SERGEANT JORDAN SHAY MEMORIAL LOWER ELEMENTARY SCHOOL

STUDENT HANDBOOK

2026-2027

John Obremski
Principal

Address: 193R Lions Mouth Road, Amesbury MA 01913
Tel # 978-388-3659 **Fax #** 978-388-4961
https://shay.amesburyma.gov/

Non-Discrimination Statement

The Amesbury Public Schools does not tolerate discrimination against students, parents, employees or the general public on the basis of race, color, English speaking status, religion, national origin, immigration, citizenship status gender, sexual orientation, gender identity, pregnancy or pregnancy related conditions, veteran status, age or disability. The Amesbury Public Schools is also committed to maintaining a school environment free of harassment based on race, color, English speaking status, religion, national origin, immigration, citizenship status gender, sexual orientation, gender identity, pregnancy or pregnancy related conditions, veteran 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.

English Learner Access Statement

English Learners (ELs) are among the most diverse student groups in Massachusetts and across the nation, representing a range of cultural, linguistic, educational, and socioeconomic backgrounds. They bring their school communities a wealth of cultural and linguistic assets, as well as additional cognitive, social, emotional, political, and economic potential.

Amesbury Public Schools is committed to providing high-quality English Learner Education (ELE) programs that promote English language proficiency and full access to grade-level academic content. In accordance with Massachusetts Department of Elementary and Secondary Education (DESE) regulations and federal civil rights laws, English Learners (ELs) are not segregated from their English-speaking peers. Our district ensures that all language support programs are carried out in the least segregative manner possible.

English learners have an equal opportunity to fully participate in the full life of the school community. EL students must have equal access to all educational program opportunities and extracurricular activities available within the school for which they qualify. Their level of English proficiency does not determine participation in academic programs and services, including counseling services, special education services, performing and visual arts, athletics, and any elective classes offered in the school. The District actively monitors program structures to prevent unnecessary isolation and to foster an inclusive, supportive learning environment for all students.

Contact Information:

The Amesbury 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 Amesbury or in obtaining the advantages, privileges, and courses of study of such public school on account of race, color, national origin, sex, pregnancy or related conditions, sexual orientation, gender identity, disability, home status, English speaking status or religion. The following list provides contact information should any questions arise in regards to the district's non-discrimination practices:

District Level Coordinators:

Special Education Administrator
504 District Coordinator
Home/Hospital Tutoring Coordinator
Foster Care Contact
McKinney-Vento/Homeless Liaison

Martha Robinson, Director of Student Services
Central Office
5 Highland Street
martha.robinson@amesburyma.org
978-388-0531

Civil Rights Coordinator
English Language Coordinator
Title I, II, III & IV Coordinator
Title IX Coordinator

Christopher Heath, Director of Teaching, Learning & Equity
Central Office
5 Highland Street
christopher.heath@amesburyma.org
978-388-0507

Preschool Coordinator
Out-of-District Coordinator

Heather Eigen, Assistant Director of Student Services
Central Office
5 Highland Street
heather.eigen@amesburyma.org
978-388-0531

Building Coordinators:

	504 Plans	**Title IX**
Shay Elementary School	John Obremski/ Principal john.ombrowski@amesburyma.or 193R Lions Mouth Road 978-388-3659	John Obremski / Principal john.ombrowski@amesburyma.or 193R Lions Mouth Road 978-388-3659
Cashman Elementary School	Emily Kessel / Assistant Principal emily.kessel@amesburyma.org 193 Lions Mouth Road 978-388-4407	Emily Kessel / Assistant Principal emily.kessel@amesburyma.org 193 Lions Mouth Road 978-388-4407
Amesbury Middle School	Jessica Stryhalaleck / Assistant Principal jessica.stryhalaleck@amesburyma.org 220 Main Street 978-388- 0515	Jessica Stryhalaleck / Assistant Principal jessica.stryhalaleck@amesburyma.org 220 Main Street 978-388- 0515
Amesbury High School	Dr. Alina Lingley / Assistant Principal alina.lingley@amesburyma.org 5 Highland Street 978-388-4800	Dr. Alina Lingley / Assistant Principal alina.lingley@amesburyma.org 5 Highland Street 978-388-4800

Amesbury Innovation High School	Bethany Noseworthy / School Adjustment Counselor bethany.noseworthy@amesburyma.org 7 Friend Street 978-388-8037	Evan Melanson / Principal evan.melanson@amesburyma.org 7 Friend Street 978-388-8037

VISION OF THE GRADUATE

In the Amesbury Public Schools, our vision for all learners and graduates is that they learn, develop, and embody these four core pillars.

CHARACTER

We are resilient and act with respect, integrity, and responsibility.

COMMUNITY

We connect and work together.

CRITICAL THINKING

We make meaning through asking questions, solving problems, and making decisions.

COMMUNICATION

We share ideas, listen to others, and demonstrate understanding.

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SECTION 1: INTRODUCTION

AMESBURY PUBLIC SCHOOLS VISION STATEMENT

In the Amesbury Public Schools, we strive to prepare every student with the skills to think, act, learn, and lead in a way that will make a positive impact on our interconnected world.

AMESBURY PUBLIC SCHOOLS MISSION STATEMENT

In the Amesbury Public Schools, we are unconditionally committed to…

- The growth of *every child.* By creating a safe, supportive, and inclusive environment that provides dynamic learning experiences, the highest quality staff, and a vitally involved community, every child experiences success.

AMESBURY PUBLIC SCHOOLS EQUITY VISION

In the Amesbury Public Schools, we are committed to valuing the unique characteristics and perspectives of each member of our community. By considering our differences as strengths, we are dedicated to building a culture where students, staff, and community partners feel empowered and supported as they connect with and contribute to the world.

AMESBURY PUBLIC SCHOOLS CORE BELIEFS

- **Communication -** Respectfully communicating with all community members in a timely, clear, and honest way.
- **Academic Excellence -** Conscientiously pursuing excellence in our teaching and learning to provide diverse learning opportunities.
- **Relationships -** Intentionally building caring connections to enhance engagement, collaboration, and belonging in the Amesbury community.
- **Equity & Inclusion -** Actively cultivating an equitable and inclusive environment where each individual is able to work and learn in an atmosphere of respect, dignity, and acceptance.

AMESBURY PUBLIC SCHOOLS THEORY OF ACTION

IF we ensure a safe, equitable environment where academic excellence is encouraged and maintained through dynamic learning experiences and **IF** we provide educators with opportunities to enhance their pedagogy and provide them with the tools to support the demands of a rapidly changing and interconnected world, **THEN** our students will have success on any pathway they choose to pursue.

August 2026

Dear SHAY Families:

Welcome to the Sergeant Jordan SHAY Memorial Lower Elementary School family! We are excited to begin this new school year with you and your child(ren). Whether you are joining us for the first time or are a returning family, we are delighted to have you as part of our community.

At SHAY, we believe the following statements be true:

- Before Learning Begins, Children Must Feel Safe, Connected, and Regulated - *Julie Cullen, LICSW*
- No Significant Learning Occurs Without A Significant Relationship - *Dr. James Comer*
- Reading Is The Most Important Academic Skill - *E.D. Hirsh*

And we practice 3 Principles, which we call *The SHAY Way*

- Students Will Be Safe, Kind and Responsible (PBIS)
- Educators Will Foster a Nurturing, Engaging, and Supportive Learning Environment.
- Parents / Guardians Will Feel a Strong Sense of Belonging As They Enter SHAY Memorial.

Please take some time to review the SHAY Memorial Elementary Student Handbook. Our public schools operate under federal, state, and local laws and policies to provide a safe and enriching environment for our students. This Student Handbook provides essential information for the 2026-2027 school year.

Collaboration is key to ensuring success for all, and open communication is the foundation of that success. Please feel free to reach out with any questions throughout the school year. We look forward to a wonderful year filled with growth, discovery, and joy.

Sincerely,

John Obremski
Principal
john.obremski@amesbu

AMESBURY PUBLIC SCHOOLS 2026-2027

0-000 **August 2026**

S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	TI	TI	TI	28	29
30	T					

18-018 **September 2026**

S	M	T	W	Th	F	S
		PD	ST	3	V	5
6	H	PK	9	10	11	12
13	14	15	16	17	18	19
20	21	PD	23	24	25	26
27	28	29	30			

21-039 **October 2026**

S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	PRT	10
11	H	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

17-056 **November 2026**

S	M	T	W	Th	F	S
1	2	PD	4	5	6	7
8	9	10	H	12	13	14
15	16	17	18	19	20	21
22	23	24	ER	H	V	28
29	30					

17-073 **December 2026**

S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	PRT	12
13	14	15	16	17	18	19
20	21	22	ER	V	H	26
27	V	V	V	V		

19-092 **January 2027**

S	M	T	W	Th	F	S
					H	2
3	4	5	6	7	8	9
10	11	12	EC	EC	15	16
17	H	19	20	21	22	23
24	25	26	27	28	29	30
31						

15-107 **February 2027**

S	M	T	W	Th	F	S
	1	2	3	4	PRT	6
7	8	9	10	11	12	13
14	H	V	V	V	V	20
21	22	23	24	25	26	27
28						

22-129 **March 2027**

S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	PD	10	11	12	13
14	15	16	17	18	PRT	20
21	22	23	24	25	26	27
28	29	30	31			

17-146 **April 2027**

S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	PRT	10
11	12	13	14	15	16	17
18	H	V	V	V	V	24
25	26	27	28	29	30	

20-166 **May 2027**

S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	H					

14-180 **June 2027**

S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	H	19
20	ER	M	M	M	M	26
27	M	29	30			

Calendar Codes

- Indicates No School Days
- EC = Education Conferences
- ER = Early Release Day
- H = Holiday
- M = No School: Make-up Days
- PD = Professional Development
- PRT = Prof. Release Time Day
- ST = Student 1st Day
- T = Teacher/Staff Only
- TI = New Teacher Induction Days
- V = School Vacation
- PK = PreK Start Day

STUDENT YEAR: 180

SCHOOL STARTS: 9/2/26

SCHOOL ENDS: 6/21/27

SCHOOL HOURS:		DISMISSAL TIMES: ER	PRT
7:30-2:30	**High School**	10:50	11:30
7:40-2:25	**Middle School**	10:50	11:30
8:30-3:00	**Elementary**	11:30	12:00

Approved: 1/26/2026

Note: Education Conferences (EC) will operate under a PRT schedule.

2026-2027 SCHOOL YEAR

Calendar of Elementary School Events 2026-2027

September	01	Meet and Greet (Grades 1 & 2) @2:00-3:00
	02	First Day of School ~Grades 1-2
	02	PreKindergarten / Kindergarten ~Orientation
	03	First Day of School ~Kindergarten
	08	First Day of School ~PreKindergarten
	14	Booster-Thon Run ~AM (Time TBD)
	22	Professional Development ~No School
	24	Open House / Curriculum Night @5:30-7:00
October	09	Professional Release Time - Dismissal @12:00
	12	Holiday - No School
	15-16	Individual & Group School Pictures
	30	Halloween Parade @9:00
November	03	Professional Development ~No School
	11	Holiday ~No School
	25	Early Release - Dismissal @11:30
	26-27	Thanksgiving Day / Break ~No School
December	03	School Picture Retake
	11	Professional Release Time - Dismissal @12:00
	16	Day 60 ~Reports Cards K-2
	23	Early Release - Dismissal @11:30
	24-31	Holiday Break - No School
January	04	Students Return ~Welcome Back
	13-14	Elementary Conferences - Dismissal @12:00
	18	Holiday – No School
	21	Kindergarten Parent Information Night @5:30
February	05	Professional Release Time - Dismissal 12:00
	11	PreK Parent Information Night @5:30
	15-19	Winter Vacation - No School
March	09	Professional Development ~No School
	19	Professional Release Time - Dismissal 12:00
	24	Day #120 ~Report Cards K-2
April	09	Professional Release Time - Dismissal 12:00
	12-13	PreK Screening (No PreK)
	19-23	Spring Vacation - No School
May	20	Celebration of Learning @5:30-7:00
	31	Holiday - No School
June	11	*Last Day of School ~Kindergarten
	14-17	*Kindergarten Screening
	17	*Last Day of School ~PreKindergarten
	21	*Last Day of School / Final Report Card - Dismissal 11:30

SECTION 2: ACADEMICS

STUDENT HOMEROOM/CLASS ASSIGNMENT

Each grade level teaching team meets in the spring to assign students to homerooms for their next grade placement. The teachers know their students very well, and consider many factors during the placement process. Among them are a balance of genders in the class, learning styles, personality traits, and the social dynamics of the class as a group. The teachers make every effort to place each student in a homeroom where he or she will have a successful and rewarding school experience. If you have information about your child and their learning needs that you think would help the staff make an appropriate placement, we ask that you send this information in writing to the office. In doing so, please do not request a particular teacher, but, you are invited to describe the kind of setting in which you think your child will learn and perform best. Teachers will then include this information as one of the factors they consider when making homeroom assignments.

REPORT CARDS

To keep parents fully informed about the progress of their children, the schools send home report cards during the year. **This year's dates are: Report Cards, December 16th; March 24; June 21.** If you ever have a question about your child's progress, contact your child's teacher to set up an appointment to discuss this.

HOMEWORK

Homework Philosophy Statement

It is our belief that homework connects school and home. Assignments reinforce the curriculum, promote learning by developing thinking skills, responsibility and good work habits. Students learn to be responsible for their own assignments beginning in Kindergarten. All students are expected to complete assignments to the best of their ability and return them to school on the due date. The success of any homework assignment is dependent on the student's attitude and parental support.

Homework Suggested Time Guidelines

The following guidelines are suggested for each grade, allowing for flexibility based on teacher judgment and on the needs of individual students.

- Kindergarten:
    - Selected assignments may be given to encourage an individual student's growth, independence and responsibility. In addition, at-home, read-aloud time of fifteen minutes nightly is recommended.

- Grade One:
    - Homework assignments will be given to the students three to four nights per week. Weekday study time should not exceed fifteen to twenty minutes. In addition, at-home read aloud time of fifteen minutes nightly is recommended.

- Grade Two:
    - Homework assignments will be given to the students three to four nights per week. Weekday study time should not exceed twenty to twenty-five minutes. In addition, at-home read aloud time of fifteen to twenty minutes nightly is recommended.

- For All Grades:
    - Projects and long-term assignments may be incorporated as part of regular homework assignments and occasionally may require additional time. It is recommended that each student participate in the practice of reading at home, beyond the nightly homework assignment.
    - To help students succeed with their homework or home/study we have several suggestions for parents:
        - Provide a suitable area for these activities, one that is free from distractions such as the television, personal devices, and video games.
        - Have a location where children leave assignments after they are completed.
        - Use the classroom assignment record and plan long term projects and assignments.
        - Be involved as much as possible with your children's homework or home/study, both to assist and to provide encouragement.
        - Establish a consistent homework/home/study time that fits in with other scheduled activities and obligations.
        - Organize helpful study resources in shoeboxes or similar containers:
            - The Project Box - colored markers, colored pencils, ruler, glue stick, tape, paints and brushes, scissors, construction paper.
            - The Math Box - calculator, flashcards, and measurement table glued to cover, place value chart, compass, protractor, graph paper, scratch paper.
            - The Language Arts Box - Lined paper appropriate to age level, dictionary, list of commonly misspelled words glued to lid, school editing checklist, thesaurus, copy of punctuation and capitalization rules, blue ink pens, pencils, index cards for research.

Homework During Absence

If your child is going to miss more than one day of school, and they are well enough to work at home, please make your request for homework to the office by twelve o'clock. This will allow the teacher time to assemble the assignments and necessary materials and to get them to the office by the end of school. You can pick them up there before 4:00 PM. If a friend will be bringing the assignments home instead, please tell the office the child's name and the name of his or her homeroom teacher.

Students who are absent for several days should make arrangements with their teacher to complete any missed assignments and to receive any needed extra help.

SECTION 3: ATTENDANCE

SCHOOL HOURS

The school day for students in grades **K-2 begins at 8:25 AM and it concludes at 2:55 PM.**

- **Students not in school by 8:40 AM are marked down as tardy**.
- **Students are marked as absent if they do not arrive in school by 9:00 AM.**
- **Supervision outside SHAY Memorial will be provided at 8:15 AM.**
    - Students should not arrive prior to this time.
    - Only students who have permission from both their teacher and their parents may remain at school after 3:00 PM.

ABSENCES AND DISMISSALS

Keeping track of all of the students in the schools is an enormous job. To help the office personnel to do this job effectively, we have the following procedures, which we need you to follow.

If your child will be absent or tardy by more than twenty minutes on a particular day you should:

- Send us a note saying what day or days your child will be absent or tardy.
- Or phone Shay Memorial at **978-388-3659** on the day before or by 8:40 AM on the day of the absence. An answering machine will take your message when school is not in session. Please leave your child's name and the name of their homeroom teacher.

If your child is not in school by 9:00 AM and the school has not been notified, we will have our automated calling center call your "primary contact number" and/or leave a message on your answering machine. Please post this number by your phone or in some conspicuous place in your home…**978-388-3659.**

Dismissing Students

If you need to dismiss your child early on a particular day, **please send a note to the classroom teacher and the office.** In this way, your child can be prepared to leave at the appointed time. When you come in to pick up your child, be sure to sign the dismissal book at the front desk. If your child is not waiting for you in the lobby, the office staff will page them for you.

Learning in school takes place during the entire school day. The last part of the day, when teachers and students bring closure to the day and plan for homework and the next day's lessons and activities, is as important to the students as is the early morning. **We ask that you not come in to dismiss your child during the last fifteen minutes of the school day, except in the infrequent case of a specific need.** This will help allow teachers to bring the day to an end free of interruptions from the office. Your cooperation in this matter will be appreciated by everyone.

Dismissing Children to People Other Than a Parent or Guardian

We are very careful here in Amesbury about dismissing children. Identification will be requested from people that we do not recognize. If there are people whom you expect you might want to have come to pick up your child, please fill in their names on the ***Permission to Dismiss Form*** provided by the office, sign it, and return it with the other materials. We will keep these forms at the office. Also, if we were told that the school had to be evacuated we would treat this form as permission to release your child at the host facility to the persons named, unless you specify otherwise.

COMINGS AND GOINGS

The opening and closing of each school day is a busy and somewhat hectic time. Please follow these procedures so that our children, families, buses and visitors can all enter and exit our school safely. Your patience and cooperation will help us manage each day safely and happily!

Children may be dropped off between 8:15 - 8:30 at the designated area. Staff will be on duty to assist children and families as our day begins. *Please do not arrive prior to 8:10.*

- You will be signaled to drive toward the designated area to drop off your child at the curb. There will be many cars, so please take care when pulling away from the curb.
- Please stay in your car and have your child(ren) exit on the passenger side of your vehicle.

School Bus Policies and Procedures

Massachusetts General Laws Chapter 71, Section 68 mandates free public transportation for those students in grades K-6 ONLY who live more than TWO miles from the school that they attend. The new **Amesbury Public Schools transportation policy provides free bus transportation for all students in grades K-6 who live at least 2.0 miles from their assigned school**. Students in grades K-6 who live within the 2.0 mile limit and all students in grades 7-12 will be assessed a transportation fee.

The transportation fee will be: $150 per student / $300 family maximum. There is no option for one way transportation. Students eligible for free or reduced lunch may apply for a reduced fee. Busing will continue to be provided for those Special Education students whose individualized education programs require it.

If your child rides a bus, he/she will only be allowed to ride his/her assigned bus. If an unanticipated situation arises where your child needs to ride a different bus on a particular day please contact **Salter Transportation 978-462-6433** to confirm that space is available on the requested bus.

If your child will need to get off the bus at a different stop or ride a different bus on a regular basis, for daycare, for instance, write a letter to the office stating what bus your child will need to take, where they will need to get off, and the reason for the change. The bus company and bus driver will also need to authorize this change. You should know that because of space restrictions on some buses, your request may be denied.

If you have any questions about or problems with bus transportation, please call **Salter Transportation at: 978-462-6433 x45**

Picking Up Children By Car During the Day or at the End of School

- If you come to pick up your child at any time during the day please park in the marked spaces.
- At the end of the day, please join the Kindergarten Line that forms in the parking lot or the Grades 1-2 Line that forms in the driveway.
- You will be signaled to drive toward the designated area to pick up your child at the curb. There will be many cars, so please take care when pulling away from the curb.
- Please stay in your car, while your child(ren) enters your vehicle on the passenger side.

There will be a crossing guard on duty in the mornings and at dismissal time. Walkers should stay on the sidewalks and use the available crosswalks. This is especially important in the snowy winter months, when it is difficult for drivers to see around corners, the roads are narrowed by snow piles, and vehicle stopping distances are markedly increased. We also recommend that students secure their bikes with a lock or other security device.

SECTION 4: PROTOCOLS and PROCEDURES

Standard Response Protocol

The Standard Response Protocol is a set of research-based actions/drills designed to prepare students, staff and parents for emergency situations.

Throughout the school year, all students and staff members participate in various drills to educate students on the five possible actions of the standard response protocol. These actions are Lockout, Lockdown, Evacuate, Shelter and Hold.

Signs detailing the protocol are posted in each classroom and in various common areas throughout our schools. Our hope is that these signs serve as a visible reminder, not only for students and staff, but also for visitors should they hear an announcement of a specific action in the protocol over the public address system.

STANDARD RESPONSE PROTOCOL

INFORMATION FOR PARENTS AND GUARDIANS

Our school has adopted The "I Love U Guys" Foundation's Standard Response Protocol (SRP). Students and staff will be training, practicing, and drilling the protocol.

COMMON LANGUAGE

The Standard Response Protocol (SRP) is based on an all-hazards approach as opposed to individual scenarios. Like the Incident Command System (ICS), SRP utilizes clear common language while allowing for flexibility in protocol.

The premise is simple - there are five specific actions that can be performed during an incident. When communicating these, the action is labeled with a "Term of Art" and is then followed by a "Directive." Execution of the action is performed by active participants, including students, staff, teachers and first responders. The SRP is based on the following actions: Hold, Secure, Lockdown, Evacuate, and Shelter.

