their request for an appeal no later than five (5) calendar days following the effective date of the expulsion. The Superintendent shall hold a hearing with the student and the student's parent or guardian within three (3) calendar days of the expulsion. At the hearing, the student shall have the right to present oral and written testimony on their behalf, and shall have the right to be represented by counsel at student's own expense. The Superintendent shall have the authority to overturn or alter the decision of the principal or headmaster, including recommending an alternate educational program for the student. The Superintendent shall render a decision on the appeal within five (5) calendar days of the hearing. Such decision shall be the final decision of the Fall River Public Schools with regard to the long term suspension/expulsion.

OPPORTUNITY TO MAKE ACADEMIC PROGRESS

The Fall River Public Schools shall continue to provide educational services to the student during the period of suspension or expulsion in a manner consistent with M.G.L. c. 76, § 21. If the student moves to another school district during the period of suspension or expulsion, the new school district shall either admit the student to its schools or provide educational services to the student in an education service plan under M.G.L. c. 76, § 21.

For all suspensions, students will be entitled to the following in terms of the opportunity to make academic progress:

Less Than 10 Consecutive Days - 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.

More than 10 Consecutive Days - 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, earn credits, as applicable, make up assignments, tests, papers, and other school work and make academic progress toward meeting state and local requirements, in accordance with the school's education service plan.

The school-wide education service plan will be provided to the parent and student at the time the student is expelled or placed on long-term suspension.

DISCIPLINE AND STUDENTS WITH DISABILITIES

All students are expected to meet the requirements for behavior as set forth in the Code of Conduct and this handbook. In addition to those due process protections afforded to all students, the Individuals with Disabilities Education Act ("IDEA") and related regulations as well as state special education law, require that additional provisions be made for students who have been found eligible for special education services or who the school district knows or has reason to know might be eligible for such services. Students who have been found to have a disability that substantially limits a major life activity, as defined under §504 of the Rehabilitation Act of 1973 are generally also entitled to increased procedural protections upon the imposition of a discipline sanction that will result in the student's removal for more than ten (10) consecutive school days or which will result in a pattern of short term removals exceeding ten (10) school days in a given year. The following additional requirements apply to the discipline of students with disabilities:

1. Students with disabilities may be excluded from their programs for up to ten (10) school days to the extent that such sanctions would be applied to all students. Before a student with a disability can be excluded from their program for more than ten (10) consecutive school days in a given school year or subjected to a pattern of removal constituting a "disciplinary change of placement," building administrators, the parent(s)/guardian(s) and relevant members of the student's IEP or 504 Team will meet to determine whether the conduct for which the student is subject to discipline was caused by or directly and substantially related to the student's disability or was the direct result of a failure to implement the student's IEP or 504 Plan ("Manifestation Determination"). During days of disciplinary exclusions exceeding ten (10) school days, students on IEPs have the right to receive the services which will allow them to participate in the general education curriculum and to progress toward meeting the goals set out in the child's IEP. Under Section 504, students do not have the right to services during the period of exclusion, except for the services available to all students in accordance with M.G.L. c., 76, §21.
2. If building administrators, the parent(s)/guardian(s), and relevant members of the student's IEP or 504 Team determine that the student's conduct was NOT a manifestation of the student's disability, the school may discipline the student in accordance with the procedures and penalties applicable to all students, except that students eligible for special education are entitled to services to enable the student, although in another setting, to continue to participate in the general education curriculum and to progress toward their IEP goal(s) as of the eleventh (11th) day of disciplinary exclusion in the school year. The student's IEP Team will identify the services necessary to allow the Student to continue to participate in the general education curriculum and to progress toward IEP goals during the period of exclusion, review any existing behavior intervention plan or may, as appropriate, conduct a functional behavioral assessment to address the behavior.
3. If building administrators, the parent(s)/guardian(s) and relevant members of the student's IEP or 504 Team determine that the conduct giving rise to disciplinary action was a manifestation of the student's disability, the student will not be subjected to further disciplinary removal or exclusion from the student's current educational program based on that conduct (except for conduct involving weapons, drugs, or resulting in serious bodily injury to others). The student's Team shall either: review, and modify as necessary, any existing behavior intervention plan to address the behavior; or arrange for a functional behavioral assessment.

Special Circumstances & Interim Alternative Educational Setting (IAES)

If a student with a disability possesses or uses illegal drugs, sells or solicits a controlled substance, possesses a dangerous weapon, or causes serious bodily injury to another on school grounds or at a school function, the district may, with or without parent/guardian consent, and regardless of the manifestation determination, place the student in an interim alternative educational setting (IAES) for up to forty-five (45) school days.

A court or BSEA Hearing Officer may also order the placement of a student who presents a substantial likelihood of injury to self or others in an appropriate interim setting for up to forty-five (45) school days. A parent can also consent to a forty-five (45) school day interim setting. If the school district requests a hearing because it believes that maintaining the student's current placement is substantially likely to result in injury to the student or others, the student remains in the disciplinary placement, if any, until the decision of the hearing officer or the end of the time period for the disciplinary action, whichever comes first, unless the parent and the school district agree otherwise.

The interim alternative setting must enable the student to participate in the general curriculum, although in another setting, and progress toward the goals in the IEP. The interim alternative setting must also provide services and modifications designed to address the behavior giving rise to the removal and to prevent the behavior from reoccurring.

1. At the conclusion of the forty-five (45) school day period, *the student shall be returned to his/her previous placement* unless the parent (or student if 18+) consents to an extension of the interim alternative setting or an Order is obtained from the Bureau of Special Education Appeal authorizing the student's continued removal.
2. The parent shall have the right to appeal the Team's manifestation determination, the imposition of a disciplinary change in placement, and the student's placement in an interim alternative educational setting to the Bureau of Special Education Appeals. The student will remain in the disciplinary placement imposed by school authorities pending a decision on the appeal or until the expiration of the disciplinary sanction, whichever comes first.

Students Not Yet Determined Eligible for Special Education

Note: If, prior to the disciplinary action, the school district had knowledge that the student may be a student with a disability, then the district will make all protections available to the student (e.g., manifestation determination) until and unless the student is subsequently determined not to be eligible.

The district may be considered to have prior knowledge if: (a) the parent had expressed concern in writing; (b) the parent had requested an evaluation; or (c) district staff had expressed directly to the special education director or other supervisory personnel specific concerns about a pattern of behavior demonstrated by the student.

The district may not be considered to have had prior knowledge if the parent has not consented to an evaluation of the student or has refused special education services, or if an evaluation of the student has resulted in a determination of ineligibility.

If a request is made for an evaluation of a student's eligibility for special education services under the Individuals with Disabilities Education Act (IDEA) during the time period in which the student is subjected to disciplinary measures, the evaluation must be conducted in an expedited manner. Until the evaluation is completed, the student will remain in the educational placement determined by school authorities, which may include suspension or expulsion from school. If the suspension imposed terminates prior to the completion of said expedited evaluation, the student shall be allowed to return to school immediately upon the conclusion of the disciplinary exclusion. If the student is found eligible, then he/she receives all procedural protections subsequent to the finding of eligibility.

For a copy of the Massachusetts Department of Elementary and Secondary Education brochure on Special Education Parents' Rights available in many languages visit

<https://www.doe.mass.edu/specialeducation/families/prb/default.html>

STUDENT USE OF CELL PHONES & PERSONAL DEVICES - GRADES 6-12

Purpose

The purpose of this policy is to ensure a safe and productive learning environment for all students by minimizing distractions and promoting engagement during school hours. All secondary schools in the FRPS will be cell phone free during the school day.

We will accomplish this through the following models:

YONDR cell phone pouches	Turn-In Protocol:
● B.M.C. Durfee High School ● Morton Middle School ● Kuss Middle School ● Talbot Middle School ● Henry Lord Community School ● Doran Community School	● Stone Therapeutic Day School ● RLM, RPA

Policy Statement

Effective immediately, students are required to place their cell phones in a locked Yondr pouch at the beginning of the school day. The pouches will be unlocked at the end of the school day, allowing students to regain access to their phones.

Procedures

As students arrive to school, they will:

1. Turn cell phones, watches, etc. to off or to silent mode.
2. Place their phone, airpods/earbuds, and smart watch inside their Yondr pouch and **lock it in front of school staff.**
3. Store their pouch in their backpack or locker for the day.
4. This process may take a few minutes. **Students are responsible for getting to class on time with a secured pouch.**

During the School Day:

1. Students will keep their phone, airpods/earbuds, and smart watch inside their Yondr Pouch for the duration of the school day.
2. If a student needs to leave school grounds for an appointment, or a school event, they may unlock the pouch upon leaving and lock it upon re-entry.
3. Students may not access their phone during the school day anywhere on school grounds unless they are leaving school grounds. *Students leaving early will unlock their phone in the Main Office.

End of School Day:

1. When the school day ends, students will unlock their pouch using the unlocking base at their school's designated area.
2. Students will remove their phone and store their empty pouch in their backpack or bag for the next day.
3. Students are free to use their phones on school grounds after school ends UNLESS they are required to attend after-school detention, credit recovery classes, or Saturday school.

Exemptions

Exceptional circumstances

Individual students may have extenuating reasons for needing access to their personal device during school hours, such as where:

- the device is used to monitor or help manage a health condition
- the device is a negotiated adjustment to a learning program for a student with a disability or learning difficulties
- the student has extenuating personal circumstances that require them to have more ready access to their personal device including being a parent themselves or a primary carer to a younger sibling or unwell family member.

Please contact the school if you need to request an exemption due to exceptional circumstances. Requests based on disability-related needs will be addressed through the IEP and/or Section 504 process, as appropriate. Other requests will be considered by the principal on a case-by-case basis. If approved, the exemption will be recorded in the student's file or health care/learning plan as appropriate.

Unmet Expectations

Each of the following violations will result in the student's phone and/or pouch being confiscated by school staff and will follow the consequences shown in the chart below.

- If a student's phone is visible at all during the day (a student is found using their phone, a phone is not in a Yondr Pouch, etc.)
- Physical damage to the pouch in an attempt to circumvent its intended purpose. (Ex. inappropriate markings, holes, bent pin, stripped lock, etc.)
 - Student will be required to pay for a replacement pouch at \$26ea.
- Storing an alternative device in the pouch and/or not putting ALL cell phones in student's possession into the pouch.
- Distributing or using a magnet to unlock pouch during school hours.
- Losing the pouch.
 - Student will be required to pay for a replacement pouch at \$26ea.
- Damaging or taking someone else's pouch.
- Using a phone anywhere on school grounds during school hours.
- Intentional or disruptive cell phone use

Consequences for Unmet Expectations

The consequences for the fifth and sixth offenses include the potential for suspension. Please note that the determination of whether or not to suspend is not automatic and will depend upon the information presented at the discipline hearing. The consequences for the fifth and sixth offense are guidelines only and the principal or designee will have the authority to impose a more or less severe consequence than set forth below depending on individual circumstances.

Should a student engage in more than six violations of this policy in a school year, the principal or designee will have the authority to consider additional consequences for the student up to and including long-term suspension from school.