HOLD

"In Your Classroom or Area"

Students are trained to:
- Clear the hallways and remain in their area or room until the "All Clear" is announced
- Do business as usual

Adults and staff are trained to:
- Close and lock the door
- Account for students and adults
- Do business as usual

SECURE

"Get Inside. Lock outside doors"

Students are trained to:
- Return to inside of building
- Do business as usual

Adults and staff are trained to:
- Bring everyone indoors
- Lock the outside doors
- Increase situational awareness
- Account for students and adults
- Do business as usual

LOCKDOWN

"Locks, Lights, Out of Sight"

Students are trained to:
- Move away from sight
- Maintain silence
- Do not open the door

Adults and staff are trained to:
- Recover students from hallway if possible
- Lock the classroom door
- Turn out the lights
- Move away from sight
- Maintain silence
- Do not open the door
- Prepare to evade or defend

EVACUATE

"To a Location"

Students are trained to:
- Leave stuff behind if required to
- If possible, bring their phone
- Follow instructions

Adults and staff are trained to:
- Bring roll sheet and Go Bag (unless instructed not to bring anything with them, dependent on reason for evacuation.)
- Lead students to Evacuation location
- Account for students and adults
- Report injuries or problems using Red Card/Green Card method.

SHELTER

"State Hazard and Safety Strategy"

Hazards might include:
- Tornado
- Hazmat
- Earthquake
- Tsunami

Safety Strategies might include:
- Evacuate to shelter area
- Seal the room
- Drop, cover and hold
- Get to high ground

Students are trained in:
- Appropriate Hazards and Safety Strategies

Adults and staff are trained in:
- Appropriate Hazards and Safety Strategies
- Accounting for students and adults
- Report injuries or problems using Red Card/Green Card method.

BUILDING SECURITY AND SCHOOL VISITS

For the safety and security of everyone it is important that we know who is visiting our schools and why. Therefore the only door by which parents and other visitors are to enter school buildings is the main entrance. Upon entering the building, all visitors, including parents, are to go straight to the school office to explain the reason for their visit. They should then sign in, obtain and wear a visitor pass. Prior to leaving, visitors should sign out and return the pass.

We encourage parents to come in and see the school. You should make an appointment for a visit so that someone can be available to show you around, teachers can be notified, and student learning will not be unduly interrupted.

Just a reminder that parents may not go to classrooms to give lunch money, library books, sneakers for gym, snacks, etc.

CARE OF EQUIPMENT AND SUPPLIES

The schools make every effort to supply students with the supplies and materials they will need for learning in school. All of these are in limited supply, however, so we encourage students to use them responsibly. Materials which are damaged through abuse or misuse will need to be replaced by the student or students responsible.

Books and Ipads are loaned to students, but it is each student's responsibility to take care of them and return them to the school in good condition. They should be covered at all times, and students should not mark them or mistreat them in any way. Novels are also frequently loaned to students and these, too, need to be used carefully. The school will fine a student for any book that is damaged or lost, so that we can maintain a sufficient supply of usable books for future students.

LIBRARY

With the start of another school year, children in Grades K-2 will be able to check out books and materials from the school libraries..

We hope that you will read and enjoy these materials with your child. Please be aware that parents will be responsible for the replacement costs of lost or damaged books and materials that are checked out to their children. If, for some reason, you do not wish to have your child bring library books home from school, please send us a note or call the school to let us know.

PERSONAL PROPERTY

We work hard to make the Shay Memorial a safe and secure environment, but we still urge children to leave toys, personal electronic devices, headphones, cell phones, smart watches, and other valuable possessions at home. These items can sometimes interfere with learning in the class or can lead to conflicts on the playground. Students who bring valuable items to school do so at their own risk.
We have a lost property area, which you can look through at any time after checking in at the office. It would help a lot if you would mark coats, sweaters, lunch boxes, etc. with your child's name (but not conspicuously on the outside so as to allow a stranger to learn your child's name). Unclaimed lost property is periodically donated to local charities.

SCHOOL COUNCIL

As part of the Massachusetts Education Reform Act, each school has a school council. This representative group consists of equal representation of teachers, parents, as well as members of the community who do not have children at the school. They are an advisory group which, with the principal, have the responsibilities of identifying educational needs of our students, developing educational goals for the school, formulating a School Improvement Plan, and reviewing the annual school budget. All meetings are open to the public. https://shay.amesburyma.gov/about/shay-school-council

Each council member serves a two-year term. Parent representatives are elected at the Fall PTO Information Night; staff representatives are elected in the fall. Anyone interested in becoming a member of the council should speak with the principal.

SNACKS IN SCHOOL

With the heightened level of concern about food allergies it is important that parents provide snacks and treats only for their own children and that children do not exchange snacks with others. You will receive specific information from your child's teacher regarding snack procedures. [See also 'Allergy Policy' in the Health Section]

STUDENT DRESS

In accordance with school committee policy #JICA, students are expected to come to school dressed in neat and appropriate clothing. Forms of dress which may be distracting to students are not allowed. (ie. Crop Tops / Belly Shirts) Also, clothing which displays violence or obscene or harassing language must not be worn to school. Students are not allowed to wear hats in the building.

STUDENTS AND THE MEDIA

From time to time, as a way of informing the community about the work of our schools, names and images of students will appear in the press, television and social media sites. If you would prefer that your child not be seen or mentioned, please contact the school and we will make every effort to see that it does not happen.

VOLUNTEER PROGRAM

Amesbury is extremely fortunate to have many people in the community who are willing to share their time and talents with students and teachers in school. Some adults read with students, others help students practice skills such as computation, and still others share with students their special talents such as quilting. If you would like to volunteer your time and work with students in the school, please contact the school office, which will put you in touch with the volunteer coordinator. All volunteers will be required to complete a CORI form prior to volunteering. Chaperones on field trips also need to complete a CORI form. Our students and schools will both be better as a result of your efforts.

SECTION 5: DISCIPLINE

SCHOOL RULES AND CODE OF CONDUCT

General School Expectations

To ensure Shay Memorial is a place where students feel safe, supported and therefore able to learn, we will teach, reinforce and practice expected behaviors to promote students' success. Shay Memorial's Expectations are: *Be Safe; Be Kind; Be Responsible*.

- We keep ourselves and other members of our school community safe through our choices. Fighting, verbal abuse or threats, and other unsafe behaviors are not tolerated.
- We treat others in the way that we wish to be treated ourselves. Kind words and actions are expected to promote a positive school experience for all.
- It is the responsibility of everyone in the school to use supplies wisely, walk through the school quietly, and to keep the buildings and grounds clean.

In order to support students' ability to follow these school expectations, teachers and staff explicitly teach students expected behaviors in various school settings including, but not limited to, classrooms, cafeteria, recess, and bus. Students who struggle to meet these behavioral expectations may be retaught the expectations in order to best support their learning. *SHAY follows the PBIS Behavior Procedural Flowchart on Minor and Major Incidents.*

Consequences

Students who continue to demonstrate difficulty following these school expectations may face reasonable, appropriate consequences. These consequences are intended to support the student and educate rather than be punitive.

Initial consequences are most often implemented by the classroom teacher and may include loss of privilege, brief break or a call or note home. Should these behaviors persist or be of a more serious nature, the student will be referred to the Building Coordinator and/or Principal. Meetings may be scheduled with the student and family in order to best address these continued or serious concerns.

Issues of a more serious nature may also result in suspension. These include, but are not limited to, those listed below:

- Bus Incident Impacting the Safety and Security of Students
- Destruction of Property/Vandalism
- Fighting
- Inappropriate/Improper Use of Personal Electronic Device
- Inappropriate Use of Technology/Social Media
- Stealing
- Threats: Verbal, Written, and/or Cyber

When appropriate, in the case of a serious offense, the school will follow the guidelines contained in the Memorandum of Understanding between the School Department and the Amesbury Police Department.

The goal of the discipline system is to foster students' understanding of the ways in which their behavior affects the entire school community so that they will be able to responsibly direct their own behavioral choices both in and out of school.

All students are expected to behave within the guidelines outlined above. The only exceptions are those students who have been found through assessment by an evaluation team to have special needs and whose program is discussed in an Individualized Education Plan. In these cases we will follow the provisions of Massachusetts General Laws, Chapter 766.

SECTION 6: STUDENT SERVICES

SPECIAL EDUCATION PROGRAMS

In an effort to best meet every child's educational needs, the schools have had a long history of integrating students with special needs into regular education classrooms. Special Education services, then, are provided by classroom teachers and by special education teachers, tutors, and aides. The amount of integration for each child is determined by their specific needs and characteristics, in accordance with the provisions of Chapter 766 of the Massachusetts General Laws.

DISTRICT/TITLE I PARENT INVOLVEMENT POLICY

The goals of the Title I program at Shay Memorial is to involve parents in their child's education. Research supports that engaging families in education is essential to student success. With that in mind we propose to:

- Support the District/Title I Parent Involvement Policy adopted by the School Committee on January 18, 2005.
- In writing inform all parents/guardians of children identified for participation in the Title I program of their child's eligibility. Notify parent(s)/guardian in writing when a student is exited from the program with details as to why.
- A Title I Open House will be held at the beginning of each school year to inform parents about the program, assessments, and the curriculum.
- An individual conference will be held with parents, title I staff, and the classroom teacher to discuss the School/Parent compact which outlines teacher, student, and parent responsibilities.
- Progress reports will be provided 2/3 times during the school year (at report card time) to inform parents of student progress.
- Parent training and workshops will be offered throughout the school year. Parents will have the opportunity to learn how to help their child at home. Communication will be ongoing and may include: newsletters, phone calls, and other notices sent via the children for attendance at parent/family literacy events.
- An Advisory Committee will meet at least three times per year. This committee will include parents of Title I students, Title I staff, classroom teachers, and school principals. This committee will meet for the purpose of on-going program planning and evaluation. If interested please contact Christopher Heath, Director of Teaching, Learning and Equity.
- In order to foster parent involvement, Title I parents will be able to check out a variety of materials from the Parent Resource Library located in the school for use at home. These resources may include videos, books, math manipulative, and other materials aimed at building math and reading skills.

AMESBURY PUBLIC SCHOOLS PRE-KINDERGARTEN PROGRAM

The program enrolls children with and without special needs. A trans-disciplinary team provides support to create a successful inclusionary environment for all of the children in the classroom. The staff work together to create a classroom environment that is welcoming, secure and stimulating and nurtures a love and respect for learning. Our program utilizes developmentally appropriate practices through teacher directed and child centered activities. The Amesbury Pre-Kindergarten Program provides a nurturing and supportive learning environment for your child to grow in the areas of physical, cognitive, social and emotional development. The Pre-K team works with families to determine the best program to meet and support the needs of each child.

The half-day program runs Tuesday, Wednesday, Thursday, and Friday

- **AM Session: 8:30-11:15**
- **PM Session: 12:15-3:00**
- **Pre-K STEP Program: AM / PM Sessions Tuesday, Wednesday, Thursday, and Friday**
- **Pre-K RISE Program: 9:00-2:00 Monday-Friday**

School Calendar

The Pre-K Program follows the Amesbury Public School calendar, with a few changes at the beginning and end of the school year. The integrated Pre-K Programs include home visits and transition days during the first week of school, and class ends a week earlier in June than the regular school. There are NO Pre-K Program classes during Preschool Screening. ***PreK AM and PM Sessions will alternate on Half Days. (PRT, Early Release, Conferences)***

No School and Delayed Opening

The Pre-K Program will be canceled on days that the Amesbury Public Schools are closed because of poor weather/road conditions. Cancellation of school is for both morning and afternoon sessions of Pre-K. If weather conditions are likely to improve, the Superintendent of Schools may schedule a delayed opening. A delayed opening means that there will be NO morning session for Pre-K, and the afternoon session of Pre-K will begin at the regular time.

Transportation

Parents are responsible for transporting their preschooler to and from school. Parents are requested to escort their child to the school and to pick them up each day. Your prompt arrival at both the start and end of the day will help with the school-home transition for your child.

Children arriving twenty minutes after the scheduled starting time must report to the school office with a parent before going to the classroom. Please write a note to your child's teacher if your child will be leaving school early and always remember to sign in and out at the office.

Tuition Payments

Tuition payments are due on the first day of each month (Sept. – May) in monthly installments of $280.00 for all programs. A one time non-refundable $140.00 registration fee is due when enrolling your child into the Pre-K Program. Payments by check or money order should be payable to Amesbury Public Schools. Each payment should be dropped off in the school office in an envelope that has your child's name and "Pre-K Program" noted on it. All payments are non-refundable. Families have the opportunity to make up one late payment. Your child will be dropped from the Pre-K Program after two late payments. Please note that payments are based on a monthly rate, and not on the number of days per month that your child attends school. All parents/guardians are responsible for tuition payments unless there is a signed IEP or 504 Plan in effect stating otherwise.

HEALTH INFORMATION

The health offices are staffed by certified School Nurses. They follow the policies and procedures outlined below. If you have any questions or concerns, please contact the nurse at the health office in your school.

Health Services

If an accident or illness occurs, first aid will be administered and parents notified when necessary. No care beyond basic first aid will be given by the school nurse or other properly trained school personnel. First aid is defined as immediate temporary care. If further attention is necessary, care and movement of the student will be directed or provided by the parent. If the parent or designee cannot be located and immediate emergency medical attention is needed, 911 will be called and the student will be transported to the nearest emergency facility.

Only those designated on the Health Emergency Cards will be contacted or allowed to pick up a student. Please keep your child's emergency card updated with current information.

Medication Policy

If it is necessary for your child to receive medication during the school day, please adhere to the following Medication Policy:

1. Prescription Drug Procedures: Any student who is required to take medication during the school day must comply with the following regulations
    a. Written orders from a physician detailing the name of the drug, dosage, and time interval, is to be given. A properly labeled medication bottle from the pharmacy with the student's name printed on the label is acceptable for short term medication. Students requiring long term medication should have a medication administration plan on file.
    b. Written permission from the parent/guardian of the student requesting that the school system to comply with the physician's order must be given.
    c. Medication MUST be brought to school in a container appropriately labeled by the pharmacy or physician.
    d. Each medication given on an ongoing basis must be recorded, which includes date, time and initials of the person giving the medication.
2. Non-prescription Drug Procedures
    a. Written permission from the parent/guardian must be provided and include the name of the drug, frequency and indications for administration.
    b. The school system physician will approve certain over the counter medication with parent/guardian permission. Administration of the medication shall be recorded on the individual's health log.

Parents should take advantage of a service offered by local pharmacies. Medications can be divided into two separate containers, one for home and one for school use. Over the counter medications can also be dispensed provided it is received in its original container. No medications will be administered that are not provided in its original container. Empty pharmacy bottles will be sent home with your child for refilling. Prescription medications must be brought to school by a parent/guardian. Consent forms may be obtained from the health office as needed. All medications must be picked up in the health office by the end of the school year. Any remaining or discontinued medications will be discarded.

Immunizations

Massachusetts immunization regulations specify minimum immunization requirements for enrollment in school (105 CMR 220.000). These regulations are revised periodically to incorporate any changes in the requirements. The law provides for exclusion of students from school if immunizations are not up to date, but permits exemptions for students covered under the McKinney-Vento Act, for medical and religious reasons. The Amesbury Public Schools are required to follow the state laws governing immunization (see Chapter 76, Section 15 of Massachusetts General Laws). Children will not be allowed to attend Amesbury Public Schools unless the following requirements are met upon registering. Parents/guardians will be expected to supply current immunization documentation, a copy of a current physician's examination of the student and a signed release to obtain immunization records from the previous school. Documentation of non-compliance will be referred to the building principal for follow-up.

Non-Exclusionary Protocol Concerning Head Lice

The Amesbury Public Schools is committed to maximizing students' academic performance and physical wellbeing in a healthy and safe environment. The District recognizes that head lice infestations do not pose a health hazard, are not a sign of uncleanliness, and are not responsible for the spread of any disease. However, archaic policies cause unnecessary absences from school with potential negative effects on academic performance. Misinformation about head lice causes anxiety for parents and school staff.

The District defines a healthy and safe environment as one in which adults work together to provide the following environmental factors established by current research as necessary for the health and wellbeing of students with head lice:

- Educating staff, students, and parents/guardians about head lice.
- Establishing evidence based management for students with head lice.

The goals of providing a healthy and safe environment for students with head lice are to:

- Manage head lice based on scientific and medically justified evidence.
- Minimize absence due to unnecessary exclusion of students with head lice.
- Maximize academic performance.

Body Mass Index (BMI)

The Body Mass Index (BMI) Screening Program is for grades 1, 4, 7 and 10. BMI is a measure that is calculated using a formula that includes an individual's height and weight. A BMI can be a useful tool in identifying possible health risks including abnormal lipids, high blood pressure, and diabetes. BMI information collected on students is intended to be a screening tool and is not a diagnosis of under or overweight. Families may opt out of the BMI screening by completing the opt out form that will be sent home.

Illness

Students must stay home if they have the following:

•A severe rash or skin condition not diagnosed by a physician
•A fever that causes chills, sweats, or muscle aches or a temperature of 100 within 24 hours.
•Vomiting or diarrhea
•Inflamed eyes, with yellow or green drainage
•Bacterial infection not treated for less than 24 hours, for example, strep throat.

SECTION 7: CO-CURRICULAR ACTIVITIES & ATHLETICS

ENRICHMENT PROGRAM

The PTO periodically sponsors enrichment programs after school hours. These stretch students' minds and often offer experiences not offered elsewhere in the curriculum. Classes offered in the past include conversational French, cooking, computer literacy, beginning martial arts, and crafts. Each program runs for several weeks and there is a nominal fee for each one. A flyer will be sent home providing more detailed information about these programs after the school year begins.

Consistent with Massachusetts regulations, 603 CMR 26.05(1), the Amesbury 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.

Amesbury Public Schools
District Policies & Procedures

EEAB - DISABLED STUDENT TRANSPORTATION
EEAB-R - DISABLED STUDENT TRANSPORTATION DROP-OFF PROCEDURE
EEAC - STUDENT BEHAVIOR ON SCHOOL BUSSES
EEAC-R1 - STUDENT CONDUCT ON SCHOOL BUSSES: REGULATIONS
EEAEB - VEHICLE IDLING REDUCTION
EGAF - CELL PHONES AND PORTABLE COMMUNICATION DEVICES
IJOA - FIELD TRIPS
JBA - SPECIAL EDUCATION STUDENTS - DISCIPLINE
JBB - EDUCATIONAL EQUITY
JFAA - RESIDENCY
JFAB - NON-RESIDENT STUDENTS
JFABD - HOMELESS STUDENTS: ENROLLMENT RIGHTS AND SERVICES
JFABE - EDUCATIONAL OPPORTUNITIES FOR MILITARY CHILDREN
JFABF - EDUCATIONAL OPPORTUNITIES FOR CHILDREN IN FOSTER CARE
JFCB/GBCBC - PROMOTING CIVIL RIGHTS AND PROHIBITING HARASSMENT, SEXUAL HARASSMENT, HAZING, BULLYING, CYBER BULLYING, SEXTING, DISCRIMINATION, AND HATE CRIMES
JFCD/GBCBD - SEXUAL HARASSMENT
ACA - NONDISCRIMINATION ON THE BASIS OF GENDER
JFCH - DRUG AND ALCOHOL USE BY STUDENTS
JH - STUDENT ABSENCES AND EXCUSES
JKAA - PHYSICAL RESTRAINT OF STUDENTS
JIC - STUDENT DISCIPLINE
RESTRAINTS & SECLUSIONS
Student Support, Care & Education Services: Chapter 222 of the Acts of 2012, An Act Relative to Student Access to Educational Services and Exclusion from School
JHCA - ALLERGIES IN THE SCHOOL SETTING
JHCA-R - ALLERGIES IN THE SCHOOL SETTING
POLICY EBCFA
EBCFA - FACE COVERINGS
KI INFORMATION
FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)
STUDENT RECORDS POLICY
ACAB - SEXUAL HARASSMENT/TITLE IX POLICY
CHAIN OF COMMUNICATION FOR PARENT/GUARDIAN
CF - SCHOOL COUNCILS

GBEBD - ONLINE FUNDRAISING AND SOLICITATIONS - CROWDFUNDING
IGDF - STUDENT FUNDRAISING ACTIVITIES
IJNDB - TECHNOLOGY AND EMPLOYEE EMAIL POLICY
Title IX
Amesbury Public Schools Cell Phone and Personal Electronic Device Policy

Support Services

EEAB - DISABLED STUDENT TRANSPORTATION

The Amesbury School Committee authorizes the Superintendent, and/or his designee, to arrange transportation for those permanently and temporarily disabled students who attend public or special education programs in or outside of Amesbury.

Legal Refs.: M.G.L. 71B:8

Adopted: 1989

Reviewed: 2002; 2003; 2011

Revised: 2008

EEAB-R - DISABLED STUDENT TRANSPORTATION DROP-OFF PROCEDURE

In the event that a parent/guardian or designated person is not at a student´s designated drop-off location, van drivers are required to do the following:

1. Call the parent, using the home phone number provided on the van´s schedule for the run. If there is no answer, the van driver must leave a message indicating that the student has been retained on the van and that the student will be returned to the school of origin when the van´s route is complete.

2. Call the school of origin using the telephone number provided on the Important Phone Number list. Inform the school of origin that the student will be returned to the school when the van´s route is complete.

If a student cannot be left at the designated address by the van driver, the school of origin is responsible for the student. The school of origin will contact the police department if no other family contacts are successful.

This procedure shall be used for all students K-5 unless a parent has requested otherwise. Dependent upon the needs articulated in the IEP, this procedure may be implemented for older special education students.

Legal Refs.: M.G.L. 71B:8

Adopted: 2009

Reviewed: 2011

EEAC - STUDENT BEHAVIOR ON SCHOOL BUSSES

The right of students to ride a school bus is contingent upon their good behavior and observance of established regulations.

The driver of a school bus shall be responsible for the safety of students while riding a bus both during the ride and while students are entering or leaving the vehicle. It is the bus driver´s responsibility to notify the principal of the student involved in violation of the established regulation. The School Committee recognizes the right of principals to suspend bus privileges as a consequence of student misbehavior relating to bus transportation. If a student loses his/her bus transportation privilege, the transportation fee will not be refunded. Responsibility for transportation then rests with parents/guardians.