First Offense	Second Offense	Third Offense	Fourth Offense	Fifth Offense	Sixth Offense
Hold Phone until End of Day <i>Student pickup phone</i>	Hold Phone until End of Day <i>Caregiver pickup phone</i>	Hold Phone during school time - one week <i>Student pickup phone</i>	Hold phone during school time - two weeks <i>Student pickup phone</i>	Hold Phone until End of Day <i>Caregiver pickup phone</i>	Offense moves to Aspen Code: Defiance
Caregiver Contact	Caregiver Meeting	Caregiver Contact	Caregiver Meeting	Possible 1 Day ISS or Saturday School	Possible 1 Day OSS
Documentation in Aspen - Code: Cellular/Comm Device	Documentation in Aspen - Code: Cellular/Comm Device	SEL Referral Documentation in Aspen - Code: Cellular/Comm Device	Behavior Contract Documentation in Aspen Code: Cellular/Comm Device	Discipline hearing/caregiver meeting Suspension Letter Documentation in Aspen - Cellular/Comm Device	Discipline hearing Suspension Letter Documentation in Aspen - Code: Defiance

Yondr Emergency Protocol

We want our students to be engaged in their learning. Students are in possession of their phone, in their Yondr Pouch, for the entire school day. We will advise students to store the pouch in their backpacks where it is completely safe. In case of an emergency at home, parents or guardians can contact their child during the school day by calling their school's Main Office. If the Main Office is not available, parents/guardians may call the Guidance Office for assistance or contact school administration via ParentSquare message.

In case of a school emergency (i.e., Perimeter Lockdown), we direct our students to safety first, following our school emergency protocol. All parents will receive notifications from our school-wide notification system, ParentSquare.

In case of a medical emergency, we have a school nurse on site in our Nurse's Office. Caregivers of a student who experiences a medical emergency are notified by the school nurse and/or an Administrator.

Frequently Asked Questions

What if a student forgets their pouch?

- The phone will be placed in a white sealable envelope (first/last +grade level) securely locked in the main office, and student will need to retrieve the phone at the end of the day. If this happens more than once home will be notified, and there will be a consequence following the chart above.

What happens if a student forgets to unlock their pouch before leaving the building?

- The school has many afterschool programs and athletic events. If the building is still open, students can return to unlock their pouch. If a student needs to unlock their pouch after hours, students can go to Durfee High School's Fieldhouse security office until 7 p.m.

What if a student needs their personal device for a medical issue?

- Students who have a documented medical condition and who need a personal device for monitoring their condition will be provided with an alternate Yondr pouch which has immediate access. If a student with a medical pouch uses their cell phone for any purpose other than medical access during school hours, they will be held to an alternative progressive discipline structure which would allow them to still have medical access to their phone.

Why can't the school just implement a zero-tolerance policy and allow students to keep their phones put away?

- Students have demonstrated time and time again that they will not comply with simply putting their phones away. Enforcement of this becomes a burden of the classroom teachers when students do not comply and valuable instructional time is lost.

Will students still be able to listen to music?

- Students will be able to use headphones with cords to connect to their Chromebooks. All Bluetooth devices, including AirPods, smartwatches and other headphones, must be stored in the Yondr pouch.

ACCESS TO DIGITAL RESOURCES POLICY

The School Committee supports the right of students, employees, and community members to have reasonable access to various information formats and believes it is incumbent upon users to utilize this privilege in an appropriate manner.

Safety Procedures/Guidelines

The Superintendent of Schools, in conjunction with the Chief Information Officer, shall develop and implement appropriate procedures to provide guidance for access to digital resources. Guidelines shall address teacher supervision of student computer or tablet use, ethical use of digital resources and issues of privacy versus an administrative review of electronic files and communications. In addition, guidelines shall prohibit the utilization of digital resources for prohibited or illegal activities and for the use of other programs with the potential of damaging or destroying programs or data.

Internet safety measures shall be implemented that effectively address the following:

- Controlling access by minors to inappropriate matter on the Internet as defined by the Children's Internet Protection Act (CIPA) and the Children's Online Privacy Protection Act (COPPA);
- Safety and security of minors when they are using email, instant messaging applications, and other forms of direct electronic communications;
- Preventing unauthorized access, including hacking, viruses, and other unlawful activities by minors online;
- Unauthorized disclosure use and dissemination of personal information regarding minors.

The FRPS shall provide a reasonable public notice to address and communicate its internet safety measures.

Empowered Digital Use

All students and faculty must agree to, and sign an Empowered Digital Use form prior to the student or staff member being granted independent access to digital resources and district networks.

The required form, which specifies guidelines for using digital resources and district networks, must be signed by the parent or legal guardian of minor students (those under 18 years of age) and also by the student. This document shall be kept on file as a legal, binding document. In order to modify or rescind the agreement, the student's parent/guardian (or student – 18 years old) must provide the Chief Information Officer with a written request.

Employee Use

Employees shall use district email, district devices, and district networks only for purposes directly related to educational and instructional purposes.

Community Use

On the recommendation of the Superintendent of Schools in conjunction with the Chief Information Officer, the district shall determine when and which computer equipment, software, and information access systems will be available to the community. All guests will be prompted to and must accept the district's Access to Digital Resources Policy before accessing the district network.

Disregard of Rules and Responsibility for Damages

Individuals who refuse to sign required Empowered Digital Use documents, or who violate district rules governing the use of district technology or networks shall be subject to loss or restriction of the privilege of using equipment, software, information access systems and network.

Individuals shall reimburse the district for repair or replacement of district property if lost, stolen, damaged, or vandalized while under their care in accordance with the following fee schedule:

Screen Repair	\$75.00
Case Replacement	\$50.00
Chromebook Frame	\$30.00
Hinge Repair	\$35.00
Chrome book base	\$25.00
Keyboard Repair	\$40.00
Chromebook Ports	\$20.00
Charging Cable	\$35.00
Chromebook Replacement	\$275.00

EMPOWERED DIGITAL USE POLICY

Purpose

The School Committee recognizes the need for students to be prepared to contribute to and excel in a connected, global community.

To that end, the district provides ongoing student instruction that develops digital citizenship skill sets for using technology as a tool.

Information and communication technology are an integrated part of our curriculum across subjects and grades in developmentally appropriate ways and are aligned with the Massachusetts Curriculum Frameworks and Standards, including seeking knowledge and understanding, thinking critically and solving problems, listening, communicating and interacting effectively; engaging and competing in a global environment.

Availability

The Chief Information Officer or designee shall implement, monitor, and evaluate the district's system/network for instructional and administrative purposes.

All users shall acknowledge that they understand that using digital devices, whether personal or school-owned, and the school district network is a privilege and when using them in accordance with the district's guidelines they will retain that privilege.

The Chief Information Officer or designee shall develop and implement administrative guidelines, regulations, procedures, and user agreements consistent with law and policy, which shall include but not limited to the following:

- Digital devices, software, and networks shall be used in school for educational purposes and activities.
- An individual's personal information (including home/mobile phone numbers, mailing addresses, and passwords) and that of others shall be kept private.
- Individuals will show respect for themselves and others when using technology including social media.
- Users shall give acknowledgment to others for their ideas and work.
- Users shall report inappropriate use of technology immediately.

These procedures shall be reviewed annually by district administration, students, and teachers; shall provide a springboard for teaching and learning around topics such as internet safety, digital citizenship, and ethical use of technology.

CHROMEBOOK POLICY AND PROCEDURES

FRPS teachers and administrators believe that excellence in education requires a seamless integration of technology into the curriculum/instruction, and Chromebooks constitute an innovative and powerful tool to increase students' access to technology and prepare them for college and the 21st Century workplace.

Chromebook Goals: a) to support the implantation of the local curriculum and common core learning standards, b) to enhance learning opportunities by focusing on the application of skills in information retrieval, searching strategies, research skills, and critical thinking, and c) to promote life-long learning.

Acceptable Usage: In the interest of consistency and proper management of Chromebooks, students using Chromebooks and other authorized digital learning devices at FRPS must accept the Chromebook Usage Policy. The use of FRPS technology resources is a privilege, not a right. The privilege of using the technology resources provided by FRPS is not transferable or extendable by students to people or groups outside the district and terminates when a student is no longer enrolled in FRPS. This policy is provided to make all users aware of the responsibilities associated with efficient, ethical, and lawful use of technology resources. If a person violates any of the user terms and conditions outlined in this policy, privileges may be terminated, access to the school district technology resources may be denied, and the appropriate disciplinary action shall be applied. The FRPS Student Code of Conduct shall be applied to student infractions. Teachers have the prerogative of setting additional requirements for Chromebook and other digital device usage in their classrooms. All students and staff must read and sign the Fall River Public Schools Acceptable Use Policy pertaining to their membership.

Note: Violation may result in disciplinary actions up to and including suspension/expulsion for students. When applicable, law enforcement agencies may be involved.

Parent/Guardian Responsibilities:

1. Talk to your child about values and the standards that your child should follow on the use of the internet, just as you do on other social media information sources (e.g. television, telephones, movies, and radio).
2. You may opt out of having a Chromebook. However, keep in mind that this action may prevent your child from benefiting from learning opportunities that the Chromebook offers. Should you opt out, your child will still be responsible for completing his/her Chromebook assignment, which could take him/her longer.

School Responsibilities:

1. Provide internet and email access to your child
2. Filter or block inappropriate or harmful materials transmitted via the internet
3. Provide network data storage areas. FRPS reserves the rights to review, monitor, and restrict information stored on or transmitted via FRPS-owned equipment and to investigate inappropriate use of resources.
4. Provide staff guidance to aid students in doing research and help assure student compliance of the acceptable use policy.

Students are Responsible for:

1. Using computers/devices in a responsible and ethical manner.
2. Obeying general school rules concerning behavior and communication that apply to Chromebook or related digital learning devices.
3. Using all technology resources in an appropriate manner so as to not damage school equipment.

This “damage” includes, but not limited to, loss of data resulting from delays, non-deliveries or service interruptions caused by the student’s own negligence, errors, or omissions.

4. Contacting school administrator about any security problems they may encounter.
5. Turning off and securing their Chromebook after finishing with their work to protect their work and information.
6. If a student should receive an email containing inappropriate or abusive language or if the subject matter is questionable, he/she is asked to print a copy and turn it into the main office.
7. Returning their Chromebooks to the Learning Commons at the end of each school year. Students, who graduate early, withdraw, are suspended or expelled, or terminate enrollment with FRPS for any other reason must return their individual school Chromebook on the date of termination.

Note: Unreturned Chromebooks will be treated as unreturned book and related instructional materials to school, which means that students will be put on social probation.

Students on social probation will be precluded from participating in school functions, activities, social events, including graduation. Grades, transcripts, diplomas or any other records will be withheld until the Chromebook is turned to school. Probation is determined by the school based Administrator.

Students Activities Strictly Prohibited:

1. Illegal installation or transmission of copyrighted materials.
2. Taking any action that violates existing school policy or public law.
3. Sending, accessing, uploading, downloading, or distributing offensive, profane, threatening, pornographic, obscene, or sexually explicit materials.
4. Using chat rooms, sites selling term papers, book reports, and other forms of student work.
5. Using messaging services, for example: MSN Messenger, ICQ, and playing internet/computer games.
6. Using outside data disks or external attachments without prior approval from the administration.
7. Using services such as AI or Chat GPT to write papers or complete assignments.
8. Changing Chromebook setting (exceptions include personal settings, such as font size, brightness, etc.)
9. Spamming-Sending mass or inappropriate emails.
10. Gaining access to other students’ accounts, files, and/or data.
11. Using the school’s internet/email accounts for financial or commercial gain or for any illegal activity.
12. Using anonymous and/or false communications, such as MSN Messenger, Yahoo Messenger
13. Giving out personal information for any reason over the internet. This includes, but is not limited to, setting up Internet accounts including those necessary for chat rooms, EBay, email, etc.
14. Participating in credit card fraud, electronic forgery, or other forms of illegal behavior.
15. Vandalizing (any malicious attempt to harm or destroy hardware, software, or data including, but not limited to, uploading or creation of computer viruses or computer programs that can infiltrate computer systems and/or damage software components) school equipment.
16. Transmitting or accessing materials that are obscene, offensive, threatening, or otherwise intended to harass or demean recipients.
17. Bypassing the FRPS Web filter through a Web proxy.

Chromebook Care: Students are responsible for maintaining their individual Chromebooks and keeping them in good working order.

1. Chromebook batteries must be charged and ready for school each day.
2. Only labels or stickers approved by FRPS may be applied to the Chromebooks.
3. Students will use mandatory school provided cases (or cases officially approved by the school) or face progressive discipline measures.
4. Chromebooks that malfunction or are damaged must be reported to the Learning Commons. The school district will be responsible for repairing malfunctioning Chromebooks.
5. Students will be responsible for the entire cost of repairs to Chromebooks that are damaged intentionally.
6. Chromebooks that are stolen must be reported immediately to the main office and the Police Department.

Legal Propriety:

1. Comply with trademark and copyright laws and all license agreements. Ignorance of the law is not immunity. If you are unsure, ask a teacher or parent.

2. Plagiarism is a violation of the FRPS Code of Conduct. Give credit to all sources used, whether quoted or summarized. This includes all forms of media on the internet, such as graphics movies, music, and text.
3. Use or possession of hacking software is strictly prohibited and violators will be subject to penalties in the FRPS Student/Parent Handbook. Violation of applicable state or federal law will result in criminal prosecution or disciplinary action by the district.

Parents' Guide to General Student Internet Use: The FRPS recognizes that with new technologies come new challenges to both educators and parents. Below is a series of suggestions drawn from a wide variety of professional sources that may aid you, the parent, in effectively guiding your child's use of the Chromebook.

Emphasize the concept that "Cyberspace" is NOT "Private Space"

Parents/Guardians should talk to their children about what they are doing in Cyberspace. Talk openly and honestly about online and cell phone activity. Make sure that your children fully understand that messages or pictures they send over the internet or their cell phones are not private or anonymous. Also, make sure they know that other might forward their pictures or message to people they do not know. It is essential that students grasp the potential short-term and long-term consequences of their actions on the internet and while using their cell phone or other electronic devices.

Know with whom your child is communicating electronically

- **Encourage** your child to use and store the Chromebook in an open area. The kitchen or family room is a great area for your child to work on and store the Chromebook.
- Open areas will help you monitor what your child is doing online.
- **Learn** who your children are spending time with online and on cell phones. Supervising and monitoring your child's whereabouts in cyberspace is now part of conscientious parenting today.
- **Limit** electronic communication. You can limit the time your children spend online and on the phone. Do not permit access to phones and computers at inappropriate times such as after bedtime.
- **Monitor** your child's public online profiles. Be aware of what your child is posting publicly on the internet.

ACCEPTABLE USE POLICY

The District has developed an Acceptable Use Policy (AUP) which addresses use of the FRPS Network and access to the internet, as well as use of technological devices, including the district's 1:1 Device and Bring Your Own Technology policies. An excerpt of the AUP is below. **For a complete copy of the district's Acceptable Use Policy, access the FRPS Policy Manual Here: [FRPS Policies & Procedures](#).**

The Fall River Public Schools provide employees and students with access to the Fall River Public Schools Data Network (also referred to as the FRPS network), which also serves as our gateway to the Internet. Access to the FRPS Network and the Internet has been developed for educational purposes. It is intended to assist in preparing students for a successful life in the 21st century. The FRPS network provides access to a wide range of information resources and the ability to communicate with people throughout the world. The term "educational purposes" includes use of the network for curriculum activities, and professional or career development activities related to education.

Additionally, the FRPS network will be used to enhance productivity through increased communication within the district and assist its employees in upgrading their skills through greater exchange of information with their peers. The network will also assist the district in communicating with parents, social service agencies, government agencies, and businesses.

The School Committee recognizes the need for students to be prepared to contribute to and excel in a connected, global community. To that end, the district provides ongoing student instruction that develops digital citizenship skill sets for using technology as a tool. Information and communication technology are an integrated part of our curriculum across subjects and grades in developmentally appropriate ways and are aligned with the Massachusetts Curriculum

Frameworks and Standards, including seeking knowledge and understanding; thinking critically and solving problems; listening, communicating, and interacting effectively; and engaging and competing in a global environment.

Scope of Acceptable Use and Technology Policies

This policy and all FRPS technology policies, guidelines, and rules refer to all computing and electronic devices (including but not limited to: computers, mobile web enabled devices, Chromebooks, iPads, MP3 players, portable memory storage devices, calculators with interfacing capability, cell phones, digital cameras, etc.) peripheral devices (including but not limited to devices for printing, storing, duplicating and receiving information), technology infrastructure, and/or software.

Further, this policy and all FRPS technology policies, guidelines, and rules apply to any and all computing or electronic communication devices owned by, leased by, in the possession of, or being used by students and/or staff that are operated on the grounds of any district facility or connected to any equipment at any district facility by means of web connection, direct connection, or any other type of connection.

This policy and all FRPS technology policies, guidelines and rules apply to all computing, network access, and network infrastructure, regardless of whether it is accessed from school or off-campus and regardless of whether it is accessed during or after school hours. All FRPS email and files, either downloaded or copied from the FRPS system, that are accessed through a user's home computer or any other non-FRPS computer or device, are Fall River Public Schools' property and should be used and protected according to this policy and other applicable policies and laws governing information confidentiality and security.

Records of electronic device use may be subject to public records law and may be discoverable in criminal or civil proceedings. This policy and the Acceptable Use Policy Agreement also applies to any online service provided directly or indirectly by the Fall River Public Schools for student and/or staff use, including but not limited to: Google Apps for Education accounts, Email, Calendar, Clever, and Aspen.

The privilege of using FRPS technology resources is not transferable or extendable by students to people to groups outside the district and terminates when a student is no longer enrolled in FRPS or employee is no longer employed by FRPS. Due to the changing nature of information technology, not all circumstances may be anticipated or addressed in this policy and the associated Acceptable Use Agreement. All users are expected to comply with both this policy as written and the spirit of this policy and show good judgment in their use of technology resources.

SEARCHES AND INTERROGATIONS

Search of Student Lockers and Desks

1. Lockers and desks are the property of FRPS and maintain control of all locks affixed to lockers. No other locks are permitted and such locks will be removed by the school administration.
2. Students shall not have any expectation of privacy in school lockers, desks, and cubbies and should be aware that school lockers and desks may be searched at any time by school officials.
3. It is prohibited to store any illegal items/substances or items/substances in violation of any school rule or Federal, State or Local law in a locker, desk, or cubby.
4. Items/substances prohibited from being in lockers include but are not limited to: guns/knives/weapons (real or fake), drugs or alcohol, fireworks/explosives, fire/smoke/odor producing products, and any other evidence of a school rule or legal violation.
5. Students should be aware that, at the discretion of a school administrator, a student's locker or desk may be searched at any time and prohibited items/substances will be seized.

Search of Students and Their Belongings

1. Search of a student's person, personal possessions (including personal electronic devices), or automobile on school property, will only be performed, and seizure of a student's belongings will only take place, if there exists reasonable suspicion that the student has violated or is violating either the law or the rules of the school. The search will be conducted in a manner reasonably related to its objectives and will not be excessively intrusive in light of the age and sex of the student and the nature of the infraction.

Whenever a personal search is deemed necessary, the student shall be advised of the reason for the impending search prior to its implementation. Search of a student may extend to, but is not limited to, articles of clothing such as pockets; and to the removal and search of outer garments such as hats/caps/head-gear, jackets, coats, sweaters, sweatshirts, or shoes; and to items such as pocketbooks, lunch bags, book bags, athletic bags, personal electronic devices, or backpacks. The consent of the student or a parent/guardian shall not be required prior to conducting a search of a student or the student's belongings. Students found in possession of prohibited items or materials may be subject to disciplinary action and/or criminal prosecution. If the student fails to voluntarily comply with a search, the student may remain under adult supervision until the student's parents, and, if necessary, the police, can arrive at the school to assist, as appropriate, in the investigation.

Students who impede or refuse to comply with a search may be subject to disciplinary consequences, including a short or long-term suspension from school. In the event of a search of a student or their belongings, parents will be notified of the search and the results thereof as soon as practicable. Except under exigent circumstances, the school administrator will conduct searches in the presence of another adult. Any object or substance found which may be evidence of a crime will be given to the police. Objects or substances which may be evidence of a school rule violation, but not a crime, will be held by FRPS administrators, and, if appropriate, may be returned to the student's parents.

2. Search of a student or his/her belongings shall be conducted, when possible, with at least two adult school personnel present, one of whom shall be the principal or his/her designee. A female staff member shall be present when a female student is searched, and a male staff member shall be present when a male student is searched.
3. Search of a student's belongings or of a student's automobile parked on school property will only be performed, and seizure of a student's belongings will only take place, if there exists reasonable suspicion that the student has violated or is violating either the law or the rules of the school. The search will be conducted in a manner reasonably related to its objectives and will not be excessively intrusive in light of the age and sex of the student and the nature of the infraction. When reasonably possible, search of a student's belongings not in the immediate possession of the student or of a student's automobile parked on school property will be in the presence of the student(s) whose conduct is under scrutiny and in the presence of a second school official.
4. "Strip searches" of students come with a heightened degree of expectation of privacy and require a heightened degree concern for school and student safety, therefore, no school administrator or teacher shall ever conduct a "strip search" of a student.
5. Should a search uncover any substances or contraband, such shall be turned over to the appropriate authorities or rightful owner, as appropriate, and suitable disciplinary action shall be taken.
6. Search of a student or his/her belongings in accordance with the above procedure may take place at school or at any school sponsored event on or off school property or during the transportation to such event.

Police Interrogations

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

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

PREVENTION OF PHYSICAL RESTRAINT AND REQUIREMENTS IF USED

Maintaining an orderly, safe environment conducive to learning is an expectation of all staff members of the school district. Further, students of the district are protected by law from the unreasonable use of physical restraint. Such restraint shall be used only in emergency situations of last resort after other lawful and less intrusive alternatives have failed or been deemed inappropriate, and with extreme caution. When an emergency situation arises, and physical restraint is the only option deemed appropriate to prevent a student from injuring themselves, another student or school community member, a teacher or employee or agent of the school district may use such reasonable force needed to protect students, other persons or themselves from assault or imminent, serious, physical harm.

The definitions of forms of restraint shall be as defined in 603 CMR 46.02. The use of mechanical restraint, medical restraint, and seclusion is prohibited. The power of the School Committee or of any teacher or other employee or agent of the Committee to maintain discipline on school property shall not include the right to inflict corporal punishment upon any student. Physical restraint, including prone restraint where permitted under 603 CMR 46.03, shall be considered an emergency procedure of last resort and shall be prohibited except when a student's behavior poses a threat of assault, or imminent, serious, physical harm to themselves and/or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions are deemed inappropriate.

Please see School Committee Policy JKAA [Physical Restraint of Students and Physical Restraint Procedures](#) for additional information.

DISCRIMINATION AND HARASSMENT/GRIEVANCE PROCEDURES

Title IX of the Education Amendments of 1972 and Title IX Grievance Procedures

The Fall River Public Schools does not tolerate discrimination against students, parents, employees or the general public on the basis of sex. The Fall River Public Schools is also committed to maintaining a school environment free of harassment based on sex, including harassment based on gender, sexual orientation, gender identity, pregnancy or pregnancy status. The Fall River Public Schools' policy of nondiscrimination extends to students, staff, the general public, and individuals with whom it does business; no person shall be excluded from or discriminated against in employment, admission to a public school of Fall River or in obtaining the advantages, privileges, and courses of study of such public school on account of sex.