In the interest of supporting principals and bus drivers the School Committee authorizes the use of audio/video monitoring devices on school busses. Tapes from these devices may be used exclusively to aid in the investigation of incidents. Only those involved in the investigation, including parents, will have access to the tapes. Otherwise, all tapes will be erased within seven (7) school days of taping. Notification of the use of these devices will be included in student handbooks and/or in writing to parents/guardians.

In order to ensure the safety and welfare of student riders further, the Superintendent will provide a school safety program that will include the following:

1. Children will be instructed in the proper procedure for boarding and exiting a school bus and the 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; and,

4. Classroom instruction on school bus safety will be provided.

LEGAL REFS: M.G.L. c.90:7b as amended by c.246 Acts of 1986

M.G.L. 90:1 et seq; 713:2; 713:7L

Highway Safety Program Standard No. 17

Adopted: 1995

Reviewed: 2011

Revised: 2002; 2003; 2008

EEAC-R1 - STUDENT CONDUCT ON SCHOOL BUSSES: REGULATIONS

Any student using school provided transportation shall be subject to appropriate regulations. School principals are required to establish specific rules and regulations that apply to their individual schools based upon School Committee policy. While individual or unique incidents of disruptive behavior may occur, the regulations related to student behavior, applicable to all student riders, which are expressly stated by the School Committee, include, but are not limited to, the following:

Procedures for Drivers, Administrators, and Parents

1. In case of misconduct on a bus, the incident will be reported to the school principal on the proper form. The school principal will report the incident in writing to the parent/guardian concerned, with a copy to the Superintendent of Schools. Based on the reported incident, the principal may suspend the individual student´s bus privileges.

2. In case of repetition by the same student, the principal may suspend the student´s transportation privileges until a conference with the student´s parent/guardian is held to discuss the individual student´s behavior.

3. If a satisfactory solution to the student´s behavior, which provides for the safety and welfare of other student bus riders, cannot be reached, the student´s transportation privileges may be terminated. Parents may appeal a decision to the Superintendent of Schools. The responsibility for transporting the student to school will then rest with the parent/guardian.

Loading and Unloading at Bus Stop

1. Riders must be on time. Bus drivers will not wait.

2. Riders will enter or leave the bus at regular stops only.

3. Orderly behavior and respect for private property will be required.

4. Instructions and directions of the driver must be followed by the riders.

Required Conduct Aboard the Bus

1. Riders must remain in their seats when the bus is in motion.

2. Whistling and shouting are not permitted.

3. Profanity and obscene language are forbidden.

4. Smoking and eating are prohibited.

5. Prohibitive disturbances include but are not limited to the following

   - Pushing or wrestling;

- Annoying other passengers or disturbing their possessions;

- Disturbing the driver;

- Throwing objects within the bus or out of windows;

- Climbing over seats;

- Opening or closing windows;

- Leaning out of windows;

- Littering the bus; and

- Any other disorderly behavior.

6. Parents will be held responsible for any defacing or damaging of the bus.

Parents and students will be informed of these regulations at the beginning of each school year, and parents will be asked to return signed forms indicating that the regulations have been received and read.

Adopted: 1995

Revised: 2011

EEAEB - VEHICLE IDLING REDUCTION

Idling vehicles pollute the air and present several health and environmental hazards. Gasoline and diesel vehicles produce carbon monoxide, carbon dioxide, volatile organic compounds (VOCs) and oxides of nitrogen (NOx). Carbon monoxide causes respiratory distress and in high concentrations can be lethal; carbon dioxide is a primary contributor to global warming; and VOCs and NOx and form ozone, ground-level smog and impair lung function. In addition, diesel exhaust contains fine particulate matter, which the U.S. Environmental Protection Agency has designated as a likely carcinogen. The elderly, chronically ill and children are all particularly vulnerable to these health effects because their lung function is respectively decreased, impaired or still in development.

In addition**,** Massachusetts General Law (MGL Chapter 90, Section 16A) and the Massachusetts Department of Environmental Protection (DEP) idling reduction regulation (310 CMR 7.11(1)(b) both prohibit unnecessary vehicle idling by stating that <u>the engine must be shut down if the vehicle will be stopped for more than five minutes</u>. Exemptions include: 1) the vehicle is being serviced and the idling is required to repair the vehicle; or 2) the vehicle is making deliveries and needs to keep its engine running (to power refrigerators, for example); and, 3) the vehicle´s accessory equipment needs to be powered, such as a fork lift or a truck´s rear dump bed, or a wheelchair lift in a bus or van.

In order to reduce the health and environmental effects of vehicle exhaust, comply with the state´s idling reduction regulation and law, and decrease our use of fuel by reducing unnecessary idling, the following actions shall be implemented to the maximum extent practicable:

The school system will make idling reduction a common practice by inserting the law and this policy into all future contracts with bus vendors, place signs in appropriate school spaces, and inform the community of our standards through school-based discussions, school committee meetings, and our website.

Legal Refs: MGL Ch.90,§16A, DEP 310 CMR 7.11(1)(b)

Adopted: 2010

Reviewed: 2011

Reviewed: 2002; 2003; 2008

EGAF - CELL PHONES AND PORTABLE COMMUNICATION DEVICES

The School Committee recognizes that today´s society is different from previous generations. Cell phones and portable communication devices (PCDs) play in important part in employee and student safety and communications. Cell phones and PCDs are defined as current and emerging technologies that are wireless units that send and/or receive electronic communications in an analog or digital data transmission. The possession or use of cell phones and PCDs are prescribed for employees and students as follows:

I. <u>Employees</u>

a. Employees of Amesbury Public Schools are granted permission to possess and use cell phones and PCDs in the official job capacity consistent with their job descriptions.

b. Employees who possess and use cell phones and PCDs in their official job functions will be provided a cell phone owned by the Amesbury Public Schools. The use of these units is for school business only. Any personal calls may be charged against the employee if the call causes a financial charge to the district.

c. Administrators and designated employees who are issued school-owned cell phones should keep their phones on and charged during the school day and while conducting school business/events.

d. Employees who own a personal cell phone and/or PCD must ensure that the device does not ring or interrupt the academic classroom environment or the job performance of the employee. Employees must take pro-active steps to ensure that the cell phones do not ring during their instructional hours.

e. The school committee may review employee phone call records and charges for any school owned cell phone or PCD at any time.

f. Taking photos, videos or any audio of anyone without their permission is prohibited.

II. Students

a. Students may possess and carry cell phones and PCDs; however, these units must be turned off during the academic school day to ensure that disruptions and interference of the instructional and academic climate of the school do not occur. Please refer to building-specific policies as noted in student handbooks.

b. The school administration may, in its sole discretion, grant exceptions for cell phones and PCD use based upon critical need and appropriate documentation.

c. Students who violate this policy may face disciplinary actions by the administration. Additionally, cell phones that are used during the day may be confiscated. Repeated infractions may result in parent notification.

d. Amesbury Public Schools will not be liable for any property not picked up within 2 school days.

e. Taking photos, videos or audio of anyone without their permission is prohibited.

III. Public Meetings

a. During all public meetings, any communication devices must be put in the "silent" mode. In case of an emergency interruption, an individual must excuse themselves from the meeting and communicate in a private location.

Adopted: 2004

Reviewed: 2007; 2011

Revised: 2010; 2012

Students

IJOA - FIELD TRIPS

The Amesbury School Committee recognizes that firsthand learning experiences provided by field trips are a worthwhile enhancement to the curriculum. It is the desire of the committee to encourage field trips as part of and directly related to the total school program and curriculum. Despite this, participation in field trips is voluntary and in the case of minor children, is subject to parental consent.

Specific guidelines and appropriate administrative procedures shall be developed to screen, approve, and evaluate trips and to ensure that all reasonable steps are taken for the safety of the participants. These guidelines and procedures should be developed by the Administration and reviewed and approved by the School Committee.

These guidelines and appropriate administrative procedures shall ensure that all field trips have the approval of the principal and that all overnight trips have the prior approval of the superintendent and the School Committee.

This policy applies to all student trips including:

1. Day trips that occur during regular school hours

2. Extended long distance or overnight trips that extend beyond normal school hours during the day or which require an overnight stay of at least one night

3. International trips

A. Trip Approval Process

1. All field trips require advance approval. Day trips shall be approved in writing no less than two weeks in advance by the building principal. Overnight trips shall require preliminary approval of the School Committee through completion of an overnight field trip request form developed by the Administration. Final approval will not be granted until all preparations for the trip have been completed including, but not limited to all logistical details involving transportation, accommodation arrangements, and fundraising efforts. The School Committee requires that final approval be sought no less than 30 days prior to the scheduled field trip dates.

2. The preliminary approval process shall be completed prior to engaging students in fundraising activities or other preparations for the trip. Requests for overnight field trips shall include an agenda for the trip which shows educational activities, enrichment activities, exploration activities, and the times during the days which will be devoted to these different activities. Once preliminary approval is granted, final approval will be withheld only if the field trip does not adhere to the plan presented in the approved preliminary proposal.

3. Overnight trips shall offer significant educational benefits to students that clearly justify the time and expense of the trip. Such trips shall be appropriate for the grade level.

4. Teachers and other school staff are prohibited from soliciting privately run trips through the school system. The trip approval process applies only to school-sanctioned trips.

5. Procedures for trip approval shall take into account all logistical details involving activities, transportation, accommodations, fundraising required of students, and the educational value of the trip in relation to its costs.

6. Generally, field trips shall not repeat those that students have taken during recent years. Trips that are repetitive for a significant minority can be justified in exceptional circumstances.

7. The distribution and number of field trips during the school year cannot be arbitrarily defined. However, multi-grade field trips that are directly related to classroom study are preferable to those that are not. Field trips are generally not meant to be end-of-year celebrations, releases or rewards.

8. It should be remembered that field trips at some grade levels significantly interfere with education in other courses or classes because of the students' absence from school. The value of the trip should be considered versus educational losses. Substitutes shall be utilized to minimize educational losses for other classes.

B. Transportation

1. The use of vans or private automobiles for trips planned to include late night or overnight student travel shall generally be avoided. Such trips shall generally use commercial motor coaches.

2. Principals shall ensure that the selected carrier is licensed for passenger transportation by the Federal Motor Carrier Safety Administration (FMCSA).

3. The contract with the carrier shall prohibit the use of a subcontractor unless sufficient notice is given to allow verification of the subcontractor's qualifications.

C. Trip Scheduling

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

2. Whenever possible, overnight trips shall be scheduled on weekends or during school vacations to minimize lost classroom time.

3. Trip itineraries must leave enough time for drivers to rest as necessary to conform with federal hour-of-service requirements.

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

5. All field trips may be cancelled by the principal or superintendent up to the time of departure.

D. Fundraising

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

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

3. If students are charged individual fees for participation, the district shall make every effort to provide scholarships where needed.

4. Any money, tickets, or reservations made through fundraising activities become the property of the Amesbury Public Schools.

5. Any funds remaining after completion of the field trip and after all outstanding expenses have been paid shall be gifted to the Extra Curricular school account to be used for extra curricular activities benefiting students.

E. Chaperone Ratios

1. Supervision on field trips is a critical factor and, given a new and less-structured environment, shall clearly be more intensive than in a school situation. Supervision shall also be sufficient to guarantee the educational goals of the trip. Every effort shall be made to have an equitable number of male and female chaperones, particularly on overnight field trips. The following minimum guidelines shall prevail:

Student/Teacher Ratio

Grade Level	PreK-Grade 4	Grades 5-8	Grades 9-12
Day Field Trips	8/1	10/1	12/1
Overnight Field Trips	N/A	8/1	8/1

2. The Amesbury community has expressed concern that pictures might be posted to social media sites without permission. To ensure students' safety and privacy, chaperones shall not post any photographs or videos of children (other than their own) to any social media site.

F. Permission/Releases

1. Regular day field trips require a signed parent permission slip with the exception of students over the age of 18 who may sign for themselves.

2. All field trips require a signed permission and liability release form.

3. All chaperones shall comply with current a CORI policy.

Approved: 2004

Reviewed: 2008

Revised: 2006; 2011; 2016; 2020

JBA - SPECIAL EDUCATION STUDENTS - DISCIPLINE

The disciplining of students with disabilities eligible for special education is governed by federal and state special education laws and the regulations promulgated thereunder. These laws include the Individuals with Disabilities Education Act, 20 U.S.C. 1401 *et seq.,* its implementing regulations 34 C.F.R. 300 *et seq*.; and Massachusetts General Laws, chapter 71B and its implementing regulations 603 C.M.R. 28.00.

Students with disabilities who violate school rules are subject to removal from their current educational placement for up to ten (10) school days per year, to the extent that such a removal would be applied to students without disabilities, without a prior determination as to whether the misconduct is related to the student´s disability.

School personnel may order a change in educational placement of a child with a disability to an appropriate Interim Alternative Educational Setting (IAES) that provides the student with a free appropriate public education for the same amount of time that a child without a disability would be subject to discipline, but not for more than forty-five (45) calendar days if the student:

A. Carries or possesses a weapon to or at school, on school premises, or to or at a school function;

B. Knowingly possesses or uses illegal drugs at school, a school function, or school sponsored event; or

C. Sells or solicits the sale of a controlled substance while at school, a school function, or a school sponsored event.

Anytime school personnel seek to remove a student from his or her current educational placement for more than ten (10) school days in any school year, this constitutes a "change of placement." A change of placement invokes certain procedural protections under the IDEA, the federal special education law. These include, but are not limited to:

A. If the school did not conduct a functional behavioral assessment and implement a behavioral intervention plan for such student before the behavior that resulted in the discipline, the school shall convene an IEP meeting to develop an assessment plan to address the behavior, or if the child already has a behavior intervention plan, the IEP Team shall review the plan and modify it, as necessary, to address the behavior.

B. A review by the IEP Team of the relationship between the child´s disability and the behavior subject to the disciplinary action, which is often referred to as the Manifestation Determination.

School personnel may also seek an order from the Department of Education Bureau of Special Education Appeals (BSEA) placing a student in an IAES for up to forty-five (45) calendar days.

Parents/guardians and/or students, where appropriate, may request a hearing at the Bureau of Special Education Appeals regarding a disciplinary action described above to challenge the interim alternative educational setting or the manifestation determination.

For a copy of the Massachusetts Department of Elementary and Secondary Education brochure on Special Education Parents´ Rights available in many languages, visit www.doe.mass.edu/sped/parents or contact the Director of Special Education.

Legal Refs: Individuals with Disabilities Education Act, 20 U.S.C. 1401 et seq.

Regulations 34 C.F.R. 300 et seq.

M.G.L, chapter 71B, regulations 603 C.M.R. 28.00

Adopted: 2006

Revised: 2008

JBB - EDUCATIONAL EQUITY

The School Committee's goal is to strive to address the needs of every student in each of our schools, subject to budgetary, space and other limitations.

Educational equity for the purpose of this policy is defined as providing all students, as reasonably practical, the high quality instruction and support they need to reach and exceed a common standard.

To achieve educational equity the district will commit to:

1. Systematically, when appropriate, use districtwide and individual school level data, disaggregated by race/ethnicity, gender/gender identity, national origin, language, special education, socioeconomic status and mobility to inform district decision making.
2. Raise the achievement of all students.
3. Graduate all students ready to succeed in a diverse local, national and global community.

In order to reach the goal of educational equity, as reasonably practical, for each and every student, the District shall:

1. Provide every student with access to high quality curriculum, support, and other educational resources.
2. Seek to promote educational equity as a priority in professional development.
3. Endeavor to create schools with a welcoming and inclusive culture and environment.
4. Provide multiple pathways to success in order to meet the needs of the diverse student body and actively encourage, support and expect high academic achievement for each student.

The Superintendent shall include equity practices in the district's strategic plan and goal strategies to implement this policy. The Superintendent, upon request, will periodically report to the Committee the progress of the implementation of this policy.

SOURCE: MASC

ADOPTED: September 12, 2019

APPROVED: 5/4/20

JFAA - RESIDENCY

In order to attend Amesbury Public Schools, students must reside in Amesbury. Students who are enrolled in the School Choice Program are allowed to attend Amesbury Public Schools as well. "Residence" is the place where a person dwells permanently, not temporarily, and is the place of his/her domestic, social and civic life. Temporary residency for the purpose of attending Amesbury Public Schools will not be considered residency under this policy.

Amesbury can verify residency by several means. In the event residency is in question, school officials will reserve the right to ask for 3 different types of documentation, including but not limited to: a lease agreement for your current apartment or copies of any utility or telephone bill registered to your name. The City Clerk may be asked to verify you are a registered voter in Amesbury, or the Assessor´s office may be asked to verify the name on the residency. If you do not have any of the above means, you may additionally be asked for proof of rent payment to an Amesbury address through a cancelled check or money order.

If you cannot provide residency documentation, the Amesbury Public Schools will ask the attendance officer to investigate the living situation. If it is determined that you do not reside in Amesbury, your child will be dismissed immediately from the Amesbury Public Schools. The average most up-to-date per pupil cost to educate a student in Amesbury will be charged. Additional penalties, including fines and legal action, may be imposed on families found to be in violation of the residency policy.

Any attempt to subvert this policy is considered theft of services by the Amesbury Public Schools. This decision may be appealed first to the Assistant Superintendent, and finally to the Superintendent of Schools, whose decision shall be final.

Legal References: MGL Ch. 71 §6a, MGL Ch. 76 §6

Adopted: 2010

Revised: 2011; 2012; 2013

JFAB - NON-RESIDENT STUDENTS

Students who do not legally qualify as "residents" of the city may attend under the following circumstances:

1. To provide, temporarily, for the continuous progress of children whose families may move out of the city after May 1st and would like their child to finish the current school year.

2. To assist residents who have undertaken the legal guardianship or custodial care of children from outside of the city due to a child's need for such care because of special family circumstances.

3. To bring into the school system, on occasion upon recommendation of the high school principal, students from other countries who are the guests of residents under an established Exchange Program who have been recognized for purposes of school attendance by the School Committee., subject to the following conditions:

   a) Student is in possession of a J-1 Visa.

   b) Students in the exchange program must be between 15 and 18 ½ (as of the beginning of the program) and must not have been awarded a diploma or a certificate of completion in the student's home country.

   c) Students must have written and oral English skills sufficient to function in regular classes without special assistance.

   d) No diplomas will be issued to J-1 students. Those students who are placed in Grade 12 will be permitted to participate fully in commencement exercises and to be recognized with a school certificate for satisfactory attendance and participation in the school.

   e) Under no circumstances shall more than six foreign exchanges students be attending Amesbury High School at any given time.

   f) It is the responsibility of the area exchange program representative to notify the Principal within forty-eight (48) hours if an exchange student withdraws from the school or changes host families during the school year.

4. To educate those students who the School Committee has entered into a Memorandum of Understanding (M.O.U.) for the purpose of educating such student(s). (i.e., the M.O.U. with the South Hampton, NH School Board.)

5. Students who move during their senior year: If a student's family moves out of the school district after September 30 during his/her senior year, particular consideration may be given by the Superintendent to the family's petition that the student be allowed to complete the school year. The student may be allowed to complete his/her senior year, contingent upon the following:

   a) If the School Committee of the new community, where the student is residing, makes a request to have the student continue in the District for the remainder of his/her senior year and the School

Committee of the new community agrees to any tuition, if applicable. It is the responsibility of the student's parents or legal guardians to make such a request to the school committee of the new community in which they are residing.

b) The parents or legal guardians will provide the transportation for their child. The District will not provide transportation to a student who attends school in the District pursuant to this section.

c) The Superintendent and/or the School Committee reserve the right to make exceptions.

Legal Refs. M.G.L. c.76:12B; 71:6, 71:6A, 74:8, 76:6, 76:12

Revised: 2007; 2008; 2013, 2015, 2016

JFABD - HOMELESS STUDENTS: ENROLLMENT RIGHTS AND SERVICES

As required by law, the district will work with homeless children and youth and unaccompanied youth 1 (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 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 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 inter-district 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 understand,[2] 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 Education [3]. 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/mckinney-vento.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.

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

SOURCE: MASC October 2019

Approved: 5/4/20

JFABE - EDUCATIONAL OPPORTUNITIES FOR MILITARY CHILDREN

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

Definitions

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

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

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

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

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

- Sending schools must send either official or unofficial records with the moving students and District receiving schools must use those records for immediate enrollment and educational placement.
- Upon enrollment of an eligible student, the receiving school must request official records and the sending schools shall respond within 10 days with the records.
- Immunization requirements of the District may be met within 30 days from the date of enrollment (or be in progress).
- Receiving schools must initially honor placement of students in all courses from the sending school. These include, but are not limited to, Honors, International Baccalaureate, Advanced Placement, vocational-technical, and career pathway courses if those courses are offered in the receiving school and space is available. The receiving schools must also initially honor placement of like programs to those of the student in the sending state, including, but not limited to, Gifted and Talented programs, and English as a Second Language programs. Receiving schools are not precluded from performing subsequent evaluation to ensure the appropriate placement and continued enrollment of the student in courses and programs.
- In compliance with federal law, the district will assume financial and programmatic responsibility for the special education programs of students with existing IEPs drafted in other states.
- As appropriate, the District will exercise the right to waive prerequisites for all courses and programs, while also maintaining its right to re-evaluate the student to ensure continued enrollment, also as deemed appropriate.
- Students of active duty personnel shall have additional excused absences, as necessary, for visitations relative to leave or deployment.

- An eligible student living with a noncustodial parent or other person standing in loco parentis shall be permitted to continue to attend the school in which he or she was enrolled while living with the custodial parent or guardian, without any tuition fee imposed.

- The District high school will accept exit or end-of-year exams required from the sending state, national norm-referenced tests, or alternate testing instead of testing requirements for graduation in the District (receiving state.) If this is not possible, the alternative provision of the Interstate Compact shall be followed to facilitate the on-time graduation of the student in accordance with Compact provisions.

LEGAL REFS: M.G. L. 15E;

Interstate Compact on Educational Opportunity for Military Children

SOURCE: MASC October 2019

APPROVED: 5/4/20

JFABF - EDUCATIONAL OPPORTUNITIES FOR CHILDREN IN FOSTER CARE

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

Irrespective of the location of a foster care placement, students in foster care will continue to attend their school of origin, unless after a collaborative decision-making process, it is determined to be in the student's best interest to enroll in and attend school in the district in which the student resides in foster care. Enrollment of students in the district where they reside in foster care will take place immediately upon such a determination.

The Superintendent shall designate an appropriate staff person as Foster Care Liaison to be the district liaison for students in foster care. The district's liaison for students in foster care will collaborate with DCF to ensure that students can access transportation and the other services to which they may be entitled.

Best Interest Determination

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

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. To the extent feasible and appropriate, the district will ensure that a child remains in his or her school of origin while the disputes are being resolved to minimize disruptions and reduce the number of moves between schools.

Transportation

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

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

Immediate Enrollment

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

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

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

LEGAL REFS: Every Student Succeeds Act (ESSA);

Fostering Connections to Success and Increasing Adoptions Act of 2008 (Fostering Connections Act)

SOURCE: MASC October 2019

Approved: 5/4/20

JFCB/GBCBC - PROMOTING CIVIL RIGHTS AND PROHIBITING HARASSMENT, SEXUAL HARASSMENT, HAZING, BULLYING, CYBER BULLYING, SEXTING, DISCRIMINATION, AND HATE CRIMES

I. GOALS

The Amesbury Public School District is committed to providing our students equal educational opportunities and a safe learning environment free from harassment, bullying, discrimination, and hate crimes, where all school community members treat each other with respect and appreciate the rich diversity in our schools. This Policy is an integral part of the District's comprehensive efforts to promote learning, eliminate all forms of violent, harmful, and disruptive behavior and enable students to achieve their personal and academic potential and become successful citizens in our increasingly diverse society.

The District will not tolerate any unlawful or disruptive behavior, including any form of harassment, bullying, discrimination, or hate crimes in our schools or school-related activities. The District will promptly[1] investigate all reports and complaints of harassment, bullying, discrimination, and hate crimes, and take prompt, effective action to end that behavior and prevent its reoccurrence. Action will include, where appropriate, referral to a law enforcement agency. The District will support this Policy in all aspects of its activities, including its curricula, instructional programs, staff development, extracurricular activities, and parental involvement.

Additionally, students will be protected from being bullied by a member of the school staff, which includes, but is not limited to: educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, support staff or paraprofessionals.

II. GENERAL STATEMENT OF POLICY

The Amesbury Public School District prohibits all forms of harassment, discrimination, and hate crimes based on race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical, developmental or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics. The civil rights of all school community members are guaranteed by law, and the protection of those rights is of utmost importance and priority to our School District. The District will also not tolerate retaliation against persons who take action consistent with this Policy.[2]

A. APPLICATION

This Policy applies to all sites and activities that the District supervises, controls, or where it has jurisdiction under the law, including school grounds, property immediately adjacent to school grounds, or at a school-sponsored or school-related activity, function or program, at a school bus stop, on a school bus or other vehicle owned, leased or used by the District, or through the use of technology or an electronic device owned, leased, or used by a school district or school. The bullying policy applies to any location, activity, function or program that is not school-related or through the use of technology or an electronic device that is not owned, leased or used by the district, if the act or acts in question create a hostile environment at school for the target,

infringe on the rights of the target at school or materially and substantially disrupt the education process or the orderly operation of the school. It applies to all students, school committee members, school employees, independent contractors, school volunteers, parents and legal guardians of students, and visitors to District schools. Nothing in this Policy, however, is designed or intended to limit the District's authority to discipline or take remedial action under General Laws Chapter 71, §37H or other authority, or in response to violent, harmful, or disruptive behavior, regardless of whether this Policy covers the conduct.

B. DISCIPLINARY AND CORRECTIVE ACTION

Violation of this Policy is a serious offense. Violators will be subject to appropriate disciplinary and/or corrective action to correct and end the conduct, prevent its reoccurrence, and protect and restore a sense of safety for the complainant and other similarly-situated individuals from harassment, discrimination, hate crimes, retaliation, and bullying in the future.

C. DEFINITIONS

The definitions of terms used in this Policy, including descriptions of conduct this Policy prohibits, appear in the "Glossary of Terms."

III. RESPONSIBILITIES

A. Each School Community Member is responsible for:

1. Complying with this Policy, where applicable;

2. ensuring that (s)he does not harass, discriminate against, or commit a crime against another person on school grounds or in a school-related activity because of that person's race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, pregnant or parenting status, gender identity or expression, sexual orientation, physical appearance, physical, mental, developmental, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics.

3. Ensuring that (s)he does not bully another person;

4. ensuring that (s)he does not retaliate against any other person for reporting or filing a complaint, for aiding or encouraging the filing of a report or complaint, or for cooperating in an investigation of harassment, bullying, discrimination, or a hate crime; and

5. Cooperating in the investigation of reports or complaints of harassment, bullying, discrimination, retaliation, or a hate crime.

B. Each School Employee, Independent Contractor and School Volunteer is ALSO responsible for:

1. Responding appropriately when witnessing harassment, bullying, discrimination, retaliation, or a hate crime on school grounds or in a school-related activity;

2. Cooperating with the District's efforts to prevent, respond effectively to, and eliminate harassment, bullying, discrimination, and hate crimes; and

3. Promptly reporting all information s(he) knows concerning possible harassment, bullying, discrimination, retaliation, or a hate crime to a designated school official when (s)he witnesses or becomes aware of that conduct.

IV. PROTECTION AGAINST RETALIATION

The District will take appropriate steps to protect from retaliation persons who take action consistent with this Policy, or who report, or file a complaint or cooperate in an investigation of a violation of this Policy. Threats or acts of retaliation, whether person-to-person, by electronic means, or through third parties, are serious offenses that will subject the violator to significant disciplinary and other corrective action.

V. REPORTING AND RESOLUTION PROCESS

A. DESIGNATED OFFICIALS FOR REPORTING

1. In Each School Building

The school principal or the District's Equity Coordinator is responsible for receiving reports and complaints of violations of this Policy at the school level. A report or complaint of a violation of this Policy may be filed with the Equity Coordinator, Lyn Jacques, 5 Highland Street, Amesbury, MA, 978-388-0507.

2. For the Central Administration

The District Equity Coordinator is responsible for receiving and addressing reports or complaints of violations of this Policy at the district level. A report or complaint involving the District Equity Coordinator should be filed with the Superintendent; a report or complaint involving the Superintendent with the School Committee.

B. REPORTING PROCEDURES

1. Any school employee, independent contractor, or school volunteer who becomes aware or has a reasonable belief that harassment, bullying, discrimination, retaliation, or a hate crime has occurred or may have occurred must promptly report the alleged incident(s) to a designated official.

2. Any student or other person (who is not a school employee, independent contractor or school volunteer) who becomes aware or has a reasonable belief that harassment, bullying, discrimination, retaliation, or a hate crime has occurred or may have occurred is strongly encouraged to and should promptly report the incident(s) to a designated official. In situations where a student or other person does not feel comfortable reporting the incident to a designated official, (s)he may report it to a trusted school employee, who must promptly transmit the report to a designated official.

3. Any school community member may also report possible incidents of harassment, bullying, discrimination, retaliation, or a hate crime directly to a Principal, the District Equity Coordinator or to the Superintendent. Students or other persons may also make anonymous reports.

4. Upon receipt of a written or oral report or complaint, the principal (or his/her designee) and the District Equity Coordinator will promptly notify one another of the facts alleged and any initial action taken.

5. When a report or complaint involves physical injury, the principal (or his/her designee) will promptly report the incident to the Superintendent.

6. All complaints or reports about a violation of this Policy must be documented on the District's "Reporting/Complaint Form". The form is available at the front office of each school and at the central office. If a complainant or reporter is either unwilling or unable to complete the District's Reporting/Complaint Form, the school principal (or designee) who receives the oral complaint or report will promptly prepare a written report, by filling out the District's Reporting/Complaint Form, using, to the extent practicable, the reporter's or complainant's own words to describe the potential violation.

7. On the District's Reporting/Complaint Form, the principal (or designee) will summarize any initial action taken and forward a copy to the District Equity Coordinator.

8. Reporting Sexual Abuse and Other Serious Criminal Conduct

a. General Laws Chapter 119, Section 51A, makes administrators, teachers, school nurses, guidance counselors and other school staff members mandated reporters for purposes of reporting child abuse and neglect to the Department of Children and Families (DCF). Under G.L. c. 119, Section 51A, a school staff member who has reasonable cause to believe that a student under the age of 18 years is suffering physical, sexual, or emotional abuse, or neglect, by a parent, guardian, school staff member, or other caretaker, must immediately report the abuse or neglect either directly to the DCF or to the person designated by the school to accept those reports, who, in turn, must promptly report the abuse to the DCF.

b. The principal, Equity Coordinator and/or Superintendent will report certain forms of sexual harassment and conduct (i.e., unwanted sexual touching or sexual assault) that may constitute a crime to the local police.

c. The principal, Equity Coordinator and/or Superintendent will report physical injury, destruction of public property, potential hate crimes, certain bullying conduct and other acts of a criminal nature to the local police for criminal investigation.

C. FILING A COMPLAINT OR REPORT

1. The complainant or reporter files a written complaint or report with a designated official, using the District's Reporting/Complaint Form, identifying the name(s) of the subject of the complaint, if known; describing the facts and circumstances of the incident or pattern of behavior; providing the time(s) and date(s) of the incident(s); and identifying any witnesses and relevant documentary information.

2. A complainant or reporter may also file an oral complaint or report. In those circumstances, a designated official will complete the District's Reporting/Complaint Form based on the oral information, using, to the extent practicable, the complainant or reporter's own words. The complainant will sign the Reporting/Complaint Form.

D. PROCEEDINGS

STEP ONE

1. The designated official will separately meet in a timely manner with the complainant and the subject of the complaint. If a student is involved, the parent(s) or guardian(s) will be notified and may be invited to attend the meeting. The official will talk about the formal process, explain the prohibition against retaliation, and determine the corrective action the complainant seeks. The designated official will also explain that the investigation will be kept as confidential as possible, but that the District cannot promise absolute confidentiality, and may not be able to withhold the complainant's identity from the subject of the complaint, since such a promise could interfere with the District's ability to enforce its Policy, conduct a fair and thorough investigation, or impose disciplinary or corrective action.

STEP TWO

2. A designated official will conduct an investigation in accordance with the procedures described in Section E, Investigations.

STEP THREE

3. The designated official, in consultation with the District Equity Coordinator, will determine whether the allegations have been substantiated, and whether the Policy, or if the subject of the complaint is a student, the Student Code of Conduct, has been violated. If the complaint is substantiated, the designated official, in consultation with the District Equity Coordinator, will decide, based on the investigative findings, on the appropriate action. If legal issues arise, the designated official will seek the advice and guidance of legal counsel for the District.

4. The designated official, in consultation with the District Equity Coordinator, will prepare a written report that includes the investigative findings, the investigative steps taken, and the reasons for those findings. These findings will specify whether the allegations have been substantiated, whether the Policy, or if the subject of the complaint is a student, the Student Code of Conduct, has been violated, and any decision for disciplinary and corrective action.

5. The principal, the employee's supervisor (if the subject of the complaint is an employee), or the Superintendent (if the subject of the complaint is an assistant principal or principal) or school committee (if the subject of the complaint is the superintendent) will impose any disciplinary or corrective action. The disciplinary actions will balance the need for accountability with need to teach appropriate behavior. The disciplinary actions will be consistent with the Student Code of Conduct, and state and federal law.

STEP FOUR

6. The designated official will promptly notify the complainant and the subject of the complaint in writing to let them know whether the complaint has been substantiated. If the complaint is substantiated, the designated official will also promptly notify the complainant of any non-disciplinary corrective action imposed to protect him/her from future Policy violations. If the complaint is substantiated and the offender remains a student in the

school, the designated official will meet with the offender and his/her parent or guardian, to describe the disciplinary and/or corrective action imposed, the school's expectations for future behavior and the potential consequences for retaliation or future violation of the Policy.

7. If a complaint is substantiated, a report of the incident and its resolution will be placed in the offender's applicable student record or employee personnel file.

8. File Retention: If the incident occurs at the school level, the principal (and if the principal is the subject of the complaint, the District Equity Coordinator), will (a) maintain in a separate confidential file the original completed Reporting/Complaint Form, investigatory interview notes and reports, findings made, the results of the investigation, including any decision for action, and other relevant investigatory materials, (b) provide a copy of the file to the District Equity Coordinator, and (c) maintain a copy of the file in the applicable student record or employee personnel file. If the complaint occurs at the district level, the District Equity Coordinator will maintain the original documents.

9. If the District's investigation results from a third party report, the designated official will inform that person that the District has taken steps consistent with the Policy, while not providing information about any disciplinary action imposed or any other information that would violate applicable state and federal confidentiality laws or student record regulations.

10. Any disciplinary or corrective action against a student or employee must conform to the due process requirements of federal and state law.

STEP FIVE

11. A designated official will monitor the situation, and will follow-up with the complainant at least weekly for two months to determine whether there are further incidents or concerns, and whether the corrective action imposed has been effective. The designated official will maintain a written record of the follow-up.

STEP SIX

12. The complainant may ask the District Equity Coordinator to review, and, if appropriate, revise any non-disciplinary corrective action imposed through a Formal Proceeding, if the complainant believes that the corrective action is not adequate to protect him/her from future harassment, discrimination, bullying, retaliation, or a hate crime.

13. Any right of appeal from a disciplinary decision is governed by the Student Code of Conduct, the school's disciplinary code, applicable collective bargaining agreements, and Massachusetts and federal law.

E. INVESTIGATIONS

1. Prompt and Thorough Investigations: The school or District, through a designated official, in consultation with the District Equity Coordinator, will promptly investigate all reports or complaints of an alleged violation of this Policy (even where the offender is unknown), as set forth below. The nature and duration of an investigation will depend on the circumstances, including the type, severity and frequency of the alleged

conduct. The goal of an investigation is to obtain an accurate and complete account of all incidents and circumstances deemed relevant to the allegations of the complaint. No complaint is considered frivolous; on the other hand, culpability is never presumed. These procedures are intended to protect the rights of a target and the rights of a wrongfully accused individual.

2. Emergencies: School officials will immediately call 911 in case of a threat of imminent physical harm or actual physical harm to a school community member or where police, fire, medical, or other emergency assistance is needed.

3. Opening Investigations: Upon receipt of a report or complaint, a designated official, in consultation with the District Equity Coordinator, will promptly undertake an investigation or authorize a third party designated by the District or school to undertake an investigation.

4. Investigative Procedure: The designated official investigating the incident will gather and preserve evidence, and identify all involved parties and witnesses. If the incident involves physical injury, destruction of public property, or other acts of a serious criminal nature, the designated official will confer with the local police department or other law enforcement agencies prior to gathering or preserving evidence to determine if the incident requires law enforcement involvement. Until the designated official confers with the local police, however, s(he) will secure the evidence from contamination or removal. The investigation will generally consist of personal interviews with the complainant, the subject(s) of the complaint and others who witnessed or may have potentially relevant knowledge about the alleged incident or circumstances giving rise to the report or complaint. Interviews will be conducted in a manner that protects the privacy of individuals to the extent practicable under the circumstances. The designated official should take notes during interviews, or prepare them soon thereafter, for the purpose of maintaining accurate records. The designated official will also generally review and evaluate any other information or document, including video recordings, voice mails, e-mails, instant messages, information regarding any prior incident(s) committed by the subject of the complaint, or any other item deemed relevant to the allegations.

5. Communication During Investigation: Throughout the investigatory and complaint resolution process, the designated official will make reasonable efforts to regularly inform the complainant and the subject of the complaint and their parent(s) or guardian(s) of the status of the complaint, and the anticipated timing for concluding the investigation, and making a determination. The designated official will notify each person interviewed or made aware of the investigation that the investigation is confidential and should not be discussed with other students or District employees. The designated official will tell them that the District will not tolerate retaliation against the complainant or reporter, or anyone else who cooperates with the investigation. The District will notify the parents or guardians of a target of the action taken to prevent any further acts of harassment, bullying, discrimination or retaliation.

6. Time for Investigations: The designated official will complete his/her investigation as soon as practicable after (s)he receives the complaint or report.

7. Ensuring Safety During Investigation: The designated official, in consultation with the District Equity Coordinator, will take any step s(he) determines is necessary and/or advisable to protect, to the extent

practicable, the complainant, witnesses, and other individuals from further incidents or from retaliation pending the outcome of the investigation. Those steps for students may include, but are not limited to, ordering interim disciplinary action under the Student Code of Conduct, appropriate adult supervision, reassigning classroom seating, temporarily transferring the student subject of the complaint from his/her class(es) with the complainant or to an alternative school assignment, instructing the subject of the complaint to avoid communication or contact with the complainant and to maintain a safe distance (for example, fifteen feet) from the complainant while on school property or in school-related activities, and monitoring compliance and reporting non-compliance of protective orders issued by a court. Prior to a resolution of the complaint or report, the designated official will make reasonable efforts to monitor the success of the interim measures in achieving their goals. At the discretion of a school and/or District administrator, a student complainant may also temporarily transfer classes or schools, where available, but only where the student and his/her parent or guardians voluntarily consent to the transfer.

8. Target Assistance: The designated official (or his/her designee) will make appropriate referrals for target assistance, including counseling and crisis intervention, if requested, or as needed.

9. Target Non-Cooperation: Where a violation of the Policy has been reported by a third party, and the alleged target fails to cooperate with the investigation, or denies the incident occurred, disciplinary and corrective action may by precluded, or limited, depending on the circumstances and the availability of information from other sources.

10. False Charges: Any person who makes knowingly false charges or brings a malicious complaint is subject to disciplinary and/or corrective action.

F. BASIS FOR DETERMINING WHETHER POLICY VIOLATED

A designated official, in consultation with the District Civil Rights Coordinator, will determine whether a particular action or incident constitutes a violation of this Policy. The determination will be based on all the facts and surrounding circumstances, including the context, nature, frequency and severity of the behavior, how long the conduct continued, where the incident(s) occurred, the number of persons involved in the wrongful conduct, the ages of and relationships between the parties, past incidents or patterns of behavior, and whether the conduct adversely affected the education or school environment of the target or other school community members or materially or substantially disrupts the education process or the orderly operation of the school.

G. CONFIDENTIALITY

The District will respect the privacy of the complainant, the subject(s) of the complaint, and the witnesses to the extent possible consistent with its obligations under federal and state law and regulations and its Policy to investigate, report, and take appropriate disciplinary and corrective action, and consistent with applicable and state and federal confidentiality laws and student record regulations.

VI. DISCIPLINARY AND CORRECTIVE ACTION

A. IMPOSING DISCIPLINARY AND CORRECTIVE ACTION

If a designated official, in consultation with the District Equity Coordinator, concludes that the subject of the complaint has violated this Policy, the District will in a timely manner impose disciplinary measures and/or corrective action reasonably calculated to end the complained of conduct, deter future conduct, and protect the complainant(s) and other similarly situated individuals. In imposing disciplinary and corrective measures the District will take into account harm the target and other members of the school community suffered and any damage to school climate or property. The decision whether discipline is imposed and the nature of any disciplinary action must comply with the District and school's disciplinary policies and state and federal law.

B. ACTION CONCERNING STUDENTS

Disciplinary and corrective action concerning a student may include, but is not limited to, a written warning; classroom or school transfer; short-term or long-term suspension; exclusion from participation in school sponsored functions, after-school programs, and/or extracurricular activities; limiting or denying access to a part or area of a school; exclusion, expulsion, or discharge from school; adult supervision on school premises; parent conferences; an apology to the target; awareness training (to help students understand the impact of their behavior); participation in empathy development, cultural diversity, anti-harassment, anti-bullying or intergroup relations classes; mandatory counseling, or any other action authorized by and consistent with the Student Code of Conduct, school disciplinary code, or state and federal law. In appropriate cases, the District may contact law enforcement agencies or other state agencies.

Discipline for Students with Disabilities

The District will comply with the federal and state law requirements that apply to the discipline of students with disabilities, including the federal "Individuals with Disabilities Education Act" ("IDEA"). Students who receive their education pursuant to an IEP may not be removed from his or her current placement for more than 10 school days without a determination as to whether or not the behavior that forms the basis of the disciplinary action is related to the student's disability. The District Director of Special Education will be notified regarding the discipline of any student with a disability. For more information regarding the discipline of students with disabilities please contact the Director of Special Education, Lynn Catarius at 978-388-0531.

Discipline for Students with a 504 Plan

Section 504 of the Rehabilitation Act of 1973 is a federal statute which prohibits a qualified individual with a disability from being excluded from the participation in, denied the benefits of, or subjected to discrimination under any program or activity receiving Federal financial assistance because of his/her disability. 29 U.S.C. § 794 and its implementing regulations, 34 C.F.R. 104 et seq. School personnel may not suspend a student on a 504 plan for more than ten (10) school days without first conducting a manifestation determination. For more information on the discipline of students on 504 plans, contact the Equity Coordinator, Lyn Jacques at 978-388 0507.

C. ACTION CONCERNING SCHOOL EMPLOYEES

Disciplinary and corrective action concerning a school employee may include, but is not limited to, a written warning, suspension, transfer, demotion, removal from certain duties, employment termination, supervision, training, and counseling.

D. ACTION CONCERNING INDEPENDENT CONTRACTORS

Disciplinary and corrective action concerning an independent contractor may include, but is not limited to, a request to the employer of the independent contractor to warn, suspend or terminate its employee; limiting or denying the individual contractor access to school premises or school-related activities; terminating the contract with the District or school, and training.

E. ACTION CONCERNING SCHOOL VOLUNTEERS

Disciplinary and corrective action concerning a school volunteer may include, but is not limited to, a written warning, suspending or terminating the volunteer relationship, limiting or denying access to school premises or school-related activities, supervision and training.