How to Report Sexual Harassment: Individuals are encouraged to report allegations of sexual harassment to the Title IX Coordinator(s) identified below or the principal. Any report of sexual harassment, as defined under Title IX of the Education Amendments of 1972, will be responded to promptly in accordance with the *district's Title IX Sexual Harassment Grievance Procedures*, available at: [Civil Rights Procedures for Title IX / Sexual Harassment](#). Reports of discriminatory harassment not constituting sexual harassment as defined under Title IX of the Education Amendments of 1972, will be initially addressed through the *district's Title IX Sexual Harassment Grievance Procedure* and may, if dismissed under that procedure, be investigated in accordance with the *district's Civil Rights Grievance Procedures*, available at: [Civil Rights Procedures \(non-sexual harassment\)](#).

Upon receipt of a report of sexual harassment, the Title IX Coordinator will: (1) promptly and confidentially contact the complainant to discuss the availability of supportive measures; (2) inform the complainant of the availability of supportive measures with or without the filing of a Title IX Formal Complaint; (3) consider the complainant's wishes with respect to supportive measures; (4) if the school district does not provide the complainant with supportive measures, document the reasons why such response was reasonable; and (5) explain to the complainant the process for filing a Title IX Formal Complaint.

Inquiries about the application of Title IX may be directed to the district's Title IX Coordinator and/or the Assistant Secretary of the U.S. Department of Education, Office for Civil Rights.

The district's Title IX Coordinator(s) is:

Dr. Aimee Bronhard
417 Rock Street
Fall River, MA 02720
abronhard@fallriverschools.org
Phone: 508-675-8420

Civil Rights Grievance Procedure

The Fall River Public Schools is committed to maintaining school environments free of discrimination, harassment or retaliation based on race, color, religion, national origin, gender, sexual orientation, gender identity, age or disability.

Harassment, discrimination, and retaliation in any form or for any reason is prohibited. This includes harassment or discrimination by administrators, personnel, students, vendors and other individuals in school or at school related events.

Retaliation against any individual who has brought harassment or discrimination to the attention of school officials or who has cooperated in an investigation of a complaint under this procedure is unlawful and will not be tolerated by the Fall River Public Schools. Persons who engage in harassment, discrimination or retaliation may be subject to disciplinary action, including, but not limited to reprimand, suspension, termination/expulsion or other sanctions as determined by the school district administration, subject to applicable procedural requirements.

Non-Applicability of This Procedure to Title IX Sexual Harassment Allegations

The Civil Rights Grievance Procedure shall not apply to reports of sexual harassment as defined under Title IX of the Education Amendment of 1972 and its implementing regulations ("Title IX") effective August of 2020.

Allegations of conduct that could, if proven, meet the definition of sexual harassment under Title IX shall be addressed through the district's Title IX Sexual Harassment Grievance Procedures.

Similarly, allegations of conduct that meet the definition of sexual harassment under Title IX, and simultaneously meet the definitions of sexual harassment under Title VII (employees), M.G.L. c. 151B (employees), and/or M.G.L. c. 151C (students), will also be addressed through the Title IX Sexual Harassment Grievance Procedures. Allegations of conduct that do not meet the definition of sexual harassment under Title IX, but could, if proven, meet the definition(s) of sexual harassment under Title VII (employees), M.G.L. c. 151B (employees), and/or M.G.L. c. 151C (students), will be addressed through the Civil Rights Grievance Procedure.

The district's Civil Rights Grievance Procedure is available here: [Civil Rights Procedures \(non-sexual harassment\)](#).

CURRICULUM AND 603 C.M.R. 26.00

Consistent with Massachusetts regulations, 603 CMR 26.05(1), the Fall River Public Schools, through its curricula and materials, encourages respect for the human and civil rights of all individuals, regardless of race, color, sex, gender identity, religion, national origin or sexual orientation. In accordance with district guidelines, families may request information from the building principal on available accommodations related to curriculum content.

DRESS CODE (FOR SCHOOLS WITHOUT SPIRIT WEAR)

INTRODUCTION

FRPS recognizes that, within certain limits, each student's mode of dress and grooming is a manifestation of personal style and individual preference. It therefore will not interfere with the ability of students and their parents to make decision regarding their appearance except when their choices affect the educational program within the schools or the health and safety of others. For students, school is the time when they acquire skills that will eventually lead to their becoming productive citizens. As such, school is the first "job". It is important that students come to school dressed comfortably so as to be able to fully participate in all lessons and activities.

It is equally important that students dress in a respectful fashion and come to school ready to learn. Proper attire can influence behavior in a positive way and set the tone for order and positive school experience. Conservative attire helps students focus on learning because their attention is not drawn away from the work at hand. Clothing should be sturdy and comfortable and be able to accommodate group work and other cooperative learning activities which require the use of many different areas in the classroom.

DRESS CODE

Any manner of dress that presents a health or safety hazard to a student or others is potentially damaging to school property, or disruptive to the educational process is prohibited. Students have the right to freedom of expression.

However, this right is limited if the expression, including that which is expressed via clothing, causes disruption or disorder. The district will not adopt or implement any policy that prohibits or impairs any hairstyle historically associated with race, including, but not limited to, protective hairstyles (braids, hair coverings, Bantu knots, locks, twists, and other formations), hair length, hair type, and hair textures.

Students in violation of the above will receive the following sequential consequences:

1. Principal/Student/Parent will attempt an informal resolution to the situation
2. Student may, at the principal's/vice principal's discretion, be sent home to change into more appropriate clothing (with parent notification).
3. A parent conference may be called to discuss the issue.
4. If the problem persists, appropriate disciplinary action will be taken as indicated in the Discipline Code.

The following guideline may be useful in helping parents to determine school attire which may be disruptive to the educational process.

Students who wear any of the following may be disruptive to the school environment, and therefore may be found in violation of this dress code:

1. Outdoor clothing during the usual course of the school day except when coming or going out of the building.
2. Clothing which advertises or alludes to drugs, alcohol or tobacco products.
3. Clothing depicting any words or symbols that could in any way be construed as sensual, sexual, or obscene.
4. Clothing or other attire which may be perceived as a gang related symbol (for example, hats, bandanas, beads.)
5. Any accessories, devices, objects which may cause or inflict bodily harm. (Example: jewelry that could be used as a weapon, such as chains, or piercing of body parts which may pose a safety hazard).
6. Apparel or other modes of appearance (such as tattoos) which promote hatred regarding another person's race, color, sex, national origin, religion, or sexual orientation.
7. Footwear which poses hazard to the student or school such as jelly shoes, flip flops, spikes etc.

SPIRIT WEAR POLICY

The FRPS recognizes that certain schools have elected to participate in the program known as Spirit Wear. In an effort to promote school pride and spirit, and to encourage a sense of belonging to the school community, schools may opt to participate in the spirit wear program.

School Spirit Wear policies will not include provisions that vary significantly from the following general guidelines:

- A choice of shirts should be consistent with other participating school programs, with a minimum of two color options and allowing styles that are available at other schools in the spirit wear program.
- A choice of pants should be consistent with other spirit wear programs, with a minimum of two color options, and allowing styles that are in place at other schools in the program.
- In creating suggested guidelines for shoes, boots, and sneakers, the goal should be to ensure student safety, and to avoid possible issues or distractions.
- Minimal restrictions on color choices should be the guideline, with the goal being to avoid any cost hardship to families, while minimizing possible distractions.
- The guidelines for accessories should simply be to ensure personal safety for all students and avoid any excessive features that would be a distraction to the educational process, as outlined under the district Dress Code policy (File: JICA).

SCHOOL BUILDING SAFETY/SECURITY POLICY

The following procedures are to be followed in all school buildings:

- **All school entrances are to be locked at all times.** Doors may be opened during the day for education purposes (i.e. recess, physical education classes, deliveries, etc.), as long as there is adult supervision or monitoring during this time period.

- In each school, entrance(s) will be monitored. At the main entrance(s) in the middle schools and the high school, video surveillance cameras will be utilized for this purpose.
- In all schools, visitors will be required to ring buzzer to gain entrance.
- Appropriate signs must be placed at the entrance of each school to notify visitors and non-school personnel that they must report to the office prior to visiting any classrooms in the building. No one is allowed to wander through the school at any time without an appropriate staff member.
- No one is allowed in a school building to pick up a child before school is dismissed unless there is an emergency. Parents are requested to provide the building principal with a 24- hour notice whenever an early dismissal will be needed.
- Any suspicious individuals or activities that are observed in or around the school should be reported to the police department immediately, followed by notification to the Office of the Superintendent.
- Any activity of a suspicious nature should be immediately investigated by the principal or other appropriate staff member.

ATHLETICS AND CLUBS

Students in good standing at RPS are not only capable of participating in the sports program and extra-curricular activities at B.M.C. Durfee High School, and Middle School athletics programs but are also encouraged. Please see the student handbook eligibility and requirements.

Note: In some circumstances, special permission may need to be granted by the B.M.C. Durfee principal or his/her designee.

The Fall River Public Schools follows all Massachusetts Interscholastic Athletic Association Rules and Guidelines.

Prohibition of Hazing, Massachusetts General Law c. 269 Sections 17-19:

Section 17:

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

The term "hazing" as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which wilfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

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

Section 18:

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

Section 19:

Each institution of secondary education and each public and private institution of post secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections seventeen and eighteen; provided, however, that an institution's compliance with this section's requirements that an institution issue

copies of this section and sections seventeen and eighteen to unaffiliated student groups, teams or organizations shall not constitute evidence of the institution's recognition or endorsement of said unaffiliated student groups, teams or organizations.

Each such group, team or organization shall distribute a copy of this section and sections seventeen and eighteen to each of its members, plebes, pledges or applicants for membership.

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

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

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

SERVICE ANIMAL POLICY

FRPS is committed to providing a high quality educational program to all students in a safe and healthy environment. School principals, in consultation with the Health Services Providers in each building, shall permit service animals (dogs or miniature horses only) in a manner consistent with Title II of the American with Disabilities Act.

MULTILINGUAL LEARNERS/ENGLISH LEARNERS

Upon a student's enrollment, FRPS will identify (1) students who may be English learners (ELs) and will assess their level of English proficiency, or (2) students who may be Former English learners (FELs). Specifically, FRPS will administer a home language survey to all newly enrolling students, and if a language other than English is identified, FRPS will screen the English proficiency of the student using the WIDA screening assessment within thirty (30) days of the student's enrollment. At any time, a parent/guardian of a student enrolled at FRPS may request that the school assess the student's level of English proficiency. FRPS will notify the parent/guardian of the school's determination and the student's placement, and such information will be placed in the student's school record. Students identified as English Learners (ELs) will be enrolled in an English Language Education (ELE) program, such as a sheltered English immersion program or an alternative that meets the requirements of federal and state law. FRPS will verify at the beginning of each school year that the teachers in the English learner program are properly endorsed. Students with a disability are eligible for ELE programming, and EL students are eligible for special education if they meet the criteria.

Students have the right to enter into an ELE at any time. A parent/guardian may request to enroll or transfer their student into a specific EL education program offered by FRPS, and such requests will be reviewed by the Superintendent or his/her designee, and responded to within twenty (20) school days. Parents/guardians may also request that a specific ELE program be implemented. If at least parents of twenty (20) EL students submit a request, the school will respond within ninety (90) days with either an offer to implement the requested program or an explanation denying the request. Parents/guardian have the right to visit an ELE program.

If advised to by the student's teacher or guidance counselor, the school may request, in writing, a program transfer of the student, with notice to the parents/guardians. FRPS will not separate ELs from their English-speaking peers, except when programmatically necessary to implement an ELE program. ELs in any program will be taught to the same academic standards and curriculum frameworks as non-EL students, and will be provided the same opportunities to master such standards and frameworks.