F. ACTION CONCERNING OTHER SCHOOL COMMUNITY MEMBERS

Corrective action concerning any other school community member, including parents and legal guardians of students, and visitors to District schools may include, but is not limited to, a warning; counseling; and limiting or denying the parent, guardian or visitor's access to school premises or school-related activities.

G. PREVENTION AND REMEDIATION

The District will employ a variety of prevention and remediation strategies to maintain to the extent practicable a safe school climate conducive to learning, and ensure that all school community members assume responsibility for their behavior and its consequences.

H. ACTION CONFORMING TO LAW AND APPLICABLE CONTRACTS

Any disciplinary or corrective action taken for violation of this Policy will be consistent with the requirements of applicable collective bargaining agreements, Massachusetts and federal law, and District policies. The District will contact law enforcement agencies if and as appropriate.

VII. ADDITIONAL PROVISIONS

A. OVERSIGHT OF DISTRICT'S COMPLIANCE WITH POLICY

The District designates Lyn Jacques as the District Equity Coordinator who, under the supervision of the Superintendent, will ensure the successful administration of and compliance with this Policy. The District will post conspicuously in the central office and in each school the District Equity Coordinator's name and his/her mailing address, telephone number and email address. The District Equity Coordinator's responsibilities include:

1. Maintaining complaint and investigation records under this Policy and of Informal and Formal Proceedings;

2. Maintaining and regularly analyzing documentation of incidents of harassment, bullying, discrimination, retaliation, and hate crimes throughout the District;

3. Advising and assisting with and/or conducting investigations of complaints and reports of violations of this Policy;

4. Regularly assessing the need for and arranging training of school and District personnel and students on the requirements of and compliance with this Policy;

5. Assisting the Superintendent in regularly reviewing the effectiveness of the District's efforts to correct and prevent harassment, bullying, discrimination, retaliation, and hate crimes and proposing improvements in those efforts, consistent with 603 CMR 26.07 (1) & (4);

6. Ensuring that appropriate District and school officials are informed about violations of this Policy and the adequacy of the response;

7. Reviewing this Policy annually for compliance with state and federal law and updating it as necessary; and

8. Ensuring that s(he) and the District and school Title II, Title VI, Title IX and Section 504 coordinators are provided appropriate training to serve in this capacity and receive regular updates on changes in laws, regulations, policies and procedures concerning harassment, bullying, discrimination, retaliation, and hate crimes.

B. POLICY DISSEMINATION

1. At the beginning of each school year, the District will distribute this Policy to all school employees, provide a summary of the Policy to volunteers and independent contractors, and publicize the Policy within the school community.

2. The District and its schools will incorporate a summary of this Policy in the Student Handbook and in each school's code of conduct, and explicitly state that a violation of this Policy is subject to disciplinary action under the school's code of conduct. These documents will be provided to students, parents and guardians each year and will inform them of this Policy in the same manner that they inform parents and students of other policies. The Superintendent will publish disciplinary polices in Student Handbooks, which shall prohibit bullying and shall include the bullying prevention and intervention plan required by Chapter 71, §37O of the Laws of the Commonwealth. Student handbooks shall include age-appropriate summaries of the student-related sections of the district's bullying prevention and intervention plan.

3. The District will ask each student (if in grade 5 and over) and his/her parent or guardian to provide written confirmation that they received, read and understand the Student Handbook that includes a summary of this Policy, and agree to comply with the Handbook's provisions.

4. To the extent practicable, the District will translate a summary of the Policy into the non-English languages spoken at home by a significant number of parents or guardians of District students.

5. The District will post this Policy and a summary of the Policy on its District's website and conspicuously in each school building in areas easily accessible to students and staff.

C. TRAINING OF SCHOOL EMPLOYEES AND STUDENTS

1. The District will provide in-service training at least annually for all school employees, independent contractors, and school volunteers regarding the prevention and appropriate methods for reporting and responding to harassment, bullying, discrimination, retaliation, and hate crimes; their responsibilities under the Policy; requirements imposed by state and federal civil rights and education laws, including CMR 26.00; and the District's mission, goals and requirements under this Policy.

2. The District will provide education at least annually for all its students in the fifth through twelfth grades regarding how to identify, report and file a complaint or report under this Policy; their rights and responsibilities under civil rights and education laws; and the District's goals and requirements under this Policy. The District will also provide instruction at least annually to all students in kindergarten through fourth grade regarding how to identify and report harassment and bullying.

3. The Superintendent will develop administrative guidelines and procedures for implementation of this policy, consistent with the requirements of M.G.L. Chapter 71, §37O and related guidelines issued by the Department of Elementary and Secondary Education.

LEGAL REMEDIES

Any school community member may also pursue legal remedies or other avenues of recourse, including filing a complaint with the Massachusetts Department of Elementary and Secondary Education (Problem Resolution System), at (781) 338-3700; the Massachusetts Office of Attorney General, Civil Rights Division, at (617) 727-2200; the Office of Civil Rights of the United States Department of Education, at (617) 963-2917, the Massachusetts Commission Against Discrimination, at (617) 994-6000 or the Equal Employment Opportunity Commission, at 1 800-669-4000; filing a civil lawsuit; or pursuing criminal prosecution.

GLOSSARY OF TERMS

AGGRESSOR

A student or staff who engages in bullying, cyberbullying, or retaliation.

BULLYING

Bullying, as defined in M.G.L.c.71 & 370 is the repeated use by one or more students, or members of school staff, of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a target that: (a) causes physical or emotional harm to the target or damage to the target's property; (b) places the target in reasonable fear of harm to himself or of damage to his property; (c) creates a hostile

environment at school for the target; (d) infringes on the rights of the target at school; or (e) materially and substantially disrupts the education process or the orderly operation of a school. For the purposes of this policy and related procedures, bullying shall include cyber-bullying. (See Student Code of Conduct for how the District addresses bullying not covered by this Policy.)

COMPLAINANT

A person who complains about conduct covered by this Policy who is the alleged target of the conduct, and if a student, their parent or guardian.

CYBER-BULLYING

Cyber-bullying is 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 (a) the creation of a web page or blog in which the creator assumes the identity of another person or (b) 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 (a) to (e), 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 (a) to (e), inclusive, of the definition of bullying.

DISABILITY

A physical or mental impairment that substantially limits one or more major life activities (a) where the person has such an impairment, (b) has a record of such an impairment, (c) is regarded as having an impairment, or (d) has an individualized education program (IEP).

HARASSMENT

Harassment is oral, written, graphic, electronic or physical conduct on school property or at a school-related activity relating to an individual's actual or perceived race, color, national origin, ethnicity, religion, sex, gender identity, sexual orientation, age, or disability (i.e., protected status), that is sufficiently severe, pervasive or persistent so as interfere with or limit a student's ability to participate in or benefit from the district's programs or activities, or to interfere with or limit an individual's employment, by creating a hostile, humiliating, intimidating, or offensive educational or work environment. For purposes of this Policy, harassment shall also mean conduct, if it persists, that will likely create such a hostile, humiliating, intimidating or offensive educational or work environment. A single incident, depending on its severity, may cr Taking personal belongings, taunting, teasing, name-calling, or spreading rumors;

- Drawing or writing graffiti, slogans, visual displays (such as swastikas), or symbols on school or another person's property (e.g., books or backpacks);

- Telling degrading or offensive jokes;
- Unwanted physical contact of any kind;
- Physical violence, threats of bodily harm, physical intimidation, or stalking;
- Threatening letters, e-mails, instant messages, or websites;
- Defacing, damaging, or destroying school (e.g., desks, lockers or school walls) or another person's property; or throwing objects (eggs, paint).

HAZING

The term "hazing" shall mean any conduct or method of initiation, even if consented to, into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include, but is not limited to, whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation. Whoever knows that another person is the target of hazing and is at the scene of such activity, shall, to the extent that such person can do so without danger or peril to himself or others, report such activity to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such behavior shall be subject to discipline.

SEXTING

Sexting is the act of sending sexually explicit photos, images, or messages electronically, primarily by cell phone and/or the Internet.

INDEPENDENT CONTRACTOR

Any person, organization, or company who contracts with and/or provides goods, supplies, or services to the District or a school, and who is not a school employee and is not under the direction or control of the District (for example, bus drivers and school vendors).

NATIONAL ORIGIN

A person's ancestry, country of origin, or the country of origin of the person's parents, family members or ancestors.

RETALIATION

Any form of intimidation, reprisal, or harassment by a school community member directed against another school community member for reporting or filing a complaint, for aiding or encouraging the filing of a report or complaint, for cooperating in an investigation under this Policy, or for taking action consistent with this Policy.

REPORTER

A person reporting an incident who is a third party and not the target of the alleged conduct that violates the Policy.

SCHOOL COMMUNITY MEMBER

Any student, District or school employee, school committee member, independent contractor, school volunteer, parent or legal guardian of a student, or a visitor on school premises or at a school-related or school-sponsored function or activity.

SCHOOL EMPLOYEE

Any District or school administrator, teacher, school counselor, nurse, secretary, librarian, and any other professional or support staff member employed by the District, and subject to the District's direction or control (and who is not a school volunteer).

SCHOOL-RELATED ACTIVITY

Any school-sponsored activity, such as a field trip or an athletic competition; any school-related function or event, such as a PTO meeting; where school officials have supervisory responsibility for students; or where students are using school transportation or are at a designated school bus stop.

SCHOOL VOLUNTEER

Any person who without compensation provides goods, supplies, or services to the District or its schools on a one-time or an ongoing basis, and who is not a school employee or independent contractor.

STAFF

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

[1] Whenever this policy refers to any time frame, it shall mean as soon as practicable under the circumstances.

[2] **Any other conduct harmful to school climate and subject to discipline is governed by the Student Code of Conduct and other District policies.** This Policy only covers conduct directed at a target because of his/her race, color, religion, national origin, ethnicity, sex, gender identity, sexual orientation, age, or disability, or to bullying behavior. **See Glossary of Terms.**

[3] Where there is a felony complaint or conviction of a student involving reported or complained-of conduct in violation of this Policy, the principal of the school where the student is enrolled may decide to proceed under the requirements of General Laws Chapter 71, § 37H 1/2.

[4] Pursuant to state law, bullying is the repeated use by one or more students of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a target that: (a) causes physical or emotional harm to the target or damage to the target's property; (b) places the target in reasonable fear of

harm to himself or of damage to his property; (c) creates a hostile environment at school for the target; (d) infringes on the rights of the target at school; or (e) materially and substantially disrupts the education process or the orderly operation of a school. For the purposes of this policy and related procedures, bullying shall include cyber-bullying.

Legal Refs.: M.G.L. c.71, §37H & 37H 1/2

M.G.L. c.119, §51A

Section 504, Rehabilitation Act of 1973

29 U.S.C. §794

34 C.F.R. 104 et. seq.

603 CMR 26.07 (1) & (4) & CMR 26.00

Replaces: JFCB/GBCBC & GBCBC/JFCB

Adopted: 2005

Revised: 2006; 2007; 2008; 2010; 2011; 2012; 2017; 2020

JFCD/GBCBD - SEXUAL HARASSMENT

The Amesbury Public School District prohibits all forms of harassment, discrimination, and hate crimes based on race, color, religion, national origin, ethnicity, sex, gender identity, sexual orientation, age, or disability. The civil rights of all school community members are guaranteed by law, and the protection of those rights is of utmost importance and priority to our School District. The District also prohibits bullying of school community members or other harmful conduct for reasons unrelated to race, color, religion, national origin, ethnicity, sex, gender identity, sexual orientation, age, or disability. The District will also not tolerate retaliation against persons who take action consistent with this Policy.

The Amesbury Public School District prohibits sexual harassment of school district employees, applicants for employment, or students by any employee, student, or non-employee who conducts business with the school district. This policy applies to conduct during and relating to school, school sponsored activities, and school district business. The Amesbury Public Schools consider sexual harassment in the work and educational environment to be inappropriate and offensive.

Definition of Sexual Harassment

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, in any form such as e-mails, instant messages, sexting via cell phone or websites, requests for sexual favors, or other verbal, visual or physical conduct of a sexual nature made by someone from or in the work or educational setting when:

1. Submission to the conduct is made, either expressly or by implication, a term of condition of any individual´s employment or educational program;

2. Submission to or rejection of such conduct by an individual is used as the basis for an employment or educational decision affecting the individual;

3. The conduct has the purpose or effect of unreasonably interfering with an individual´s work or academic performance or of creating an intimidating, hostile or offensive working or educational environment or of adversely affecting the employee´s or student´s performance, advancement, assigned duties or any other condition of employment, career development, or educational programs;

4. Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, assignments, programs or activities available in the work environment or through the educational institution.

Examples of conduct which may constitute sexual harassment, whether committed by a supervisor, any other employee of the schools, student, or any non-employee doing business with the Amesbury Public Schools, include but are not limited to:

1. Leering, staring, sexual flirtations or propositions

2. Sexual slurs, epithets, threats, verbal abuse, derogatory comments or sexually degrading description

3. Graphic verbal comments about an individual´s body or overly personal conversation

4. Sexual jokes, stories, drawings, pictures or gestures via cell phone or any other electronic form (sexting) that disrupt the educational or work environment

5. Spreading sexual rumors

6. Touching an individual´s body or clothes in a sexual way

7. Cornering or blocking of a sexual nature of normal movements

8. Displaying sexually suggestive objects in the educational or work environment

Discipline/Consequences

Any student who engages in the sexual harassment of anyone in the school setting may be subject to disciplinary action up to and including expulsion. Any employee who permits or engages in the sexual harassment of students may be subject to disciplinary action up to and including dismissal. Any employee who

receives a complaint of sexual harassment from a student and who does not act promptly to forward that complaint to the principal and District Equity Coordinator shall be disciplined appropriately.

The Amesbury School System´s ability to discipline a non-employee will be limited by the degree of control that the Amesbury Public Schools has over the alleged harasser or employer of the alleged harasser.

Reporting Procedure/Investigation

1. The Amesbury Public Schools encourages and expects employees and students to report incidents of sexual harassment to their building principal and/or designee and the District Equity Coordinator for the Amesbury Public Schools, Elizabeth McAndrews, 5 Highland Street, Amesbury, 01913, 978-388-4800.

2. Any building principal or designee who receives a complaint, verbally or in writing must notify the District Equity Coordinator within twenty-four (24) hours or within a reasonable extension of time thereafter for good cause.

3. No complainant shall be required to report an allegation of sexual harassment to the individual who is the harasser.

4. It may be possible to resolve an offensive situation informally without an extensive and involved investigation. However, any involved parties may request a formal investigation at any time. Based on the seriousness of the charge, the District Equity Coordinator may decide that a formal investigation is most appropriate to address the issues. Also, the informal procedure may be inappropriate for subsequent allegations of similar conduct by the same individual. Steps taken under this informal procedure will be documented by the District Equity Coordinator.

5. Upon receipt of an allegation of sexual harassment, an investigator will initiate an investigation into the complaint within forty-eight (48) hours.

6. The Amesbury Public Schools will designate specific employees at each school who are trained to investigate sexual harassment complaints. All complaints will be resolved within thirty (30) days.

7. Verbal reports of sexual harassment will be put in writing by the individual complaining or by the person who receives the complaint

8. Each complaint of sexual harassment shall be promptly investigated in a way that respects the privacy of all parties concerned to the extent permitted by law and to the extent practical and appropriate under the circumstances

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

In determining whether "alleged conduct" constitutes a violation of this policy, the Amesbury Public Schools shall consider the surrounding circumstances: the nature of the behavior, past incidents or past

or continuing patterns of behavior, the relationship between the parties involved and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all facts and surrounding circumstances.

9. The complaint investigator will put his/her findings in writing and will forward a copy to the Title IX Compliance Manager within one week or a reasonable extension of time thereafter for good cause after concluding the investigation.

10. The investigator will communicate his/her findings to the complainant and the alleged harasser as expeditiously as possible.

11. Results may be indeterminate. If so, the matter will be recorded as unresolved and the record of the investigation will be maintained by the Amesbury Public Schools separate and apart from any student or personnel file.

Appeals Procedure

A party may appeal the Title IX Compliance Manager´s decision in writing to the Superintendent within fifteen (15) school days of receipt of the findings of the formal procedure. The Title IX Compliance Manager´s decision will be reviewed to ensure adequacy of the investigations and conclusions. Parties will be given an opportunity to submit additional relevant information. The Superintendent will make a decision and provide it in writing to involved parties within thirty (30) school days.

Corrective Procedures

Upon completion of an investigation and substantiation of the alleged harassment the Amesbury Public Schools will take appropriate corrective action. Such action may include, but is not limited to, an apology, direction to stop the offensive behavior, counseling or training, warning, suspension, exclusion, expulsion, transfer, remediation, termination of employment.

Sexual Harassment

The Amesbury Public Schools district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Massachusetts and federal laws and Amesbury Public School policies.

The result of the Amesbury Public School´s investigation of each complaint filed under these procedures will be reported in writing to the complainant by the Amesbury Public Schools in accordance with state and federal laws regarding data or records privacy.

The result of the Amesbury Public Schools´ investigation of each complaint filed under these procedures will be reported in writing to the alleged harasser by the Amesbury Public Schools in accordance with state and federal law regarding data or records privacy.

Retaliation

Any employee who retaliates against any individual who has made a complaint of sexual harassment or participated in an investigation of a complaint of sexual harassment will be subject to disciplinary action up to and including dismissal.

Any student who retaliates against any individual who has made a complaint of sexual harassment or participated in an investigation of any complaint of sexual harassment will be subject to disciplinary action up to an including expulsion.

Any non-employee doing business with the Amesbury School District who retaliates against any individual who has made a complaint of sexual harassment or participated in an investigation of a complaint of sexual harassment will be disciplined subject to the extent that the Amesbury Public Schools has control over the non-employee or his/her employer.

Right to Alternative Complaint Procedures

These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Massachusetts Dept. of Elementary and Secondary Education, Massachusetts Commission Against Discrimination, Equal Employment Opportunity Commission, and the Office of Civil Rights of the U.S. Dept. of Education,, J. W. McCormack, POCH, Room 222, Boston, MA 02109, telephone: 617/223-9662, initiating civil action or seeking redress under criminal statutes and/or federal law.

Sexual Harassment as Child Abuse

Under certain circumstances, alleged sexual harassment may also constitute abuse or neglect under M.G.L. c.119 51A. If so, the requirements for mandatory reporters under that statute are not abrogated by this policy.

Legal Refs.: M.G.L. c.71, §37H & 37H 1/2

M.G.L. c.119, §51A

Section 504, Rehabilitation Act of 1973

29 U.S.C. §794

34 C.F.R. 104 et. seq.

603 CMR 26.07 (1) & (4) & CMR 26.00

Adopted: 1996

Reviewed: 2003; 2004

Revised: 2007; 2008; 2010; 2011; 2012

ACA - NONDISCRIMINATION ON THE BASIS OF GENDER

The School Committee, in accordance with Title IX of the Education Amendments of 1972, declares that the school system does not and will not discriminate on the basis of gender in the educational programs and activities of the public schools. This policy will extend not only to students with regard to educational opportunities, but also to employees with regard to employment opportunities.

The School Committee will continue to ensure fair and equitable educational and employment opportunities, without regard to gender, to all of its students and employees.

The Committee will designate an individual to act as the school system's Title IX compliance officer. This person is Lyn Jacques. She can be reached at 978-388-0507.

All students and employees will be notified of the name and office address and telephone number of the compliance officer.

45 CFR, Part 86, (Federal Register, 6/4/75)

M.G.L. 76:5; 76:16 (Chapter 622 of the Acts of 1971)

The Amesbury Public Schools does not tolerate discrimination against students, parents, employees or the general public on the basis of race, color, religion, national origin, immigration, citizenship status gender, sexual orientation, gender identity, pregnancy or pregnancy status, veteran status, age or disability. The Amesbury Public Schools is also committed to maintaining a school environment free of harassment based on race, color, religion, national origin, immigration, citizenship status gender, sexual orientation, gender identity, pregnancy or pregnancy status, veteran 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 Amesbury 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 Amesbury or in obtaining the advantages, privileges, and courses of study of such public school on account of race, color, religion, national origin, immigration, citizenship status, gender, sexual orientation, gender identity, pregnancy or pregnancy status, veteran status, age or disability.

BESE 603 CMR 26.00

Cross Ref.: AC Nondiscrimination

Adopted: 2012

JFCH - DRUG AND ALCOHOL USE BY STUDENTS

The Amesbury School Committee recognizes that the use of alcohol and other drugs and the problems associated with it are becoming increasingly commonplace in our society and among youth. One's own chemical use or that of a family member or friend can have serious and lifelong consequences.

The Amesbury School Committee recognizes that students often need education, assistance and support because of their own drug use or because of drug-related problems in peers and family. The school system is committed to providing education and assistance to any student in need. Also, many students require support for their decision to remain drug free. All students are required to take a health course as part of the high school graduation requirements. Instruction through this course will include the education of students about the dangers of substance use and abuse. In addition, the district will provide students with access to various staff members (e.g. school adjustment counselor, school resource officer, guidance counselor, administration, teachers) to assist with the prevention of substance use.

The Amesbury School Committee believes that to take steps to promote, enhance and maintain a drug free school system and student body is in the best interest of the community. Together with parents and the community at large, it shares responsibility for helping students remain drug free.

The possession, use, delivery, transfer, or sale of alcoholic beverages or controlled substances including synthetic drugs by students, while in school, prior to or during school sponsored events, or within a radius of 1,000 feet of school property, is illegal and is expressly forbidden.

The Amesbury Public Schools and the Amesbury Police Department jointly execute the conditions set forth in the Memorandum of Understanding, signed annually.

Legal Ref: M.G.L. c94c:31

PL 101-226; 5145 Drug-free Schools and Communities Act Amendments of 1989

Adopted: 1991

Revised: 1993, 1996, 2006, 2013, 2016

Reviewed: 1998, 2003

JH - STUDENT ABSENCES AND EXCUSES

Regular and punctual school attendance is essential for success in school. The Committee recognizes that parents of children attending our schools have special rights as well as responsibilities, one of which is to ensure that their children attend school regularly, in accordance with state law.

Therefore, students may be excused temporarily from school attendance for the following reasons: illness or quarantine; bereavement or serious illness in family; weather so inclement as to endanger the health of the child; and observance of major religious holidays.

A child may also be excused for other exceptional reasons with approval of the Principal or designee.

A student's understanding of the importance of day-to-day schoolwork is an important factor in the shaping of his character. Parents can help their children by not allowing them to miss school needlessly.

Accordingly, parents will provide a written explanation for the absence or tardiness of a child. This will be required in advance for types of absences where advance notice is possible.

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

Student Absence Notification Program

Each Principal or his/her designee will notify a student's parent/guardian daily of the student's absence in the event the parent/guardian has not informed the school of the absence.

Each Principal or designee shall meet with any student, and that student's parent/guardian, who has missed five (5) or more unexcused school days (a school day shall be equal to two (2) or more class periods in the same day) in a school year. The meeting shall be to develop action steps to improve student attendance and shall be developed jointly by the Principal or designee, the student, and the student's parent/guardian. The parties may seek input from other relevant school staff and/or officials from relevant public safety, health and human service, housing, and nonprofit agencies.

Recognizing the importance of consistent daily attendance in schools, those students who do not maintain consistent regular attendance in school may be subject to disciplinary action.

Dropout Prevention

No student who has not graduated from high school shall be considered permanently removed from school unless the Principal has sent notice to a student, and that student's parent/guardian, who has been absent from school for ten (10) consecutive days of unexcused absence. The notice shall be sent within five (5) days of the tenth consecutive day of absence and shall offer at least 2 dates and times within the next ten (10) days for an exit interview with the Superintendent or designee, the student, and the student's parent/guardian. The notice shall be in both English and the primary language of the home, if applicable. The notice shall include contact information for scheduling the exit interview and shall indicate the parties shall reach an agreement on the date/time of the interview within the ten (10) day timeframe. The timeframe may be extended at the request of the parent/guardian and no extension shall exceed 14 days.

The Superintendent or designee may proceed with any interview without a parent/guardian present, provided the Superintendent has documented a good faith effort to include the parent/guardian.

The Superintendent or designee shall convene a team of school staff to participate in the exit interview and shall provide information to the student and, if applicable, the student's parent/guardian on the detrimental effects of early withdrawal from school and the alternative education programs and services available to the student.

SOURCE: MASC

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

Updated: January 7, 2019

JKAA - PHYSICAL RESTRAINT OF STUDENTS

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 as a last resort and with extreme caution after other lawful and less intrusive alternatives have failed or been deemed inappropriate.

When an emergency situation arises, and physical restraint is the only option deemed appropriate to prevent a student from injuring himself or herself, another student or school community member, a teacher or employee or agent of the school district may use such reasonable force needed to protect students, other persons or themselves from assault or imminent, serious, physical harm.

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

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

Physical restraint, including prone restraint where permitted under 603 CMR 46.03, shall be considered an emergency procedure of last resort and shall be prohibited except when a student's behavior poses a threat of assault, or imminent, serious, physical harm to themselves and/or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions are deemed inappropriate.

The Superintendent will develop procedures identifying:

- Appropriate responses to student behavior that may require immediate intervention;
- Methods of preventing student violence, self-injurious behavior, and suicide including crisis planning and de-escalation of potentially dangerous behaviors among groups of students or individuals;
- Descriptions and explanations of alternatives to physical restraint as well as the school's method of physical restraint for use in emergency situations;
- Descriptions of the school's training and procedures to comply with reporting requirements including, but not limited to making reasonable efforts to orally notify a parent of the use of restraint within 24 hours of its imposition;
- Procedures for receiving and investigating complaints;

- Methods for engaging parents in discussions about restraint prevention and use of restraint solely as an emergency procedure;
- A statement prohibiting: medication restraint, mechanical restraint, prone restraint unless permitted by 603 CMR 46.03(1)(b), seclusion, and the use of physical restraint in a manner inconsistent with 603 CMR 46.00;
- A process for obtaining Principal approval for a time out exceeding 30 minutes.

Each building Principal will identify staff members to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. These staff members will participate in an in-depth training program in the use of physical restraint.

In addition, each staff member will be trained regarding the school's physical restraint policy and accompanying procedures. The Principal will arrange training to occur in the first month of each school year, or for staff hired after the beginning of the school year, within a month of their employment.

Physical restraint is prohibited as a means of punishment, or as a response to destruction of property, disruption of school order, a student's refusal to comply with a school rule or staff directive, or verbal threats that do not constitute a threat of imminent, serious physical harm to the student or others.

Physical restraint is prohibited when it is medically contraindicated for reasons including, but not limited to, asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting;

The use of "time out" procedures during which a staff member remains accessible to the student shall not be considered "seclusion restraint."

This policy and its accompanying procedures shall be reviewed and disseminated to staff annually and made available to parents of enrolled students. The Superintendent shall provide a copy of the Physical Restraint regulations to each Principal, who shall sign a form acknowledging receipt thereof.

SOURCE: MASC

ADOPTED: August 2015

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

JIC - STUDENT DISCIPLINE

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

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

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

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

Suspension

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

Notice of Suspension

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

Emergency Removal

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

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

The temporary removal shall not exceed two (2) school days following the day of the emergency removal, during which time the Principal shall: Make immediate and reasonable efforts to orally notify the student and the student's parent of the emergency removal, the reason for the need for emergency removal, and the other matters required in the notice; Provide written notice to the student and parent as required above; Provide the student an opportunity for a hearing with the Principal that complies with applicable regulations, and the parent an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the Principal, student, and parent; Render a decision orally on the

same day as the hearing, and in writing no later than the following school day, which meets the requirements of applicable law and regulation.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

If the Principal decides to suspend the student, the written determination shall: Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing; Set out the key facts and conclusions reached by the Principal; Identify the length and effective date of the suspension, as well as a date of return to school; Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school as required by law and regulation; Inform the student of the right to appeal the Principal's decision to the Superintendent or designee, but only if the Principal has imposed a long-term suspension. Notice of the right of appeal shall be in English and the primary language of the home if other than English, and shall include the following information: The process for appealing the decision, including that the student or parent must file a written notice of appeal with the Superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent may request and receive from the Superintendent an extension of time for filing the written

notice for up to seven (7) additional calendar days; and that the long-term suspension will remain in effect unless and until the Superintendent decides to reverse the Principal's determination on appeal.

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

Superintendent's Hearing

A student who is placed on long-term suspension following a hearing with the Principal shall have the right to appeal the Principal's decision to the Superintendent.

The student or parent shall file a notice of appeal with the Superintendent within the time period noted above (see Principal's hearing - Suspension of more than 10 days). If the appeal is not timely filed, the Superintendent may deny the appeal, or may allow the appeal in his or her discretion, for good cause.

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

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

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

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

Expulsion

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

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

Academic Progress

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

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

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

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

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

Reporting

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

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

SOURCE: MASC

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

Student Support, Care & Education Services: Chapter 222 of the Acts of 2012, An Act Relative to Student Access to Educational Services and Exclusion from School

SECTION 1. Section 37H of chapter 71 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out subsection (e) and inserting in place thereof the following 3 subsections:-

(e) Any school district that suspends or expels a student under this section shall continue to provide educational services to the student during the period of suspension or expulsion, under section 21 of chapter 76. If the student moves to another district during the period of suspension or expulsion, the new district of residence shall either admit the student to its schools or provide educational services to the student in an education service plan, under section 21 of chapter 76.

(f) Districts shall report to the department of elementary and secondary education the specific reasons for all suspensions and expulsions, regardless of duration or type, in a manner and form established by the commissioner. The department of elementary and secondary education shall use its existing data collection tools to obtain this information from districts and shall modify those tools, as necessary, to obtain the information. On an annual basis, the department of elementary and secondary education shall make district level de-identified data and analysis, including the total number of days each student is excluded during the school year, available to the public online in a machine readable format. This report shall include district level data disaggregated by student status and categories established by the commissioner.

(g) Under the regulations promulgated by the department, for each school that suspends or expels a significant number of students for more than 10 cumulative days in a school year, the commissioner shall investigate and, as appropriate, shall recommend models that incorporate intermediary steps prior to the use of suspension or expulsion. The results of the analysis shall be publicly reported at the school district level.

SECTION 2. Section 37H½ of said chapter 71, as so appearing, is hereby amended by striking out the last paragraph and inserting in place thereof the following paragraph:-

Any school district that suspends or expels a student under this section shall continue to provide educational services to the student during the period of suspension or expulsion, under section 21 of chapter 76. If the student moves to another district during the period of suspension or expulsion, the new district of residence shall either admit the student to its schools or provide educational services to the student under an education service plan, under section 21 of chapter 76.

SECTION 3. Said chapter 71 is hereby further amended by inserting after section 37H½ the following section:-

Section 37H¾. (a) This section shall govern the suspension and expulsion of students enrolled in a public school in the commonwealth who are not charged with a violation of subsections (a) or (b) of section 37H or with a felony under section 37H½.

(b) Any principal, headmaster, superintendent or other person acting as a decision-maker at a student meeting or hearing, when deciding the consequences for the student, shall exercise discretion; consider ways to re-engage the student in the learning process; and avoid using expulsion as a consequence until other remedies and consequences have been employed.

(c) For any suspension or expulsion under this section, the principal or headmaster of a school in which the student is enrolled, or a designee, shall provide, to the student and to the parent or guardian of the student, notice of the charges and the reason for the suspension or expulsion in English and in the primary language spoken in the home of the student. The student shall receive the written notification and shall have the opportunity to meet with the principal or headmaster, or a designee, to discuss the charges and reasons for the suspension or expulsion prior to the suspension or expulsion taking effect.

The principal or headmaster, or a designee, shall ensure that the parent or guardian of the student is included in the meeting, provided that such meeting may take place without the parent or guardian only if the principal or headmaster, or a designee, can document reasonable efforts to include the parent or guardian in that meeting. The department shall promulgate rules and regulations that address a principal's duties under this subsection and procedures for including parents in student exclusion meetings, hearings or interviews under this subsection.

(d) If a decision is made to suspend or expel the student after the meeting, the principal or headmaster, or a designee, shall update the notification for the suspension or expulsion to reflect the meeting with the student. If a student has been suspended or expelled for more than 10 school days for a single infraction or for more than 10 school days cumulatively for multiple infractions in any school year, the student and the parent or guardian of the student shall also receive, at the time of the suspension or expulsion decision, written notification of a right to appeal and the process for appealing the suspension or expulsion in English and in the primary language spoken in the home of the student; provided, however, that the suspension or expulsion shall remain in effect prior to any appeal hearing. The principal or headmaster or a designee shall notify the superintendent in writing,

including, but not limited to, by electronic means, of any out-of-school suspension imposed on a student enrolled in kindergarten through grade 3 prior to such suspension taking effect. That notification shall describe the student's alleged misconduct and the reasons for suspending the student out-of-school. For the purposes of this section, the term "out-of-school suspension" shall mean a disciplinary action imposed by school officials to remove a student from participation in school activities for 1 day or more.

(e) A student who has been suspended or expelled from school for more than 10 school days for a single infraction or for more than 10 school days cumulatively for multiple infractions in any school year shall have the right to appeal the suspension or expulsion to the superintendent. The student or a parent or guardian of the student shall notify the superintendent in writing of a request for an appeal not later than 5 calendar days following the effective date of the suspension or expulsion; provided, that a student and a parent or guardian of the student may request, and if so requested, shall be granted an extension of up to 7 calendar days. The superintendent or a designee shall hold a hearing with the student and the parent or guardian of the student within 3 school days of the student's request for an appeal; provided that a student or a parent or guardian of the student may request and, if so requested, shall be granted an extension of up to 7 calendar days; provided further, that the superintendent, or a designee, may proceed with a hearing without a parent or guardian of the student if the superintendent, or a designee, makes a good faith effort to include the parent or guardian. At the hearing, the student shall have the right to present oral and written testimony, cross-examine witnesses and shall have the right to counsel. The superintendent shall render a decision on the appeal in writing within 5 calendar days of the hearing. That decision shall be the final decision of the school district with regard to the suspension or expulsion.

(f) No student shall be suspended or expelled from a school or school district for a time period that exceeds 90 school days, beginning the first day the student is removed from an assigned school building.

SECTION 4. Section 1 of chapter 76 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out, in lines 2 to 13, inclusive, the words ", except a child between fourteen and sixteen who meets the requirements for the completion of the sixth grade of the public school as established by said board and who holds a permit for employment in private domestic service or service on a farm, under section eighty-six of chapter one hundred and forty-nine, and is regularly employed thereunder for at least six hours per day, or a child between fourteen and sixteen who meets said requirements and has the written permission of the superintendent of schools of the town where he resides to engage in non-wage-earning employment at home, or a child over fourteen who holds a permit for employment in a cooperating employment, as provided in said section eighty-six,".

SECTION 5. Said section 1 of said chapter 76, as so appearing, is hereby further amended by striking out, in line 14, the words "said town" and inserting in place thereof the following words:- the town the student resides.

SECTION 6. Said section 1 of said chapter 76, as so appearing, is hereby further amended by striking out the fourth paragraph.

SECTION 7. Said chapter 76 is hereby further amended by inserting after section 1A the following section:-

Section 1B. The school committee of each city, town or regional school district shall have a pupil absence notification program in each of its schools. The program shall be designed to ensure that each school notifies a parent or guardian of the child's absence if the school has not received notification of the absence from the parent or guardian within 3 days of the absence.

Each school committee shall have a policy of notifying the parent or guardian of a student who has at least 5 days in which the student has missed 2 or more periods unexcused in a school year or who has missed 5 or more school days unexcused in a school year. The notification policy shall require that the school principal or headmaster, or a designee, make a reasonable effort to meet with the parent or guardian of a student who has 5 or more unexcused absences to develop action steps for student attendance. The action steps shall be developed jointly and agreed upon by the school principal or headmaster, or a designee, the student and the student's parent or guardian and with input from other relevant school personnel and officials from relevant public safety, health and human service, housing and nonprofit agencies.

SECTION 8. Section 18 of said chapter 76, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following 3 paragraphs:-

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 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 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 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 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.

The department of elementary and secondary education shall: (i) publish a model protocol for conducting exit interviews with students; and (ii) compile and maintain a list of research and information relative to the consequences of dropping out, the benefits of earning a high school diploma and a list of alternative education

resources and programs available to the student, in addition to those that the district may provide, that schools shall present at the exit interview.

SECTION 9. Said chapter 76 is hereby further amended by inserting after section 20 the following section:-

Section 21. Principals and headmasters shall ensure that students who are suspended from school for 10 or fewer consecutive days, whether in or out of school, shall have an opportunity to make academic progress during the period of suspension, to make up assignments and earn credits missed including, but not limited to, homework, quizzes, exams, papers and projects missed. Principals shall develop a school-wide education service plan for all students who are expelled or suspended from school for more than 10 consecutive school days, whether in or out of school. Principals shall ensure these students have an opportunity to make academic progress during the period of suspension or expulsion, to make up assignments and earn credits missed, including, but not limited to, homework, quizzes, exams, papers and projects missed.

Education service plans may include, but are not limited to, tutoring, alternative placement, Saturday school, and online or distance learning. In developing the education service plan, principals may seek the cooperation or input of relevant health and human service, housing and nonprofit agencies, education collaboratives, and other service providers. Any school or school district that expels a student or suspends a student for more than 10 consecutive school days shall provide the student and the parent or guardian of the student with a list of alternative educational services. Upon selection of an alternative educational service by the student and the student's parent or guardian, the school or school district shall facilitate and verify enrollment in the service. Students exempt from attending school under section 1 of chapter 76 shall not be subject to this section.

Instructional costs associated with providing alternative educational services under this section shall be eligible for reimbursement under section 5A of chapter 71B, subject to appropriation. The reimbursements shall be in addition to amounts distributed under chapter 70 and shall not be included in the calculation of base aid, as defined in section 2 of said chapter 70, for any subsequent fiscal year. Instructional costs eligible for reimbursement shall include only those costs directly attributable to providing alternative educational services under this section, such as salary of educational personnel, salary of related services personnel, costs for specialized books, materials or equipment, tuition costs, if the student is receiving services from other than the local public school, consultant costs if directly attributable to the student's instructional program and instructional costs of extended day or year services if such services are a part of the education service plan. Such costs shall be prorated as appropriate to reflect group activities or costs for part-time services. Instructional costs shall not include transportation costs, administrative or overhead costs, the costs of adapting classrooms or materials that are used by more than 1 student, the costs of fringe benefits of personnel employed by the school district, nor the costs associated with the development of the education service plan or service coordination for the student. Instructional costs associated with an education service plan shall be reported to and approved by the department and shall be reimbursed according to the formula and procedures in said section 5A of said chapter 71B.

SECTION 10. The department of elementary and secondary education shall submit an annual report to the chairs of the joint committee on education on the cost of providing reimbursement for instructional costs

associated with providing alternative educational services under section 21 of chapter 76 of the General Laws that would not otherwise be reimbursed under section 5A of chapter 71B of the General Laws.

SECTION 11. The department of elementary and secondary education shall issue a report on the costs of implementation of this act not later than November 30, 2013. The department of elementary and secondary education shall file a report with the clerks of the senate and House of Representatives, who shall forward the report to the chairs of the joint committee on education and the senate and house committees on ways and means. SECTION 12. Sections 1 to 10, inclusive, shall take effect on July 1, 2014.

DISCIPLINARY PROCEDURES FOR STUDENTS WITH DISABILITIES

While all students are expected to meet the requirements for behavior as set forth in this handbook, due process protections afforded to all students, the Individuals with Disabilities Education Act (IDEA), and related regulations, 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 which impacts upon a major life activity, as defined under Section 504, are, generally, also entitled to increased procedural protections upon the imposition of a discipline sanction which will result in their 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 ten (10) school days or less to the extent that such sanctions would be applied to all students. Before a student with a disability can be excluded from his/her program for more than ten (10) consecutive school days in a given school year or subjected to a pattern of removal constituting a "change of placement," building administrators, the student's parent(s)/guardian(s), and relevant members of the student's IEP or 504 Team will meet to review all relevant information in the student's file, including the IEP, any teacher observations, and any relevant information from the parents, to determine whether the behavior was caused by or had a direct and substantial relationship to the disability or was the direct result of the district's failure to implement the IEP—"a manifestation determination."

2. No later than the date of the decision to take disciplinary action, the school district will notify the parent(s) of that decision and provide them with the written notice of procedural safeguards.

3. If building administrators, the student's parent(s)/guardian(s), and relevant members of the student's IEP or 504 Team determine that the student's conduct was <u>NOT a manifestation of the student's disability</u>, the school may discipline the student in accordance with the procedures and penalties applicable to all students, except that students eligible for special education services shall be entitled to a free appropriate public education as of the eleventh (11th) day of disciplinary exclusion in the school year. Such services are not available to students under Section 504. The student's IEP Team will identify the services necessary to provide a free appropriate public education during the period of exclusion, review any existing behavior intervention plan or, may, where appropriate, conduct a functional behavioral assessment.

4. If building administrators, the student's parent(s)/guardian(s), and relevant members of the student's IEP or 504 Team determine that the misconduct giving rise to disciplinary action <u>was a manifestation of the student's disability</u>, the student will not be subjected to further disciplinary removal or exclusion from the student's current educational program based on that incident of misconduct (except for conduct involving weapons, drugs, or resulting in serious bodily injury to others). The student's IEP or Section 504 Team shall

review, and modify as appropriate, any existing behavior intervention plan or arrange for a functional behavioral assessment. The IEP or Section 504 Team will develop (with the student's parent(s)/guardian(s) consent), modifications to or a new 504 Plan, IEP, behavior intervention plan and/or placement as appropriate.

5. 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.

6. 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.

7. 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.

8. 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.

Review and Reporting of Disciplinary Data

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

The Superintendent shall gather, review, and analyze the collective school-based data around in-school suspensions, short- and long-term suspensions, expulsions, emergency removals, access to education services, etc. Subsequently, an annual report covering the diversified activities of the school system and the administration´s recommendations for their improvement will be prepared by the Superintendent and presented to the School Committee.

JHCA - ALLERGIES IN THE SCHOOL SETTING

The Amesbury Public Schools is committed to providing a safe and healthy school environment for all students. Allergies can be a significant health problem or life threatening for some students. The presence of food in all

classrooms with the exception of classrooms that teach cooking as part of the curriculum is not permitted. Any exceptions to this policy must be approved by the building principal. Open food is not allowed on busses or vans.

Successful allergy management is a partnership among the parent/guardian(s), the student, the prescribing physician and the school system. It is the responsibility of the parent to notify their child´s school of their child´s allergies at the beginning of each school year. The student's physician must be involved in the diagnosis and treatment plan that the school will follow for students with allergy intolerance while in the school or at any school-sponsored event. The plan must be reviewed annually and revised as needed. No student will be excluded from school activities based solely on his/her allergies.

Legal References: MGL 71:37

Legal Issues in School Health Services

Adopted: 2001

Revised: 2003, 2007, 2008

Reviewed: 2013

JHCA-R - ALLERGIES IN THE SCHOOL SETTING

PURPOSE:

The Amesbury Public Schools are considered "peanut sensitive/peanut aware." We recognize that it is not possible to eliminate all possible exposures. The purpose of these guidelines are to minimize the risk of exposure to allergens that pose a threat to the students in the Amesbury Public schools, provide all students, through necessary accommodations where required, the opportunity to participate fully in all school programs and activities, and to educate the school community about life-threatening allergies (LTAs). The focus of this district-wide allergy management plan is prevention, education, awareness, communication and emergency response.

The consumption of food on routine bus routes is prohibited. Food may be allowed on longer trips with appropriate supervision by school personnel and for students with special health needs requiring the consumption of food at non-meal times.

School nurses may provide food to students when a student´s medical status indicates a need.

ROLE OF PARENT/GUARDIAN:

- Inform the school nurse of your child´s allergies prior to the opening of school (or as soon as possible after a new allergy is diagnosed). Notification of student allergies is accomplished through the

Student Emergency cards, which are sent home at the start of the school year or when a new student enters the district. Cards are completed by the parent/guardian.