ELs will have equal access to all educational programming and extracurricular activities offered by the school, for which they qualify, including non-core academic courses. English proficiency will not determine student participation in academic programs and services such as career education programs, counseling, special education, Section 504 Accommodation Plans, Title I services, athletics, electives, or performing arts, unless a particular program or advanced course requires English proficiency for meaningful participation. ELs will be awarded credit toward graduation. ELs will participate in the statewide assessment system, and an English proficiency test will be administered each year. Only ELs identified as severely learning disabled will be exempt. ELs have the right to receive counseling and guidance offered by the school in a language they can understand.

FRPS will assess ELs annually to gauge proficiency in reading, writing, listening, and speaking English, and progress in learning English.

Once an EL attains English proficiency and is able to do regular school work in English, he/she will no longer be classified as an EL and will be transferred to mainstream, English language classrooms. FRPS will still monitor the FELs progress for four years and provide any needed support, if applicable. A FEL will be re-classified back to an EL if they fail to make academic progress due to a lack of English proficiency. Parents/guardians will be notified of all re-classifications.

A parent/guardian may withdraw their student from an EL education program in accordance with state and federal law. If a parent opts their out of a language program, the school will provide instructional support to ensure the student has access to the curriculum and same opportunities to master academic standards and curriculum frameworks as his/her native English-speaking peers. Opted-out student will still be assessed with the state mandated English language proficiency test.

M. G. L. c. 71A; 603 C.M.R. 14.00

HOME SCHOOL

The Massachusetts General Law requires the School Committee to determine that a Home Schooling program meet with the minimum standards established for public schools in the Commonwealth prior to approving such a program.

Step 1: Families who wish to home school their children must first submit the "Notice of Intent to Pursue a Program of Home Education" application found on the FRPS website. Notice of Intent applications, for both new and continuing proposals, should be sent, prior to beginning the Home Education Program, to:

***Assistant Superintendent/Chief Academic Officer
417 Rock St.
Fall River, MA 02720***

Any questions on either the Notice of Intent or the Home Education process may be directed to Assistant Superintendent at 508-675-8420 ext. 53811.

Step 2: Upon receipt of the Notice of Intent, Assistant Superintendent will review the proposed home schooling plan.

Step 3: The parent/guardian will then be notified as to whether the plan is approved or denied.

If the plan is approved, an approval notice will be signed by the Assistant Superintendent and Principal, and then sent to the parent/guardian. If the plan is denied, the parent/guardian will be provided with specific reasons for the denial so that the parent/guardian may revise and resubmit the plan.

Step 4: If the parent/guardian elects to proceed with implementing an approved Home Education plan, the parent/guardian must notify Assistant Superintendent of this in writing, either by signing and returning the approval notice, or by otherwise notifying Assistant Superintendent in writing of their decision.

If you plan to continue homeschooling during the next school year, you will need to file a “Notice of Intent to Pursue a Program of Home Education” along with the results of an annual assessment. Please use the printable version Notice of Intent to Pursue a Program of Home Education (located on the FRPS website) application form for children who were homeschooled in Fall River during the past academic school year.

Notice of Intent applications, for both new and continuing proposals, should be sent, prior to beginning the Home Education Program to the address above.

A student being educated in a home-based program within the district may have access to public school activities of either a curricular or extracurricular nature upon approval of the Superintendent.

LEGAL REFS: M.G.L. 69:1D; 76:1, Care and Protection of Charles Care and Protections of Charles - MASS. Supreme Judicial Court 399 Mass. 324 (1987)

SERVICES FOR STUDENTS WITH DISABILITIES

Under the Individuals with Disabilities Education Act (“IDEA”) and M.G.L. c. 71B, some students with disabilities may be eligible for services if they require specialized instruction and/or supportive services to help them make effective progress in school. These services can include, but are not limited to, speech therapy, physical therapy, occupational therapy, specialized instruction, or placement in a special classroom.

Students may be referred to the Special Education Department for an evaluation of eligibility for special education services. Within five (5) school days of such a referral, a consent form authorizing an evaluation of the student will be forwarded to the parent(s). Within forty-five (45) school days of receipt of the parent(s)’ consent, an evaluation will be conducted and a Team meeting will be held to determine if the student is eligible for special education services.

If the student is found eligible for special education services, the Team will develop an Individualized Education Program (IEP) identifying the necessary services.

Section 504 of the Rehabilitation Act of 1973 (“Section 504”) is a federal law designed to protect the rights of individuals with disabilities in programs and activities that receive federal financial assistance from the U.S. Department of Education.

Section 504 provides: “No otherwise qualified individual with a disability in the United States shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance, Title II of the Americans with Disabilities Act of 1990 (Title II) is a federal law that applies to public entities, including the conforming amendment to Section 504 that affects the meaning of a disability under Section 504.

The Section 504 regulations require a school district to provide a “free appropriate public education” (FAPE) to each qualified student with a disability who is in the school district’s jurisdiction, regardless of the nature or severity of the disability. Under Section 504, a FAPE consists of the provision of regular or special education and related aids and services designed to meet the student’s individual educational needs as adequately as the needs of nondisabled students are met. Compliance with the IDEA is one means of complying with Section 504.

Additionally, FRPS provides nonacademic and extracurricular services and activities in such a manner as is necessary to afford students with disabilities an equal opportunity for participation.

The district is permitted to establish and utilize skill-based eligibility criteria for participation in extracurricular programs and activities (e.g., school-sponsored athletics) so long as the criteria are rationally related to the purposes and goals of the specific program or activity.

OBSERVATIONS OF EDUCATION PROGRAMS

Observations of a student's current and/or proposed special education program may be conducted by a parent/guardian or his/her designee in accordance with M.G.L. c. 71B § 3. Parents must request an observation in advance and can submit the request to their Student's Team Chair, Special Education Supervisor, and building principal. Observers may be required to sign a non-disclosure form to protect student confidentiality.

HEALTH SERVICES PK-12

School Nursing Services

All schools have a Health Office that is staffed by a full-time registered nurse. Our nurses provide assistance to those who are ill, injured or require prescribed routine or emergency care during school hours.

IMPORTANT INFORMATION TO SHARE WITH YOUR CHILD'S SCHOOL NURSE

School nurses are committed to the well-being of every child, and they understand that parents may have concerns about their child's health. However, most calls to parents are reserved for serious health concerns, emergencies, and issues requiring further medical follow-up or monitoring.

If you have any specific concerns for your child, either for the day or their times in school, do not hesitate to call or send a message directly to your school nurse to alert her and devise a mutual care plan.

It is especially important to contact the school nurse if your child has:

- A new medical diagnosis and/or medication;
- Been hospitalized, absent, or may be absent for an extended period of time;
- Been treated for an infectious disease;
- Lice or nits that you are treating;
- Any allergies, or has developed a new allergy;
- Any injury or medical condition that may require accommodations for gym, transportation, etc.;
- No health insurance and resources are needed.

Health Screenings

Massachusetts Department of Public Health (MA DPH) requires that certain health screenings be performed in schools, and that any failed results have documentation from a student's health care provider of follow-up returned to the school nurse.

School nurses will notify parents prior to health screenings being performed and of any failed results requiring medical follow up. Health Screenings are performed in the following grade levels:

Vision – Grades PK,K,1,2,3,4,5,7,9

Hearing – Grades K,1,2,3,7,9

Height, Weight, and BMI (Body Mass Index) – Grades 1,4,7,10

Scoliosis – Grades 5,6,7,8,9

SBIRT (Screening, Brief Intervention, Referral for Treatment) – Grades 7,9

Parents or guardians wishing not to have these screenings done in school must notify the school nurse in writing. This notice must be received every year, and must specify which screening is being declined.

Health Requirements for School Entry

All students are required by Massachusetts General Law to have a health record on file with the school nurse. This record must contain a physician's certified immunization record; a copy of a physical examination; and a completed TB risk assessment (with follow up testing or lab result documentation as required). School Nurses will send home notices when required documentation is due, and may exclude students from school that do not meet the requirements.

- Physical examinations and immunizations follow Massachusetts Department of Public Health schedules and regulations.

- Physical exams are required within 1 year prior to entrance to school or within 30 days after school entry and at intervals of 3-4 years thereafter. A student transferring from another school system shall be examined as an entering student.
- If a homeless student enrolls without records, the school district's designated Homeless Education Liaison will assist the family and contact the previously attended school system to obtain the required records.
- Upon graduation from high school, each student will receive their original school health record that should be kept by parents and students as a permanent document.

Administration of Medication to Students

School districts, where medication is stored or administered, must register annually with MA DPH. In accordance with the School Health Controlled Substance Registration and School Epinephrine Controlled Substance Registration, a medication program manager shall be named and designated as the supervisor of the medication administration program, ensuring compliance with all policies and regulations.

The School Committee shall adopt a policy governing the administration of medications within the school system, following development of a procedure by the medication program manager and in consultation with the school physician. This procedure shall detail all necessary regulation requirements listed in 105 CMR 210.000 THE ADMINISTRATION OF MEDICATIONS IN PUBLIC AND NON-PUBLIC SCHOOLS. Review and revision of such policies and procedures shall occur as needed but at least every two years.

Medication is defined as both prescription and "over-the-counter" medications. Regulations require the following documentation be on file in the student's health record prior to administration of any medication:

- A signed consent by the parent or legal guardian to give the medication
- A signed medication order from a licensed prescriber which is renewed at the beginning of each academic year and as needed.

School nurses may administer specified over-the-counter medications to students with parental authorization, provided that they are administered within the parameters established by FRPS district "Standing-Orders" protocol. These protocols are signed annually by the FRPS school district's physician, and are developed in conjunction with the Director of Nursing.

Medications should be brought to the school by a parent/guardian or designated responsible adult in a pharmacy or manufacture-labeled bottle as dispensed by the pharmacy. In accordance with standard nursing practice, the school nurse may refuse to administer a medication if there are concerns about safety, including potential adverse effects, and will inform the caregiver and licensed prescriber immediately.

All medications must be stored securely in the nurse's office, except when self-administration/self-carry provisions are applicable. Students may self-administer medications following the criteria outlined in 105 CMR 210.006, and subject to:

- A school nurse evaluation of the student's health status and abilities and deems self-administration safe and appropriate;
- Written consent from a parent or guardian;
- Written authorization from the student's licensed prescriber, if requested by the school nurse.

Furthermore, Massachusetts General Law (MGL) c. 71, § 54B allows students with certain conditions, including asthma, life-threatening allergies, cystic fibrosis, and diabetes, to possess and self-administer necessary prescription medications at school. This law overrides other school regulations and requires schools to permit students to carry and use prescription inhalers, epinephrine, enzyme supplements, and diabetes management tools such as a glucose monitoring test and an insulin delivery system, provided that the student's parent or guardian has given authorization and the student has been instructed in their proper use and is capable of self-administration, following Department of Public Health regulations.

The School Committee approves the school nurse to delegate responsibility to unlicensed school personnel for medication administration during regular school activities.

Regular school activities are defined as all instructional/academic activities, as well as all activities organized or sanctioned by the school, including but not limited to, school-provided transportation, interscholastic sporting events, after school or extracurricular clubs or organizations, proms or other social events organized as part of the instructional/academic portion of the school, including overnight field trips.

Unlicensed personnel must receive training related to medication administration, as outlined in the regulation. Unlicensed school staff must meet the criteria detailed in 105 CMR 210.004 (2) and must be listed on the student's medication administration plan. The school nurse, in consultation with the school physician, shall have final decision-making authority with respect to delegation and training on administration of medications to unlicensed school personnel consistent with the requirements established in this regulation and in Board of Registration in Nursing regulations, 244 CMR 3.00.

A school nurse shall be on duty and available virtually should consultation be required, including consultation for each dose of a "p.r.n" medication (with the exception of emergency rescue medications). Neither prescription medication nor over-the-counter medications can be administered by delegation by unlicensed school personnel without student specific medication orders from a licensed prescriber.