- Provide the school nurse with the medical documentation from your primary care provider with medication orders before your child enters school, or immediately after a diagnosis of life threatening allergy is made.
- Provide the school nurse with written permission to share this information with appropriate staff.
- Participate in developing an Individualized Health Care Plan (IHCP) and Allergy Action Plan (AAP) with the school nurse. Include a recent photograph of the child for the AAP. This plan can include a mechanism for ongoing communication with school staff.
- Provide the school nurse with at least annual updates on your child´s allergy status.
- Provide the school nurse with written permission to communicate with the child´s health care provider.
- Provide the school with at least two up-to-date epinephrine auto-injectors.
- Provide the school nurse with the licensed provider´s statement if student no longer has allergies.
- Provide the school with a way to reach you (cell phone, beeper, etc.).
- Provide a list of foods and ingredients to avoid.
- Consider providing a medical alert bracelet for your child.
- Investigate field trip destinations for potential issues that may pose a risk, and inform child´s teacher if you have any concerns.
- Review the list of student responsibilities with your child and be sure he/she understands his/her role.

Remember - the ultimate goal is that our children eventually learn to keep themselves safe by making good choices and advocating for themselves.

SCHOOL ADMINISTRATOR/DESIGNEE RESPONSIBILITY:

- Apply to the Massachusetts Department of Public Health for "Registration and Administration of Epinephrine" as described in 105 CMR 210.000. This registration is granted for a two-year period and involves the training of unlicensed personnel to administer epinephrine by auto-injector to individuals (with a diagnosed life-threatening allergy) experiencing a life-threatening allergic event.
- Include in the school district´s emergency response plan a written plan outlining emergency procedures for managing life-threatening allergic reactions.

- Develop procedures to assist schools at each level (elementary, middle and high) to adapt or modify the plan to meet special needs of individual students. Consider risk reduction for life-threatening allergies.
- Provide school staff, including substitute teachers, teacher assistants, and volunteers with a copy of Policy JHCA, its regulations, and exhibits.
- Ensure that an IHCP for each child with a LTA is created and implemented.
- Ensure that parent/guardians and/or classroom teachers will not bring food into classrooms for distribution to students on a regular basis.
- Entertain permission for special classroom events that include the consumption of food. Permission must first be obtained from the principal. The teacher will send home a notice of the event and will require written consent from a parent/guardian to allow their child to participate. For all school functions sponsored by auxiliary groups, the consumption of food will be allowed on an individual basis as described in that school's handbook.
- Monitor satisfaction of cleaning protocol for classrooms, cafeteria, and other areas in the school building.
- Provide emergency communication devices (e.g., two-way radio, intercom, walkie-talkie, cell phone) for all school activities, including transportation, that involve a student with life-threatening allergies.
- Support faculty, staff and parents in implementing all aspects of the life-threatening allergy management plan. Provide annual training and education for faculty and staff regarding:
    - Anaphylaxis/anaphylactic reactions to foods, insect stings, medications, latex
    - Risk reduction procedures
    - Emergency procedures
    - How to administer an epinephrine auto-injector in an emergency
    - Cafeteria management and food preparation for food service personnel
- Track education of all involved parties to ensure that they have been properly trained and updated.
- Have a plan in place when there is no school nurse available.
- Make sure that plans include notification and training, as indicated, of substitute teachers, substitute nurses and food service personnel.
- Provide guidance on district-wide issues such as transportation.

- Follow federal/state/district laws and regulations regarding sharing medical information about the student.
- Review each emergency event involving the administration of epinephrine. The nurse leader and administration, with input from the school nurse, will determine the effectiveness of the process, why the incident occurred, what worked and what did not work in the district plan and procedures.
- Introduce and include relevant new research and evidenced based practices in the annual review of the plan and procedures.

ROLE OF SCHOOL NURSE:

- Meet with the student´s parent/guardian to develop a draft of an Individual Health Care Plan (IHCP) and Allergy Action Plan (AAP). This should be accomplished prior to entry into school (or, for a student who is already in school, immediately after the diagnosis of a life-threatening allergic condition).
- Obtain written parent/guardian permission to share this information with appropriate school staff.
- Assure that the AAP includes the student´s name, current photo, allergen, and symptoms of allergic reactions, risk reduction procedures, emergency procedures and that it is distributed to all staff that have a "need to know."
- Post general emergency protocol and location of epinephrine auto-injectors. Epi-Pens should be kept in a safe, accessible and reasonably secure location that can be properly supervised by a nurse or other authorized and trained staff member.
- Provide information to substitute teachers of those students in their classroom who have LTAs. This information includes the AAP.
- Periodically check medications for expiration dates and arrange for them to be current.
- Make arrangements for ambulance transportation to the nearest emergency facility for the evaluation of any student who was administered epinephrine, even if the symptoms have subsided. The student's parent/guardian will be contacted immediately.
- Complete the Massachusetts Department of Public Health´s Epi-Pen administration form, in the event of Epi-Pen administration. Forward form to Nurse Leader before end of work day.
- Review the event and the appropriateness of the intervention with the nurse leader.
- Arrange periodic follow-up to review effectiveness of the IHCP, at least on an annual basis, or as often as necessary.
- Make sure that substitute school nurses are fully oriented to students with life-threatening food allergies and their care plans.

- Communicate with parents on a regular basis to assure all required information is current and available. Communication will include student readiness for self- administration.

ROLE OF TEACHER:

- Participate in district´s annual education program on life threatening allergies.
- Maintain a list of all students in classroom with LTAs.
- Keep accessible the child's emergency plan with photo (where possible) in classroom (with parent's permission) or keep with lesson plan.
- Inform volunteers, student teachers, aides, specialists and substitute teachers about the child's food/other allergies and necessary safeguards by both verbal communication and in an organized, prominent and accessible written format.
- Coordinate with the parent/school nurse on providing a lesson plan about food allergies for the class and discuss anaphylaxis in age appropriate terms, with child's permission.
- Inform parents about events involving food and secure written permission for their student´s involvement.
- Provide school nurse with adequate warning about school-sponsored off-site activities.

ROLE OF SUBSTITUTE STAFF:

- Participate in district´s annual education program on life threatening allergies.
- Obtain information (AAP) from school nurse as to which students have LTAs in their classrooms each time they substitute. Return this information to school nurse by end of work day.
- Obtain a building specific list of Epi-Pen locations from school nurse.

ROLE OF FOOD SERVICE MANAGER:

- Participate in district´s annual education program on life threatening allergies.
- Follow safe food handling practices to prevent cross contamination with potential food allergens.
- Follow cleaning and sanitation protocols.

ROLE OF STAFF WHEN OFF-SITE:

- Participate in district´s annual education program on life threatening allergies.
- Maintain a list of all students in their charge who have LTAs.
- Coaches will be told of any students on their teams who have LTAs, will be trained in Epi-Pen administration and will encourage these students to carry the pens to all practices and events.

- Responsible students will be permitted to carry their own Epi-Pens.

ROLE OF STUDENT:

- Should not trade food with others.
- Should not eat anything with unknown ingredients or known to contain any allergen.
- Should be proactive in the care and management of their food allergies and reactions based on their developmental level.
- Should notify an adult immediately if they eat something they believe may contain the food to which they are allergic.
- When self-administration is allowed, students should agree to keep their emergency medications on their person or immediately under their control and supervision at all times.

TRANSPORTATION STAFF RESPONSIBILITY:

- Maintain a policy of not permitting food to be eaten on school buses/vans.
- Provide functioning emergency communication devices.
- Know how and when to activate emergency medical services (EMS)
- Alternate transportation may be provided on a case by case basis.

The usual transportation fee will apply. Parents will be required to furnish written documentation by the students´ attending physician stating that the student´s LTA is so severe that the student requires alternate transportation.

Legal References: MGL: 71:37

105 CMR 210.000

FERPA

Legal Issues in School Health Services

Adopted: 2001

Reviewed: 2003; 2013

Revised: 2007; 2008

POLICY EBCFA

EBCFA - FACE COVERINGS

The Amesbury Public School District is committed to providing a safe environment in schools during the ongoing COVID-19 pandemic. Maintaining a safe environment is critical to the District's ability to ensure students remain in a full-time classroom learning environment.

According to public health experts, one of the best ways to stop the spread of coronavirus and to keep members of our school community safe is the use of face masks or face coverings. Therefore, in accordance with guidance and recommendations from the Center for Disease Control (CDC), the Department of Elementary and Secondary Education (DESE) and the Massachusetts Department of Public Health (DPH), the following requirements are in place until further notice.

> A face covering that covers the nose and mouth is strongly recommended to be worn by individuals who remain unvaccinated or are otherwise immunocompromised in school buildings, and on school grounds, even when social distancing is observed.
>
> Individuals who are vaccinated are not required to wear a mask, but may do so if desired.
>
> **Students and staff returning from 5 day quarantine following a positive COVID test must follow strict mask use, other than when eating, drinking, or outside, and conduct active monitoring for symptoms, through day 10 of exposure.**
>
> **Masks will be required in all school health offices.**

Guidance Statements: Massachusetts Department of Public Health

> https://www.mass.gov/info-details/covid-19-mask-requirements - mask-requirements-in-certain-locations-https://search.mass.gov/?q=school+health+offices
>
> Center for Disease Control and Prevention - Guidance for Covid-19 Prevention in K-12 Schools Updated August 11, 2022
>
> https://www.cdc.gov/media/releases/2022/p0811-covid-guidance.html
>
> https://covid.cdc.gov/covid-data-tracker/#county-view?list_select_state=Massachusetts&data-type=Risk
>
> Massachusetts Department of Elementary and Secondary Education - Updated August 15, 2022
> https://www.mass.gov/info-details/covid-19-isolation-and-exposure-guidance-for-children-and-

staff-in-child-care-k-12-out-of-school-time-ost-and-recreational-campprogram-settings#overview-

SOURCE: MASC - August 2022

Approved: August 2022

KI INFORMATION

The Amesbury School District, in cooperation with the Massachusetts Department of Public Health has decided, with parent permission, to make Potassium lodide (KI) available to staff and students prior to evacuation to our designated host facility which is Methuen High School. The school committee has given approval for this distribution,

Participation of students in the distribution is VOLUNTARY, Student participation will require parental/guardian signature on the consent forms. Trained school personnel will administer Potassium lodide pills. This consent form is reviewed annually. If you have any questions, please contact this office, the school nurse in your building and/or call Robert Walker at the Massachusetts Department of Public Health at 617-727-6214. We strongly urge you to read the Emergency Public Information Calendar that was distributed by the Massachusetts Emergency Management Association (MEMA), visit the website at www.state.ma.us/dph/rep, or call MEMA at 800-982-6846.

Reason for Taking Potassium lodide In case of an accident at a nuclear power plant or what is known as a radiological emergency, radioactive iodine will be released into the air. The material may be inhaled or ingested and enter the thyroid gland where it can cause cancer and/or disease. Children and infants are the most vulnerable to this occurrence. When taken by pill, Potassium lodide (KI) floods the thyroid with non-radioactive iodine and prevents the thyroid from absorbing the radioactive material.

Potassium lodide needs to be given before or shortly after exposure to radiation. Potassium lodide works only to prevent the thyroid from absorbing radioactive iodine.

Potential Side Effects of Potassium lodide It is possible to experience any or all of the following side effects when taking Potassium lodide:

• Upset stomach

• Rash

• Allergic Reaction

Risks of Taking Potassium lodide Taking Potassium lodide is safe for most people. Potassium lodide should not be taken if someone:

• Is Allergic to iodine

• Has Graves Disease

• Has any other thyroid illness

• Takes thyroid medication

Administration of Potassium lodide Potassium lodide will only be given:

• In case of a radiological emergency

• If it is recommended by public health officials

• If a parent/guardian signs a consent form for a child

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

FERPA is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

Pursuant to 603CMR 23 and under The Family Educational Right and Privacy Act (FERPA) (20 U.S.C. 1232g. 34CFR Part 99) student records may be reviewed and released under the following conditions: 1. Log of access shall be kept as part of each student's record. The log shall indicate all persons

who have obtained access to the student record stating: name, position and, if a third party, the affiliation, if any, of the person who is to receive the information; the date of access; the parts of the record to which access was obtained; and the purpose of such access. Unless student information is to be deleted or released, this log requirements shall not apply to:

a. Authorized school personnel who inspect the record;

b. Administrative office staff and clerical personnel who add information to or obtain access to the student record; and

C. School nurses who inspect the student health record. 2. Access of Eligible students and parents. 3. Access of Authorized School personnel 4. Access of third parties. Except for the provisions of 603 CMR 23.07 (4)(a) through 23.07.(h), no third party shall have access to information in or from a student record without written consent from parent/guardian except:

a. School release of director information provided that the school gives public notice of

types of information it may release and allows parents/guardians reasonable time that

information not be released. b. Upon receipt of a court order or lawfully issued subpoena.

Receipt of request from Department of Children and Family Services, probation office, court justice, or Department of Youth Services. d. Federal, state and local education officials and their authorized agents. e. Health or safety emergency necessary to protect the health or safety of student or other individuals. Upon notification of law enforcement that a student or former student has been reported as missing. g. Authorized school personnel of the school to which the student seeks or intends to transfer to h. School health personnel or local and state health department personnel shall have access to student health records, including but not limited to immunization records. 5. Access procedures for Non-Custodial Parents.

a. A non-custodial parent is eligible to obtain access to student records unless:

i. parent has been denied legal custody based on a threat to the safety of the student or to the custodial parent, or

ii. the parent has been denied visitation or has been ordered to supervised visitation, or

iii, the parent's access to the student or custodial parent has been restricted by a temporary or permanent protective order.

b. In order to obtain access, the non-custodial parent must submit a written request for the

student record annually. The initial request must include the following: a certified copy of the court order or judgment relative to the custody of the student that the requesting parent is eligible to receive access or a court order that specifically orders that the records be made available to the non-custodial parent, and; an affidavit from the non-custodial parent that said court order or judgment remains in effect and that there is no temporary or permanent order restricting access to the custodial parent.

C. The non-custodial parent must submit a written request for access each year.

Upon receiving the request the school must immediately notify the custodial parent, in the primary language that it will provide the non-custodial parent access after 21 days, unless the custodial parent provides the principal with documentation that the non-custodial parent cannot have access to the records.

e. The school will delete the address and telephone number of the student and custodial parent from the student records provided to the non-custodial parent. The records will be marked to indicate that they cannot be used to enroll in another school. f. Upon receipt of a court order which prohibits the distribution of information the school will notify the non-custodial parent. Student records information can be obtained by setting up an appointment by calling your child's school. A school adjustment counselor and administrator will assist you in obtaining the records in the guidance reception area. If any copying of any or all of the record is involved, the school has the right to charge for copies that are being requested.

STUDENT RECORDS POLICY

Notification of Rights under the Family Educational Rights and Privacy Act

The Family Educational Rights and Privacy Act (FERPA) afford parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

(1) The right to inspect and review the student's education records within forty-five (45) calendar days of the day the School receives a request for access.

(2) The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

(3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Student Privacy Policy Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5920

Notification of Rights under the Massachusetts Student Records Regulations – 603 CMR 23.00

Inspection of Record - A parent, or a student who has entered the ninth grade or is at least fourteen (14) years old, 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) calendar days of the request unless the parent/guardian or eligible student consents to a delay. In the event the parent/student requests copies of a student record, the district may charge the parent/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. Parents/guardians and eligible students should submit their request for access/inspection to the Principal in writing.

With a few exceptions, no individual or organization other than the parent, student, and authorized school personnel are allowed to have access to information in the student record without the specific, informed, written consent of the parent or the eligible student. The District protects the confidentiality of personally identifiable information of students in accordance with state and federal law.

Amendment of Student Records - The parent and eligible 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 in writing that information in the student record be amended or deleted. The parent and student have a right to request a conference with the Principal or her/his designee to make their objections known. Within a week after the conference, the Principal or their designee must render a decision on such a request in writing. If the parent and/or eligible student are not satisfied with the decision, the eligible student or parent may start the appeal process with the Superintendent.

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 school 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 field of study, dates of attendance, weight and height of members of athletic teams, class, participation in officially recognized activities and sports, degrees, honors and awards, and post-high school plans without the consent of the eligible student or parent. However, in all instances, parents may request that such directory information not be released without prior consent by notifying the Principal in writing by the end of September of each school year. The Amesbury Public Schools shall exercise sole authority and discretion with regard to the disclosure of Directory Information to commercial organizations.

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. 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. Before any such information may be destroyed, the parent and student must be notified in writing, and have an opportunity to obtain 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 District to forward, without prior consent, the student record of any student who seeks or intends to enroll, or already has enrolled, in another public school, if the disclosure is for the purpose 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 (any parent who by court order does not have physical custody of the student, is considered a non-custodial parent) of any public school student may have 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 to the Principal. Upon receipt of such a request, the Principal will determine whether the non-custodial parent is potentially eligible to access such records. The Principal shall then 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, including: (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 regarding their student records with the Student Privacy Policy Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C.

20202-5920, 800-8 72-5327; or with the Massachusetts Department of Elementary and Secondary Education, 135 Santilli Highway, Everett, MA 02149. T: (781)-338-3300.

The above is only a summary of some of the more significant provisions of the laws and regulations pertaining to student records. If more detailed information is desired, a copy of the Massachusetts Student Record regulations may be obtained from the Department of Elementary and Secondary Education. These state regulations are designed to insure parent and 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. The regulations apply to all information kept by a school committee on a student in a manner such that the student may be individually identified. The applicable regulations may be found at 603 CMR 23.00.

ACAB - SEXUAL HARASSMENT/TITLE IX POLICY

Introduction

Title IX of the Education Amendments Act of 1972 and various state and federal laws protect all students and school employees from sex-based harassment that occurs during an educational activity, regardless of the sex of the parties. In school systems, sexual harassment may cross many lines, and may involve staff member and staff member, staff member and student, student and student, third party and staff member, or third party and student. All students and school employees can experience sex-based harassment, including male and female students/employees, LGBT students/employees, students/employees with disabilities, and students/employees of different races, national origins, and ages.

Any person who believes that a student, teacher, administrator, other school personnel or third party has engaged in conduct prohibited by this policy, whether such conduct has been directed at him/her or some other person, should report the alleged prohibited conduct as soon as possible to the appropriate Amesbury Public Schools ("Amesbury Public Schools") official (as designated by this policy) verbally or in writing. Nothing in this policy shall prevent any person from reporting alleged prohibited conduct to a different Amesbury Public Schools employee than the one designated in this policy.

Policy Statement

Amesbury Public Schools does not discriminate against individuals on the basis of sex, or any other category protected by state and federal law, in the administration of its educational and employment policies, and in its administered programs and activities, and provides equal access to all designated youth groups. Amesbury Public Schools is committed to maintaining an educational and work environment free from all forms of discrimination, including sexual harassment and retaliation.

Goals

Amesbury Public Schools is committed to providing equal educational opportunities and a safe learning and workplace environment free from discrimination, including sexual harassment and retaliation. Amesbury Public Schools will not tolerate any form of discrimination, including sexual harassment and retaliation, within the school community. Amesbury Public Schools will promptly and fairly investigate and respond to all allegations

and complaints of sexual harassment and retaliation. During the investigation process, Amesbury Public Schools will provide equitable treatment to complainants and respondents, ensure objective evaluation of all relevant evidence, and designate investigators and decision makers who are free from bias or conflict of interest. Following an investigation where it is determined that sexual harassment has occurred, Amesbury Public Schools will take prompt, appropriate disciplinary, corrective and remedial measures necessary to ensure a safe and equitable learning and workplace environment for all school community members.

Definitions

Title IX identifies three separate types of conduct that would constitute "sexual harassment":

- An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct ("quid pro quo harassment");
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity ("hostile environment harassment"); or
- "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

Examples of unwelcome conduct that may establish a hostile environment include but are not limited to unwelcome sexual advances; requests for sexual favors; verbal, nonverbal or physical conduct of a sexual nature; sex discrimination; threats of violence; and/or physical assault.

The following additional definitions apply:

"Actual knowledge" means notice of sexual harassment or allegations of sexual harassment to any employee of Amesbury Public Schools, except that this standard is not met when the only official of Amesbury Public Schools with actual knowledge is the respondent (where the respondent is an employee). Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. Complaints will be addressed whenever Amesbury Public Schools has actual knowledge of the allegation.

"Administrative leave" means placing an employee on leave pursuant to state law. Nothing in the Title IX regulations precludes a recipient from placing a non-student employee respondent on administrative leave during the pendency of a grievance process, provided that Massachusetts laws are followed.

"Consent" means cooperation in act or attitude pursuant to an exercise of free will of a conscious person with informed knowledge of the nature of the act or actions. A current or previous relationship shall not be sufficient to constitute consent. Consent will not be found when submission to the act or actions is undertaken due the influence of fear, fraud, forcible compulsion, threats, and/ or the complainant possessed any legal incapacity to consent at the time of the act or actions. Consent is a defense to all types of sexual harassment.

"Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

"Deliberate indifference" means a response to sexual harassment that is clearly unreasonable in light of the known circumstances.

"Emergency removal" means the suspension or expulsion of a student on an emergency basis, consistent with state law. Nothing in the Title IX regulations precludes Amesbury Public Schools from removing a respondent from Amesbury Public School's education program or activity on an emergency basis, provided that Amesbury Public Schools follows all procedures under Massachusetts law, undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.

Formal complaint means a document filed by a complainant (or the complainant's parent or guardian if the complainant is a student) or signed by the Title IX Coordinator alleging sexual harassment and requesting that Amesbury Public Schools investigate the allegation of sexual harassment.

"Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

"Supportive measures" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the recipient's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. Amesbury Public Schools must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

Application of Title IX/Sexual Harassment Policy

To be covered by Title IX, the sexual harassment must have occurred in the school's education program or activity and the complainant must have been participating in or attempting to participate in an education program or activity at the school at the time the complaint is filed. The complainant must also have been in the United States when the conduct occurred.

Amesbury Public Schools will investigate all allegations of sexual harassment of which it has actual knowledge and which are alleged to occur in the school's programs and activities, including locations, events, and/ or circumstances in which the Amesbury Public Schools exercises substantial control, in accordance with this policy and in a way that is not deliberately indifferent.