For the purpose of administering emergency medication to an individual student, including parenteral administration of epinephrine, the school nurse may identify individual unlicensed school personnel who may be trained in the administration of emergency medication to a specific student. With school committee approval, administration of Epinephrine may be administered during regular school activities (as defined above). Training and planning shall be in accordance with CMR 210.010: Administration of Epinephrine.

When should your child stay home from school?

Illness Guidelines

If your child does need to be absent, please call the school to report the reason for the absence. If your child is out for more than 3 consecutive days and/or is under the care of a physician, please also notify your child's school nurse.

A doctor's note/permit is required for any absences to be considered excused for a medical reason. All doctor's notes are to be brought to the nurse's office before the beginning of the school day, and must be submitted within 2 weeks of the student's absence to be valid.

Students should not attend school if they have:

- New symptoms of a respiratory virus, such as a sore throat, cough, a runny or stuffy nose;
- A fever over 100.4 within the past 24 hours;
- A diagnosed contagious illness such as strep throat, flu or chicken pox;
- Red/pink eyes with drainage;
- Vomiting and/or diarrhea not caused by a chronic condition (medical documentation of the chronic condition needs to be on file with the school nurse);
- A suspicious rash that needs to be seen by a physician. Rashes are very difficult to diagnose, are caused by many different reasons, and should not prevent your child from attending school. Consult with the school nurse if you notice a new rash for further instruction.

Please note that the above list is a guideline. The school nurse reserves the right to dismiss students who are possibly contagious or are too ill to be in school.

Non-illness Related Guidelines

Any student who has sustained an injury and has been treated by a physician or medical facility, needs medical documentation upon returning to school that includes:

- The nature of any activity restrictions and when the student can resume participation in Physical Education class, recess and sports;
- Dates of a medical visit and follow up visits for any student arriving at school with evidence of a fracture/cast, sprain, stitches, concussions, etc...

Students may not be allowed to return to Physical Education class, recess, or sports activities until required documentation is received by the school nurse.

WELLNESS POLICY

FRPS promotes healthy schools and students by supporting comprehensive wellness initiatives as part of the total learning environment. Schools contribute to the basic health status of children through the support and promotion of good nutrition and physical activity based on documented evidence that shows improved health optimizes student academic performance.

District Goals which will provide a comprehensive learning environment for developing and practicing lifelong wellness behaviors for students and staff.

1. To provide a safe, healthy school environment.
2. To support and promote proper dietary habits and healthy food choices.
3. To provide and support opportunities for physical activity
4. To establish and maintain a district Wellness Advisory Council

A. Nutrition Education

- Nutrition education shall be integrated into various areas of classroom learning activities.
- Nutrition education shall be an integral part of food service programs and activities.
- Nutrition education shall be shared with families and the broader community to positively impact students and the overall health of the community.
- Student health services staff shall recognize conditions such as obesity, eating disorders, food allergies and other nutrition-related health problems, and initiate appropriate intervention and/or referral strategies.

B. Nutrition Standards for Foods Items

- All foods made available during the school day shall comply with current USDA Dietary Guidelines.
- All food items provided for classroom or school celebrations shall be arranged through the district's food service department.
- Food items shall not be used as incentives or rewards for individual student behavior or accomplishment.
- School staff shall neither accept nor provide home-baked goods for distribution to students.
- Food items shall not be used as classroom project materials.
- Foods and beverages sold or provided at beyond-the-school-day school sponsored events (i.e. school dances) shall include healthy choices that comply with USDA Dietary Guidelines. (Refer to John C. Stalker Institute Food and Nutrition A-List.)
- Any food item to be sold as a school fundraiser by staff or school support group shall meet USDA Dietary Guidelines or be offered along with either a second food item that does meet those Guidelines, or a non-food item.

C. School Meal Program

- The district shall contract with a food service provider that is properly qualified, certified and/or credentialed according to current professional standards, to administer the school food service program and satisfy reporting requirements.
- The district shall maintain a coordinated and comprehensive outreach, promotion and pricing plan to ensure maximum participation in the school meal program, and ensure that all eligible children receive free or reduced-price meals.
- Students shall be provided adequate time to eat lunch, at least 10 minutes for breakfast and 20 minutes for lunch.
- Lunch periods shall be scheduled as near to the middle of the school day as possible.
- Students shall be encouraged to start each day with a healthy breakfast.
- School staff shall promote participation in all available nutrition programs (e.g. school lunch, school breakfast, after-school snack, and summer food service programs).

D. Physical Activity

- The district's Physical Education Department Head shall ensure that all physical activity goals are continually being met.
- Physical education courses shall create an environment where students learn, practice and are assessed on developmentally-appropriate motor skills, social skills and knowledge.
- All physical education instructors shall be state-certified in physical education.
- Physical education classes shall have a student/teacher ratio that is in compliance with the district's current teacher contract.
- The time allotted for physical education shall be consistent with research, national and state standards.
- Elementary schools shall provide at least one daily recess period*.
- Physical education classes shall not be withheld from students for classroom misbehavior or for such remedial work as interventions, tutoring, instrument lessons or academic make-up work.
- Recess shall not be withheld from students for classroom misbehavior or for such remedial work as interventions, tutoring, instrument lessons or academic make-up work, except in the case of misbehavior that occurs during recess*.
- Physical education courses shall include individual activities as well as competitive and non-competitive team sports to encourage life-long physical activity.
- Adequate equipment shall be available for all students to participate in physical education classes.
- Schools shall provide a physical environment that is safe and meets the needs of all students.
- Information shall be provided to families to help them incorporate physical activity into their children's lives.
- Schools shall provide physical activity programs for students outside of the normal school day.
- Schools shall encourage families and community members to help institute programs that support physical activity.

E. School-Based Activities

- After-school programs shall encourage physical activity and healthy habit formation.
- Wellness Policy Standards shall be followed when planning all school-based activities such as school events, field trips, dances, and assemblies.
- The district and individual schools shall endorse opportunities to work with families, students and community organizations to provide nutrition education, physical activity and other options for promoting student wellness.

Importance of Recess:

Recess is a vital component in educating the whole child and has been a common practice in FRPS at the elementary level.

It is also important and encouraged for students in the middle and secondary levels to get outside for both structured and unstructured learning in addition to their regular physical education classes.

The health and well-being of our students is our top priority, and recess provides opportunities for physical activities which help students stay alert and attentive in class, as well as providing other educational and social-emotional benefits. The district strongly encourages schools which house the elementary grades to provide students with daily supervised recess, preferably outdoors. When outdoor recess is not an option, indoor activity breaks are strongly encouraged.

Extended periods of inactivity (two or more hours) should be discouraged or, when necessary, interspersed with some sort of kinesthetic activity. Recess is meant to complement rather than be a substitute for physical education classes.

As our wellness policy states: "recess shall not be withheld from students for classroom misbehavior or for such remedial work as interventions, tutoring, or academic make-up work, except under extreme circumstances".

The FRPS values recess and believe that:

- Current brain research supports the importance of recess
- Recess improves student focus and student behavior while reducing stress
- Physical activity improves academic performance
- Structured and unstructured play supports social-emotional learning*

*A combination of structured activities such as “Playworks” coupled with unstructured options for play has been successful in many of our schools.

F. Wellness and Staff

- Positive nutritional and physical environments shall be promoted.
- Wellness opportunities shall be provided for all staff.
- Staff shall serve as positive role models for students.
- Staff shall support the health and fitness of students.

G. Wellness Advisory Council

- A district Wellness Advisory Council shall be established to create a Wellness Policy, evaluate progress and make revisions.
- The Council shall meet at a minimum of two times annually with membership including, but not limited to:
 - Superintendent or designee
 - Health and Physical Education Director
 - Food Service Director
 - Registered Dietitian
 - Local Health Practitioner
 - Nursing Supervisor
 - Parent Representative
 - Student Representative
 - School Representative
 - Committee member
 - Community partners
- The Council shall serve as a resource to schools.

SCHOOL FOOD SERVICE PROGRAM/MEAL MODIFICATION

FRPS is a sponsor of the U.S. Department of Agriculture (USDA) Food and Nutrition Services (FNS) Child Nutrition Programs. In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call (800) 7953272 or (202) 720-6382 (TTY). USDA is an equal opportunity provider and employer.

In addition to USDA policy and federal law, FRPS provides benefits to all eligible individuals without discrimination in accordance with state civil rights laws. To this end, FRPS is committed to maintaining school environments free of discrimination, harassment or retaliation based on race, color, religion, ancestry, national origin, sex, sexual orientation, gender identity, age, homelessness, or disability. Harassment, discrimination, and retaliation in any form or for any reason is prohibited. This includes harassment or discrimination by administrators, personnel, students, vendors and other individuals in school or at school related events.

FRPS will make meal modifications and/or substitutions, at no cost to the student or parent/guardian, for students who are unable to eat meals served in any Child Nutrition Programs because of their disability(ies). To request a meal modification and/or substitution based on your child’s disability, please contact FRPS’s 504 Coordinator and submit supporting documentation, including a medical statement signed by a state licensed healthcare professional or registered dietitian.

Parents/guardians are encouraged to contact FRPS's 504 Coordinator, and submit supporting documentation. The medical statement must include the following information: information about the child's disability that is sufficient to allow FRPS to understand how it restricts the child's diet; an explanation of what accommodations are necessary; and the food or foods to be omitted and recommended alternatives. A request for meal modification may be declined if such a modification would fundamentally alter the nature of the of Child Nutrition Program.

FRPS's 504 Coordinator can be reached at:

Andrew Woodward
460 Elsbree Street
Fall River, MA 02720
508-675-8100
awoodward@fallriverschools.org

K-8 BUS REGULATIONS

PROCEDURES FOR DRIVERS AND PARENTS

1. Bus drivers and monitors will utilize behavior management strategies taught in the training sessions provided prior to the start of the school year.
2. Verbal warnings and redirection, or preferred seating assignments will be given to students either by the bus company or principal.
3. After verbal warning and redirection, if the behavior continues, the incident and intervention will be reported in written form to the school principal. Principal will report the incident in writing to the parent concerned, with a copy to the Office of Student Transportation.
4. After two documented incidents on completed written forms, parents will be contacted and requested to attend a meeting with the principal, a representative from the bus company, and the Office of Transportation to review bus regulations and procedures if deemed necessary.
5. After three incidents, three completed written forms, student will receive appropriate consequences or discipline from the school.
6. If the same bus expectations continue to be violated, the principal may suspend the student's transportation privileges with immediate written notice to the parent and the Office of Student Transportation.

LOADING AND UNLOADING AT THE BUS STOP

1. Riders are required to be present outside the designated pickup location at least 5 minutes before the scheduled time. While bus drivers will make an effort to wait for up to 3 minutes, this should not be expected as a regular occurrence.
2. Riders will enter/exit bus only after monitor steps off the bus to monitor boarding and ensure safety.
3. Orderly behavior, respect for private property and adherence to safety guidelines by all riders will be required.
4. Riders will enter or leave the bus at their regular scheduled stops only.
5. Instructions of the driver/monitor must be followed by riders when entering or leaving the bus. Bus driver and/or monitor have the right to assign seating.

REQUIRED CONDUCT ABOARD THE BUS

1. Riders must remain in seats with seat belt (if available) fastened at all times.
2. Appropriate language and volume are expected.
3. Smoking is prohibited.
4. Riders are required to respect the personal space of other riders in order to ensure safety.
5. Riders are required to conduct themselves in a manner that ensures the safety of all passengers.
6. Consumption of food and drink are prohibited.

SCHOOLBUS SAFETY PROGRAM

The safety and welfare of student riders will be the first consideration in all matters pertaining to transportation.

Safety precautions will include the following:

1. Children will be instructed as to the proper procedure for boarding and exiting for a school bus and in proper and safe conduct while aboard.
2. Emergency evacuation drills will be conducted at least twice a year to acquaint student riders with procedures in emergency situations.
3. All vehicles used to transport children will be inspected periodically for conformance with state and federal safety requirements.

DROP OFF PROCEDURE FOR BUSED STUDENTS

1. Students in grades PreK, K, 1st & 2nd must be released to an adult at the bus stop in an “adult to adult” acceptable for release with the school/transportation department. When a student leaves a school on the bus, it is the responsibility of the bus driver/monitor to make certain that each student requiring an “adult to adult” exchange is met by an adult who is responsible for the child. Children in 3rd, 4th and 5th grades may walk from the bus stop. This does not apply to Special Education students who receive door-to-door transportation.
2. During the drop off at a stop, if a child requiring an adult to adult exchange is not met by an adult, the bus driver will keep the child on the bus, and contact his respective dispatcher, who will contact the school to inform them of the return of the student.
They will attempt to make contact with the family of the child, and notify the Transportation Department.
3. The principal/designee will keep the child in the school until such time as contact can be made with the family or emergency contact.
4. The parent/guardian will be required to come to the school to pick up the child.*
5. In the event of an emergency dismissal, such as a snow emergency, principals must not leave the building until all children (not only bus children) have been met by an appropriate adult.
6. If an appropriate adult cannot be contacted after a reasonable period of time, the school should call the Fall River Police Department and the Office of Student Transportation should also be notified.
7. Parents whose children are returned to school on the bus will receive information on the progressive practices implemented if their child is returned multiple times. These practices may include losing bus privileges and reporting to the Department of Children and Families.

** Note: If a parent of student is unable to pick up his/her child, alternative transportation may be necessary. In such an event, the principal should call the Coordinator of Transportation to make other arrangements.*

PARENT PARTICIPATION POLICY

The Fall River School Committee recognizes the necessity and value of parent involvement to support student success and academic achievement. In order to assure collaborative partnerships among schools, parents and the community, the Fall River School Committee, working through the administration is committed to:

- Involving parents as partners in school governance, including shared decision-making.
- Establishing effective two- way communications with all parents.
- Respecting the diversity and differing needs of families.
- Developing strategies and programmatic structures at schools to empower parents to participate actively in their child’s education involvement from preschool through grade twelve.
- Utilizing schools to connect students and families with community resources that provide educational enrichment and support. *

*Adapted from the San Diego Schools “Parent Involvement Policy”

THE IMPORTANCE OF PARENT INVOLVEMENT

As stated above, FRPS believes that parents’ participation and involvement in our schools is of utmost importance.

Research continues to suggest that student achievement is directly related to such involvement. Moreover, FRPS Improvement Plan seeks to foster family and school partnership so that parents are actively involved in their child's learning.

The cornerstone of successful involvement is the quality of communication between teachers, students, administrators and parents. Through effective communication, any concerns can be addressed in a timely manner.

Students always benefit when parents and staff work together, in a spirit of cooperation, to solve problems. Staff is expected to receive parental concerns with courtesy and respect, while parents are asked to exercise patience with our efforts. With this in mind, the following procedure for addressing parental concerns is hereby promulgated.

BEING PROACTIVE

Parents are encouraged to avail themselves of any opportunities offered by the school to meet with teachers to discuss their child's educational progress. Parent teacher conferences are held in all schools for this purpose. In addition, being active in Parent Teacher Organizations or School Parent Councils may also enhance one's understanding of the educational process and provide an important outlet for participation in their child's education.

ADDRESSING PARENTAL CONCERNS

Any concerns which are addressed through another policy or procedure, such as the FRPS Civil Rights Grievance Procedure or Title IX Grievance Procedure, will be addressed by the process outlined in the applicable procedure. Concerns which fall outside the scope of such a procedure or process may be addressed as described below.

Contacts with those who work directly with a student should always be the first course of action should concerns arise. The following sequence of communication is strongly urged:

1. Parent speaks directly to the staff member to clarify a situation of concern. (Parents must see the building principal, vice principal or department head to arrange a mutually convenient time for meeting with a staff member.)
2. When this is not possible, the parent may contact the building principal, vice principal, or a person designated by the principal to receive complaints.
3. Where applicable, the principal may arrange a meeting of all relevant parties to resolve any outstanding issues.

If the first three steps have not satisfactorily resolved the problem, the parent may wish to contact the Office of the Superintendent. These initial steps must have been taken BEFORE the Superintendent's office becomes involved. The Office of the Superintendent will refer parents back to the principal, if these initial steps have not been taken.

The Fall River School Committee recognizes the necessity and value of parent involvement to support student success and academic achievement. In order to assure collaborative partnerships among schools, parents and the community, the Fall River School Committee, working through the administration is committed to:

4. If a problem persists, after the initial steps have been taken, the parent may contact the Office of the Superintendent of Schools.
5. The Superintendent of Schools may designate a member of the Central Administrative Team to investigate the parental concern, attempt a resolution and report back to the Superintendent.
6. If the problem remains, the parent may wish to contact a member of the Fall River School Committee.
7. A School Committee Member will NOT attempt to directly resolve a parent's concerns, but will rather refer the parent back to the Superintendent or their designee, for response. (The School Committee person should NOT be the first person contacted. If this process is bypassed, the School Committee person will refer the parent back to the building principal or Superintendent, as described in this procedure.)
8. When a parent concern raises a question about school policy, the School Committee person, after consultation with the Superintendent, may wish to raise such questions within the context of a regular Committee or Sub Committee meeting.

FIELD TRIP PARTICIPATION

Most field trips are to locations that are open to the general public. FRPS encourages parent participation in their child's education. Parents may wish to participate in the field trip, either as a chaperone (if needed by the school), or on a volunteer basis by traveling to the location.

Parents wishing to attend a field trip (as a non- chaperone) are responsible for their own transportation and admission costs, and are reminded that they must comply with the district policy and applicable laws on CORI clearance.

Depending on the location, some events or facilities may have limited seating or attendance capacity. Parents should inform the school of their intention to attend, and parents are asked to cooperate with school chaperones and avoid interfering with the planned or scheduled activities.

PARENTAL NOTIFICATION RELATIVE TO SEX EDUCATION

The School Committee has adopted this policy on the rights of parents and guardians of our students in relation to curriculum that primarily involves human sexual education or human sexuality issues.

At the beginning of each semester, all parents and guardians of students in FRPS will be notified in writing of the courses and curriculum the district offers that primarily involve human sexual education or human sexuality issues. The Superintendent or designee will determine the administrator responsible for sending out the notice to parents.

Parents/guardians of students who enroll their children after the start of the school year will be given written notice at the time of enrollment. If the planned curriculum is changed during the school year, parents and guardians will be notified of the fact in a timely manner, in the fastest manner that is practicable.

Each such notice to parents/guardians will include a brief description of the curriculum covered by this policy and will inform parents/guardians that they may:

1. Exempt their child from any portion of the curriculum that primarily involves sexual education or human sexuality issues, without penalty to the student, by sending a letter to the school principal requesting an exemption.
2. Any student who is exempted by request of the parent/guardian under this policy may be given an alternative assignment.
3. Elementary students in grade five - students will be required to have a parent/guardian signed permission form to be able to participate in the puberty lessons taught in 5th Grade Health Classes.
4. Inspect and review program instruction materials for these curricula, which will be made reasonably accessible to parents/guardians and others to the extent practicable. Parents or guardians may arrange to review these materials through a request made to the principal of the school.

A parent/guardian who is dissatisfied with a decision of the principal concerning notice, access to instructional materials, or exemption for the student under this policy may send a written request to the Superintendent for review of the issue.

The Superintendent or designee will review the issue and give the parent/guardian a timely written decision, preferably within two weeks of the request.

A copy of this policy will be included in all student handbooks at the middle and high school level. The Superintendent of Schools will distribute a copy of this policy to each principal by September 1 of each year.

STUDENT RECORDS REGULATIONS

FRPS complies with applicable federal and state laws and regulations pertaining to Student Records. Those laws and regulations are designed to ensure these regulations are set forth to insure student rights of confidentiality, inspection, amendment, and destruction of student records, and to assist school authorities in their responsibilities for the maintenance of student records. Parents and eligible students may obtain a complete copy of their rights by contacting the principal.

The Massachusetts Student Record Regulations and the Family Education Rights and Privacy Act (FERPA) apply to all information kept by a school on a student in a manner such that he or she may be individual identified. The regulations divide the record into the transcript and the temporary record.

The transcript includes only the minimum information necessary to reflect the student's educational progress. This information includes name, address, course titles, grades, credits, and grade level completed. The transcript is kept by the school system for at least sixty (60) years after the student leaves the system.

The temporary record contains the majority of the information maintained by the school system about the student. This may include such things as standardized test results, class rank, school sponsored extra-curricular activities, and evaluations and comments by teachers, counselors, and other persons. The temporary record is destroyed no later than seven (7) years after the student leaves the school system.

The following is a summary for parent/guardian and the student regarding their student records:

Inspection of Record: A parent, or a student who has entered the ninth grade or is at least fourteen (14) years old (eligible student), has the right to inspect all portions of the student record upon request. The record must be made available to the parent or student within ten (10) days of the request, unless the parent or student consents to a delay. In the event the parent/student requests copies of a student record, the district may charge the parents/student for said copies at the district rate. The parent and/or eligible student may request to meet with professional qualified school personnel to have any of the contents of the record interpreted.

Confidentiality of Record: With a few exceptions, no individuals or organizations but the parent, student, and authorized school personnel are allowed to have access to information in the student record without specific, informed, written consent of the parent or the eligible student.

Amendment of Record: The parent and student have the right to add relevant comments, information, or other written materials to the student record. In addition, the parent and eligible student have the right to request that information of the record be amended or deleted. The parent and student have a right to a conference with the school principal to make their objections known. Within a week after the conference, the principal must render a decision in writing.

If the parent and student are not satisfied with the decision, the regulations contain provisions through which the decision may be appealed to higher authorities in the school system.

Directory Information: Federal law requires that the district release the names, addresses and telephone listings of students to military recruiters and institutions of higher education upon request for recruitment and scholarship purposes without prior consent.

In addition, the district may release the following directory information about a student without prior consent: a student's name, address, telephone listing, date and place of birth, major fields of study, dates of attendance, weight and height of members of athletic teams, class participation in officially recognized activities and sports, degrees, honors and awards, post-high school plans and directory information such as homeroom assignments. However, in all instances, parents may request that such directory information not be released without prior consent by notifying their school building office in writing by the end of September of each school year.

Destruction of Records: The regulations require that certain parts of the student record, such as the temporary record, be destroyed a certain period of time after the student leaves the school system.

School authorities are also allowed to destroy misleading, outdated, or irrelevant information in the record from time to time while the student is enrolled in the school system. Before any such information may be destroyed, the parent and student must be notified, and have an opportunity to receive a copy of any of the information before its destruction.

Transfer of Records: In accordance with 603 CMR 23.07(4)(g), It is the practice of the FRPS to forward the student record of any student who seeks or intends to enroll, or has already enrolled in another public school district, if the disclosure is for purposes of the student's enrollment or transfer. The parent or eligible student has the right to receive a copy of the school record that is forwarded to the new school.

Non-Custodial Parents: Unless there is a court order to the contrary, a non-custodial parent (parent without physical custody of the student) of any public school student has the right, subject to certain procedures, to receive information regarding the student's achievements, involvement, behavior, etc. A non-custodial parent who wishes to have this information shall submit a written request annually to the child's school principal.

Upon receipt of such a request, the principal shall send written notification to the custodial parent by certified and first class mail that the records and information will be provided to the non-custodial parent in twenty-one (21) calendar days unless the custodial parent provides documentation of the non-custodial parent's ineligibility to access such information.

In all cases where school records are provided to a non-custodial parent, the electronic and postal address and other contact information for the custodial parent shall be removed from the records provided. Any such records provided to the non-custodial parent shall be marked to indicate that they may not be used to enroll the student in another school.

Upon receipt of a court order that prohibits the distribution of information pursuant to M.G.L. c. 71, §34H, the school will notify the non-custodial parent that it shall cease to provide access to the student record to the non-custodial parent. M.G.L. c.71, §34H, 603 CMR 23.07.

Third Party Access: Authorized school personnel, to include: (a) school administrators, teachers, counselors and other professionals who are employed by the school committee or who are providing services to the student under an agreement between the school committee and a service provider, and who are working directly with the student in an administrative, teaching, counseling, and/or diagnostic capacity;

(b) administrative office staff and clerical personnel, employed by the school committee or under a school committee service contract, and whose duties require them to have access to student records for purposes of processing information for the student record; and (c) the Evaluation Team which evaluates a student, shall have access to the student record of students to whom they are providing services, when such access is required in the performance of their official duties. The consent of the parent or eligible student shall not be necessary.

Complaints: A parent or eligible student has a right to file a complaint with the Student Privacy Policy Office, U.S. Department of Education: 400 Maryland Avenue SW, Washington, D.C. 20202-5901, 1-855-249-3072; or with the Massachusetts Department of Education Problem Resolution System: 135 Santilli Highway, Everett, MA 02149, 781-338-3300.

If you have any questions regarding this notice, or would like more information and/or a copy of the Massachusetts Department of Elementary and Secondary Education Student Record Regulations, please contact the building principal.

SURVEYS - NOTIFICATION OF RIGHTS UNDER PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)

PPRA affords parents certain rights regarding our conducting of surveys, collection and use of information for marketing purposes, and certain physical exams.

These include the right to:

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

- Inspect, upon request and before administration or use: protected information surveys of students; instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and instructional material used as part of the educational curriculum.
- These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

FRPS will develop and adopt policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The district will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. The district will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey.

The district will make this notification to parents at the beginning of the school year if the district has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and are provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys.

Specific activities and surveys covered under this requirement include: the collection, disclosure, or use of personal information for marketing, sales or other distribution; the administration of any protected information survey not funded in whole or in part by DOE, and any non-emergency, invasive physical examination or screening as described above.

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

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW Washington, D.C. 20202-5901

AGE OF MAJORITY

In Massachusetts, students are considered adults at the age of eighteen (18), with full legal capacity (unless legally incapacitated) to make their own decisions (Age of Majority). Once the student reaches the age of 18, the student alone shall exercise the rights afforded under the Massachusetts Student Records regulations subject to the following. The parent may continue to exercise the rights until expressly limited by the adult student. Such student may limit the rights and provisions of 603 CMR 23.00 which extend to their parent, except the right to inspect the student record, by making such request in writing to the school principal or Superintendent of schools who shall honor such request and retain a copy of it in the student record. Pursuant to M.G.L. c. 71, § 34E, the parent of a student may inspect the student record regardless of the student's age.

A student assumes the right to make all decisions related to special education programs and services when the student reaches the age of 18. Parents will continue to receive written notice and information, but the student will have decision-making authority and the school is required to obtain consent from the student to continue special education services if the student is eighteen (18) years old or older. However, the student may decide to share decision-making authority with their parent (or other willing adult). If a student decides to share such authority, this must be done in the presence of the Team and in writing. If a student and parent share decision-making authority, and disagree about a matter, the student's choice shall prevail. A student may also delegate full decision-making authority to their parent (or other willing adult) if the decision is made in the presence of at least one school representative and a witness, and in writing. 603 CMR 28.07(5). Students and parents will be notified one year before the student turns 18 of the rights that will transfer to the student upon turning 18, as well as the parents right to continue to receive notices and to inspect the student's record. See 34 CFR §§ 300.320(c) and 300.520.

STUDENTS PERMANENTLY LEAVING SCHOOL

No student who has not graduated from high school shall be considered to have permanently left public school unless an administrator of the school which the student last attended has sent notice within a period of five (5) days from the student's tenth consecutive absence to the student and the parent or guardian of that student in both the primary language of the parent or guardian, to the extent practicable, and English. The notice shall initially offer at least two (2) dates and times for an exit interview between the Superintendent, or a designee, and the student and the parent or guardian of the student to occur prior to the student permanently leaving school and shall include contact information for scheduling the exit interview. The notice shall indicate that the parties shall agree upon a date and time for the exit interview, and that interview shall occur within ten (10) days after the sending of the notice. The time for the exit interview may be extended at the request of the parent or guardian and no extension shall be for longer than fourteen (14) days.

The Superintendent, or a designee, may proceed with any such interview without a parent or guardian if the Superintendent, or a designee, makes a good faith effort to include the parent or guardian. The exit interview shall be for the purpose of discussing the reasons for the student permanently leaving school and to consider alternative education or other placements.

The Superintendent or a designee shall convene a team of school personnel, such as the principal, guidance counselor, teachers, attendance officer and other relevant school staff, to participate in the exit interview with the student and the parent or guardian of the student. During the exit interview, the student shall be given information about the detrimental effects of early withdrawal from school, the benefits of earning a high school diploma and the alternative education programs and services available to the student.

COMPETENCY DETERMINATION

The Fall River School Committee has established the following Competency Determination Policy relative to graduation requirements: <https://www.fallriverschools.org/departments/cao/competency-determination-policy>

EDUCATIONAL OPPORTUNITIES FOR CHILDREN OF MILITARY FAMILIES

In an effort to facilitate the placement, enrollment, graduation, data collection and provision of special services for students transferring into or out of the district because of their parents/guardians being on active duty in the U.S. Armed Services, the district supports and will implement its responsibilities as outlined in the Interstate Compact on Educational Opportunity for Military Children. The Interstate Compact on Educational Opportunity for Military Children applies to children of military families who are school aged children, enrolled in kindergarten through 12th grade, in the household of an active duty member of the uniformed service of the United States, including members of the National Guard and Reserve serving on active duty.

The following applies under the Interstate Compact on Educational Opportunities for Military Children:

- Sending schools must send either official or unofficial records with the moving students and district receiving schools must use those records for immediate enrollment and educational placement.
- Simultaneously, the receiving school must request official records and the sending schools shall respond within 10 days with the records.
- Immunization requirements of the district may be met within 30 days from the date of enrollment (or be in progress).
- For Kindergarten and First grade students, a student can continue in the same grade in the receiving state regardless of entrance age requirements, if he/she has already started kindergarten or 1st grade in an accredited school in the sending state in which the family was stationed. A student may go to the next grade regardless of age requirements, if he/she has completed kindergarten or 1st grade in the sending state.
- Receiving schools must initially honor placement of students in all courses from the sending school. Receiving schools are not precluded from performing subsequent evaluation to ensure the appropriate placement and continued enrollment of the student in courses and programs.

- In compliance with federal law, special education students must be placed by the existing IEP with reasonable accommodations in the receiving school.
- The district may, as deemed appropriate, waive prerequisites or other preconditions for all courses and programs, while also maintaining its right to re-evaluate the student to ensure continued enrollment, as deemed appropriate.
- Students shall have additional excused absences at the discretion of the district for visits with parents or legal guardians relative to leave or deployment.
- An eligible student living with a noncustodial parent or other person standing in loco parentis shall be permitted to attend the school in which he or she was enrolled while living without the custodial parent/guardian without any tuition fee imposed.
- The student will be provided with the opportunity for inclusion in extracurricular activities regardless of deadlines as long as the child is otherwise qualified.

EDUCATIONAL OPPORTUNITIES FOR CHILDREN IN FOSTER CARE

The Every Student Succeeds Act (ESSA) requires that foster care students continue to attend their school of origin, unless after a collaborative decision-making process it is determined to be in the student's best interest to enroll in and attend school in the district in which a foster care provider or facility is located (if different than their prior school district). The law also requires that when it is not in the student's best interest to remain in the school of origin, the student is immediately enrolled and attends in a new school district, even if records normally required for enrollment cannot be quickly produced. Additionally, the law requires the Department of Children and Families (DCF), The Department of Elementary and Secondary Education (DESE), and the school district to designate points of contact; and also that the district collaborate with DCF and other school districts to ensure that students will receive transportation to the school of origin if needed.

Best Interest Determination

Decisions about whether a student in foster care should continue to attend their school of origin should be made collaboratively by DCF, the student (as appropriate), the student's family and/or foster family (and if different, the person authorized to make educational decisions on behalf of the student), the school and district of origin, and (when different) the local district where the student is placed.

Best interest determinations should focus on the needs of each individual student and take into account a variety of factors. Every effort should be made to reach agreement regarding the appropriate school placement of a student in foster care. However, if there is disagreement regarding school placement for a student in foster care, DCF will finalize the best interest determination.

The district can seek review of DCF's decision by utilizing a Foster Care School Selection Dispute Resolution Process established by DESE and DCF. Decisions made through this process are not subject to review. Under the law, to promote educational stability, students should continue to attend their schools of origin while best interest determinations are being made.

Transportation

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

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

Immediate Enrollment

If it is in the best interest of a student in foster care to leave the school of origin, the student must be enrolled in school in his/her local school district immediately. To minimize disruption of the student's education, the law requires the district to enroll the student in a new school right away, without waiting to receive the typical student enrollment documentation (other than emergency contact information).

The enrolling school must immediately contact the child's school and district of origin to obtain the relevant records and documentation, and the school and district of origin should immediately transfer those records.

To facilitate enrollment, DCF representatives will present a Notice to Local Educational Agency form that indicates that the student is in foster care, along with their state-agency identification badge, to the local school district when enrolling students.

MOTOR VEHICLE IDLING PROHIBITED

Prolonged idling of motor vehicles is prohibited by Massachusetts law on school grounds or within 100 feet of school property. M.G.L. c. 90, § 16B. Vehicles parked on school property are subject to school rules and regulations.

STUDENT WELFARE CONCERNS

All school staff are mandated reporters. By law, information about child abuse and neglect must be communicated by school employees to the Massachusetts Department of Children & Families (DCF) according to DCF protocol, and/or to the principal (or their designee), who in turn are responsible for notifying DCF according to DCF protocol. The duty to report is triggered when a mandated reporter, in their professional capacity, has reasonable cause to believe that a child under the age of eighteen is (i) suffering physical or emotional injury resulting from abuse inflicted upon them which causes harm or substantial risk of harm to the child's health or welfare including, but not limited to, sexual abuse; (ii) suffering physical or emotional injury resulting from neglect including, but not limited to, malnutrition; (iii) a sexually exploited child; or (iv) a human trafficking victim, as defined by section 20M of chapter 233; provided, however, that an indication of prenatal substance exposure shall not solely meet the requirements of this section.

In schools, mandated reporters must fulfill their mandatory reporting duty by:

1. Immediately making an oral report directly to DCF and then following up with a written report (which can be filed online, by fax, or mail) to the DCF local area office within 48 hours; **or**
2. Immediately notifying the principal (or their designee), in which case that individual becomes responsible for immediately making the oral report to DCF and submitting the written report (which can be filed online, by fax, or mail) to the DCF local area office within 48 hours.

A mandated reporter who works for a school *may* also choose to immediately notify both DCF and the person in charge of the school. In addition, mandated reporters may contact the police or the Office of the Child Advocate. If a mandated reporter believes a child is in imminent danger, they should call 911 immediately. If school officials believe that criminal laws may have been violated, whether or not the violation is included under M.G.L. c. 119, § 51A, they should report such matters to the police.

Any person, even if not a mandated reporter, may file a report with DCF if that person has reasonable cause to believe that a child is suffering from, or has died as a result of, abuse or neglect.