While Title IX covers the above-described definition of "sexual harassment", Amesbury Public Schools recognizes that the Title IX standard does not capture all conduct that amounts to sexual harassment under school policy and other state and federal laws. Therefore, while Amesbury Public Schools prohibits "sexual harassment" as defined by Title IX, it also prohibits sexually harassing conduct that may fall outside of Title IX's definition and includes other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating an environment that is hostile, offensive, intimidating, or humiliating to students or employees.

If Amesbury Public Schools determines that the alleged conduct falls outside of Title IX's scope but still constitutes sexual harassment under other school policies, Amesbury Public Schools will implement appropriate remedial and/or disciplinary action in accordance with those policies.

Please note that incidents of sexual harassment may constitute child abuse under state law and may also violate criminal laws. Amesbury Public Schools will also comply with all legal requirements governing the reporting of suspected cases of child abuse and criminal violations to the appropriate authorities, including the Department of Children and Families.

Complaint and Reporting Process:

For allegations of sex-based discrimination, including sexual harassment, sexual violence, and gender-based harassment by a Amesbury Public Schools employee or volunteer, another student at Amesbury Public Schools or a third party, immediately report the incident to Amesbury Public Schools' Title IX Coordinator and /or the Principal of your school building. The Title IX Coordinator's contact information is as follows:

Lyn Jacques, Director of Teaching, Learning, and Equity, 5 Highland St, 978-388-0507, and jacquesl@amesburyma.org.

Nothing in this policy shall prevent any person from reporting alleged prohibited conduct to a different Amesbury Public Schools employee than the one designated in this policy.

Upon receiving actual notice of alleged sexual harassment, all non-student members of the Amesbury Public Schools community (including Amesbury Public Schools school committee members, administration, faculty, staff, volunteers in schools and/or parties contracted to perform work for Amesbury Public Schools, subject to school authority) must notify the Title IX coordinator as soon as practicable, but no later than 24 hours after becoming aware of the incident. Failure to comply with this mandatory reporting requirement or this Protocol may lead to disciplinary action.

The Title IX coordinator, and/or designated school administrator and/or employee, must then contact the complainant within two days of receiving the complaint and do the following:

- Promptly offer and discuss supportive measures with the complainant.
- Consider the complainant's wishes with respect to supportive measures;
- Explain that supportive measures may be received with or without filing a formal complaint;
- Explain the process of filing a formal complaint and determine whether the complainant wishes to file a formal complaint; and
- Explain to the complainant the purpose of filing a formal complaint.

The Title IX Coordinator must document in writing the supportive measures offered/provided or why no supportive measures were offered/provided. Complainant and respondents must be offered supportive measures even if they do not file a formal complaint.

If the complainant declines to file a formal complaint, the Title IX Coordinator must consider whether to sign a formal complaint and start an investigation despite the complainant's preferences. This decision may be appropriate when safety or similar concerns lead Amesbury Public Schools to conclude that a non-deliberately indifferent response to actual knowledge of Title IX sexual harassment could reasonably require Amesbury Public Schools to investigate and potentially sanction a respondent. A Title IX Coordinator's decision to

override the complainant's decision not to file a formal complaint must be documented in writing along with an explanation of why this decision was necessary in order to avoid deliberate indifference. If a formal complaint is not made, Amesbury Public Schools may still investigate the report of sexual harassment in accordance with its Non-Discrimination Policy, taking the complainant's wishes into consideration.

Formal complaints may also be filed directly with the Title IX Coordinator by a complainant in person, by mail, by email, or by telephone at any time, including during non-business hours.

The complaint may be written by the complainant, or it will be reduced to writing by either the school employee who receives the complaint, the building Principal, or the Title IX Coordinator. Whether the complaint is reduced to writing by a student, parent, or staff member, the written complaint should include the name of the complainant, the name of the alleged victim (if different), the name of the respondent, the location of the school/department where the alleged discriminatory action occurred, the basis for the complaint, witnesses (if any), and the corrective action the complainant is seeking. This information will be made on or transferred to a discrimination/ harassment complaint form maintained by Amesbury Public Schools.

There is no time limit or statute of limitation on timing to file a formal complaint. However, at the time of filing a formal complaint, an alleged victim must be participating or attempting to participate in a program or activity of Amesbury Public Schools. Additionally, Amesbury Public Schools has discretion to dismiss a formal complaint where the passage of time would result in Amesbury Public Schools' inability to gather evidence sufficient to reach a determination regarding responsibility, or when Amesbury Public Schools loses responsibility for the respondent (e.g., the respondent no longer attends or is employed by Amesbury Public Schools).

If the conduct alleged in the formal complaint would not constitute sexual harassment as defined in this policy even if proved, did not occur in Amesbury Public Schools education program or activity, or did not occur against a person in the United States, then Amesbury Public Schools must dismiss the formal complaint under these procedures, but could investigate it under other policies and procedures. Amesbury Public Schools will send written notice of any dismissal.

Written Notice of Formal Complaint

Upon receiving a formal complaint of sexual harassment, Amesbury Public Schools will provide the complainant and the respondent written notice of the allegations, the grievance process, the appeal process, available supportive measures, and possible disciplinary sanctions and remedies. The written notice will also include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice must inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence. The written notice must inform the parties that the Amesbury Public School's code of conduct prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If additional allegations are added during the course of the investigation, additional written notice must be provided.

Informal Resolution

Where appropriate, and only after a formal complaint has been filed and written notice has been issued, the Title IX Coordinator should also consider offering the parties an option for informal resolution (e.g., mediation). Participation in an informal resolution process may only occur where both parties give voluntary, informed,

written consent to attempt informal resolution, and either party has the right to withdraw from the informal process at any time. The informal complaint option is not available for reports of employee-on-student sexual harassment; in this context a formal investigation is required. Where an informal resolution process is agreed to, it will be facilitated by a facilitator designated by the Title IX coordinator who does not have a conflict of interest and/or bias for or against complainants or respondents and who has received proper training.

Informal resolution is entirely voluntary. Parties may elect to pursue formal procedures and decline informal resolution at any step in the process, even if informal resolution has already begun.

If the parties are not satisfied with the resolution from the informal process, or if he/she/they do not choose informal resolution, then he/she/they can begin the formal complaint procedure described below.

Investigation

If informal resolution is not offered to or accepted by the parties, the Title IX Coordinator will designate an investigator and a decision maker, who may not be the same person.

All formal complaints will require a full investigation in accordance with the Title IX grievance process. For formal complaints of sexual harassment, the investigator will conduct and complete a thorough and impartial investigation into the reported conduct within a reasonably prompt timeframe, with delays for good cause only. Good faith efforts will be made to complete the investigation within 15 school days of the initiation of the formal complaint, except for good cause, as documented in the investigation file. Where feasible, the formal process will be completed within a ninety (90) day timeframe from the date a formal complaint is filed with Amesbury Public Schools. There may be a temporary delay of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include, but is not limited to, considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

- Gathering Evidence

The investigation will include personal interviews with the complainant(s), the individual(s) against whom the complaint is filed, and others who have knowledge of the alleged incident(s) or circumstance(s) giving rise to the complaint. The investigation may also consist of other methods deemed pertinent by the investigator, including but not limited to gathering physical evidence. The investigator will find facts and making determinations related to credibility, all of which will be incorporated into a written report. The investigator must avoid all questions that are protected by legal privilege, unless the privilege has been waived, and should avoid asking about the complainant's sexual history unless it is directly relevant to prove consent to the conduct at issue or to prove that the conduct was committed by someone other than the respondent.

Amesbury Public Schools will keep confidential the identity of complainants, respondents, and witnesses, except as may be permitted by FERPA, as required by law, or as necessary to carry out a Title IX proceeding.

For Title IX purposes, if a student requests that his or her name not be revealed to the alleged perpetrator, honoring the request may limit Amesbury Public School's ability to respond fully to the incident, including pursuing disciplinary action against the alleged perpetrator. Title IX includes protections against retaliation, including retaliatory actions taken by the school and school officials, and school officials will not only take steps to prevent retaliation but will also take strong responsive action if it occurs. Confidentiality concerns should be brought to the attention of the Title IX Coordinator, whose contact information is provided above, and/or the Principal of your school building.

Amesbury Public Schools has the burden of gathering the evidence, not the parties. However, parties may gather and present evidence of their own. All parties will be provided with an equal opportunity to review and respond to evidence gathered during the investigation.

All parties whose participation is invited or expected will be provided with written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings with a party, with sufficient time for the party to prepare to participate.

All parties will be provided with the opportunity to be accompanied to any related meeting, interview or proceeding by an advisor of their choice, who may be, but is not required to be, an attorney.

Amesbury Public Schools will not require, allow or rely upon privileged information, unless privilege is waived in writing by the holder.

All parties will be provided with an equal opportunity to review and respond to evidence gathered during the investigation. Prior to completion of the investigative report, Amesbury Public Schools will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have ten (10) days to submit a written response to the evidence, which the investigator will consider prior to completion of the investigative report.

- Investigative Report & Written Questions

Upon its completion, the parties will be provided with a copy of the investigative report for their review and, if desired, written response. Written responses from the parties will be required within ten (10) days of receipt of the investigative report and will be incorporated into the investigative report.

After the parties' responses to the investigative report, if any, have been incorporated into the investigative report, but prior to reaching a determination regarding responsibilities,

the decision-maker(s) - who will not be the same person(s) as the investigator and/or Title IX coordinator - will afford each party the opportunity to submit written questions for the other parties and witnesses to answer, provide each party with the answers, and allow for additional, limited follow-up questions from each party. If any questions are determined not to be relevant, the decision-maker may exclude the questions and will explain to the party proposing the questions any decision to exclude questions as not relevant. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

- Written Determination & Standard of Evidence

After this process, the decision-maker will issue a written determination simultaneously to the parties regarding whether sexual harassment has occurred using a preponderance of the evidence standard, as it does for all conduct code violations that do not involve sexual harassment but carry the same maximum disciplinary sanctions. Resolution proceedings are conducted to take into account the totality of all evidence available, from all relevant sources.

A "preponderance of the evidence" means that it is more likely than not that the alleged conduct occurred. The decision-maker shall further recommend what action, if any, is required. If it is determined that sexual harassment occurred, Amesbury Public Schools will take steps to prevent the recurrence of the harassment and

correct its discriminatory effect on the complainant and others if appropriate. Such remedies may include supportive measures.

The written determination must be issued to both parties simultaneously and must include:

- Identification of the allegations potentially constituting sexual harassment;
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, etc.;
- Findings of fact supporting the determination;
- Conclusions regarding the application of the recipient's code of conduct to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the recipient imposes on the respondent, and whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the recipient to the complainant; and
- Amesbury Public School's procedures and permissible bases for the complainant and respondent to appeal (a copy of, or direct reference to, this policy will suffice).

Disciplinary Action, Corrective Action, and Remedial Measures

If the respondent is ultimately found responsible, the complainant will be made aware of any sanctions imposed on the respondent that directly relate to the complainant. The respondent will not be notified of individual remedies offered or provided to the complainant. If the respondent is ultimately found responsible, Amesbury Public Schools will effectively implement remedies for the respondent, complainant and where appropriate, for the broader student population. The remedies will be designed to restore or preserve equal access to the educational program or activity for a complainant, end the harassment, eliminate the hostile environment, prevent its recurrence, and remedy its effects. Remedies may include, but are not limited to, disciplinary sanctions against the respondent, up to an including termination and/or expulsion, counseling for the respondent, an escort for the complainant, ensuring that complainant and respondent do not share classes or extracurricular activities, providing comprehensive victim services, training or retraining school employees, changes to Amesbury Public School's policies and/or services, etc. Any disciplinary action will be in accordance with due process rights under State law and any applicable collective bargaining agreement.

As indicated above, these procedures do not limit Amesbury Public Schools from removing a student or employee from a program or activity on an emergency basis based on immediate threats to people's physical health or safety or placing an employee on administrative leave during the pendency of the investigation.

Appeal Process

Parties may appeal the decision issued as a result of the investigation, or from Amesbury Public School's dismissal for a formal complaint or any allegations therein, within 15 school days of receipt of the findings of the formal procedure or a dismissal. The decision-maker(s) for the appeal will not be the same person as the decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s),

and/or the Title IX Coordinator. Parties may appeal on the basis of procedural deficiencies; bias or conflict of interest; newly discovered evidence; and/or other good cause.

Amesbury Public Schools will notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties. Both parties will have a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

The appeal decision-maker will review the comprehensiveness and accuracy of the investigation and the conclusions, and issue written findings to both the complainant and respondent within thirty (30) school days of the appeal.

Training

Amesbury Public Schools will ensure that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receive training on the definition of sexual harassment, the scope of the recipient's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

Amesbury Public Schools will ensure that decision-makers receive training on any technology to be used in interviews and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant,.

Amesbury Public Schools also must ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Any materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

These training materials will be posted on Amesbury Public School's website.

Records

A record will be maintained for a period of seven years of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment and Amesbury Public Schools staff will document the basis for Amesbury Public School's conclusion that its response was not deliberately indifferent.

Referral to Law Enforcement, Other Agencies

Some alleged conduct may constitute both a violation of Amesbury Public Schools policies and criminal activity. The building Principal, coordinator, Superintendent, or designee will refer matters to law enforcement and other agencies as appropriate under the law or Amesbury Public Schools policy, and inform the complainant/ alleged victim of the right to file a criminal complaint.

Retaliation

Retaliation against an individual who has brought good faith allegations of sexual harassment to the attention of Amesbury Public Schools or who has cooperated in an investigation of a complaint under this policy is unlawful and will not be tolerated by Amesbury Public Schools. If a student/employee believes that he/she/they has/have been retaliated against in connection with any good-faith report of inappropriate conduct or harassment, the student/employee should immediately report such conduct to the Title IX Coordinator and/or

Principal of your school building. The Title IX Coordinator and/or designee will investigate reports of retaliation and, where retaliation is found, take separate remedial and disciplinary action.

In addition to the above, if you believe you have been subjected to unlawful harassment and/or retaliation you maybe file a complaint with either or both of the following local government agencies. Each of the agencies has a short time period for filing a claim.

United States Equal Employment Opportunity Commission,

JFK Federal Building,

475 Government Center

Boston, Massachusetts, 02203

800-669-4000

Massachusetts Commission Against Discrimination,

Boston office at One Ashburton Place

Sixth Floor, Room 601

Boston, MA 02108,

617-994-6000

Office of Civil Rights (U.S. Department of Education)

5 Post Office Square, 8th Floor

Boston, MA 02129

(617) 289-0111

You may also file a complaint directly with the Office of Program Quality Assurance at the Department of Elementary and Secondary Education or seek outside counsel.

Approved: November 14, 2022

Community Relations

CHAIN OF COMMUNICATION FOR PARENT/GUARDIAN

Although no member of the community will be denied the right to bring their concerns to the School Committee, they will be referred through the proper administrative channels for solution before investigation or action by the Committee. Exceptions will be made when the issues concern Committee actions or Committee operations only.

The Committee believes that concerns are best handled and resolved as close to their origin as possible, and that the professional staff should be given every opportunity to consider the issues and attempt to resolve the problem prior to involvement by the Committee.

Means of communication may be in the form of a telephone call or written correspondence. Electronic email may be used with the understanding that all emails are considered public documents. The proper channeling of concerns will be as follows:

1. Concerns from parent/guardian regarding academic, behavioral or discipline issues should use the following chain of communication as a means of problem solving:
    - Teacher
    - School building administrator (assistant principal/principal)
    - Central Office (different individual depending on specific issue)
        - Director of Finance and Operations
        - Director of Teaching and Learning
        - Director of Student Services
    - Superintendent

2. Concerns from parent/guardian regarding athletic issues should use the following chain of communication as a means of problem solving:
    - Coach of the Team
    - Head Coach
    - Athletic Director
    - Principal
    - Superintendent

3. Concerns from parent/guardian regarding transportation issues should use the following chain of communication as a means of problem solving:
    - Bus company
    - Assistant Principal (if applicable)
    - Principal
    - Central Office
        - Director of Student Services (if applicable)
        - Director of Finance and Operations
    - Superintendent

4. Concerns from parent/guardian regarding all other staff issues should use the following chain of communication as a means of problem solving:
    - Principal
    - Central Office
        - Director of Student Services (if applicable)
        - Director of Teaching and Learning
        - Director of Finance and Operations
    - Superintendent

As one moves further along the chain of communication, the staff is less directly involved and, therefore, will need time to research the situation before they can give an answer or solution. If a response is not received within 48 hours (two school days), it is recommended to move to the next level in the chain of communication. The Committee expects the professional staff to receive complaints courteously and to make a proper reply to the complainant.

Matters referred to the Superintendent and/or the Committee must be in writing and should be specific in terms of the action desired.

The Committee may address concerns only after they have been explored by the appropriate administrative level according to the above sequences.

SOURCE: MASC

LEGAL REFS: MG.L. 76:5

603 CMR 26.00

Adopted: 2016

CF - SCHOOL COUNCILS

The Amesbury School Committee recognizes that site-based management is at the core of the Education Reform Act of 1993. The Reform Act calls for the creation of school advisory councils to work with the principals.

As envisioned in this law, each school principal shall be responsible for defining the composition of his or her school council and for convening the first council meeting no later than forty days after the beginning of school. The councils may assist principals in at least three major ways. They include: adopting educational goals, budget review and formulating a school improvement plan each year subject to the approval of the school committee.

Each school council shall have as members: the principal, who serves as one of the co-chairs, and serving in a voluntary capacity, teachers at the school, parents of students attending the school, at least one student (in the case of the high school), and other community residents who are not parents or teachers or students at the school. Parents of students attending the school shall be chosen annually for the council by an election conducted by the local parent organization under the direction of the principal. The school committee advocates that each council reflect the diversity of the school and of the community as much as possible. The size of the school council, the number and schedule of meetings, internal decision-making rules, and terms of membership shall be agreed upon within each council, subject to the confines of state and federal laws.

Regarding membership on school councils, the number of parents has to equal the number of teachers, plus the principal. The number of other persons who are not parents or teachers must not exceed fifty percent of the council´s membership. At the beginning of each school year each school council must conduct elections and submit its organizational plan for school committee approval.

The school committee may grant councils additional authority in the area of educational policy except for those areas covered by collective bargaining agreements.

Legal Ref.: MGL c.71 Sec. 59c Acts of 1993

M.G.L. 30A, §§18-25 Open Meeting Law

c.66 Sec.10 Public inspection of records

Adopted: 1993

Reviewed: 2003, 2007

Revised: 2010

GBEBD - ONLINE FUNDRAISING AND SOLICITATIONS - CROWDFUNDING

School District employees shall comply with all of the following provisions relating to online solicitations and the use of crowdfunding services for school-related purposes as well as all applicable laws, regulations and district policies. No online fundraising may occur except as provided below.

The Principal of each school shall approve all online fundraising activities within their buildings prior to any employee posting any such fundraising solicitation. The Superintendent shall have final authority to approve any online fundraising activities by school district employees and shall determine and communicate to Principals the circumstances under which online fundraising proposals shall require Superintendent or School Committee approval in accordance with law and school district policy.

Any solicitation shall be for educational purposes only (field trips, supplies, supplemental materials, books, etc.). The solicitation of personal items (coats, nutritional snacks, etc.) shall only be to benefit students directly. To the extent an employee solicits any technology or software, the employee shall secure the prior written approval of the Superintendent or designee prior to any such solicitation. Any employee seeking to display or post a photograph of a student in conjunction with a fundraising solicitation must first secure the written consent of the student's parent or guardian.

Employees shall not use a crowdfunding source, or set up their appeal in such a way, that they are asking for donations directly from people over whom the employee making the request has authority, or with whom the public employee is having official dealings (such as parents of student's in a teacher's classroom - the solicitation can say "Classroom X needs tissues and crayons," but it shouldn't be directed to parents who have shared email addresses with the teacher for purposes of communicating about their student).

Employees using crowdfunding services shall periodically disclose in writing to the Principal the names of all individuals whom the employee has directly solicited in any manner including but not limited to oral, written, or electronic solicitation. The Principal shall maintain these disclosures as public records available for public review.

Employees may only use crowdfunding services that send the items or proceeds solicited by the employee directly to the employee's school or to the school district. Employees must verify under the crowdfunding service's terms and conditions that they meet all requirements for such solicitation. Items or proceeds directly sent to employees are considered gifts to the employee and may result in violation of state ethics laws.

If an employee's proposal is approved by the crowdfunding service, the employee agrees to use the donated materials solely as stated in the employee's proposal.

If a solicitation is not fully funded within the time period required by the crowdfunding service, or the solicitation cannot be concluded for any reason, every attempt will be made to return donations to the donors. Donations unable to be returned shall only be used as account credits for future solicitations.

Unless otherwise approved by the Superintendent in writing, all goods and/or proceeds solicited and received through any online solicitation shall become the property of the School Committee, and not of the individual employee who solicited the item(s) or funds. The employee is prohibited from taking any such item(s) or funds to another school or location, without the Superintendent's written approval.

LEGAL REFS: MGL 44:53A; 71:37A; 268A:3; 268A:23; Ethics Commission Advisory Opinion

EC-COI-12-1;

CROSS REFS: GBEA, Staff Ethics/Conflict of Interest; GBEBC, Gifts To and Solicitations by

Staff; KCD, Public Gifts to Schools

SOURCE: MASC February 2018

NOTE: Crowdfunding services are defined as any online service used for the solicitation of goods, services, or money from a large number of people via the internet or other electronic network.

Examples include GoFundme, Kickstarter, Indiegogo, YouCaring, and DonorsChoose.

Approved 12.13.18

Revised: 2020

IGDF - STUDENT FUNDRAISING ACTIVITIES

The Committee acknowledges that many school groups seek to supplement school programs and activities by raising funds, through various activities, and donating them to the school system. While the Committee generally appreciates these endeavors, it is concerned about issues of safety and liability of schoolchildren representing an organization which solicits funds through sales or donations in the community. The Committee especially discourages activities which might involve students in door-to-door solicitation.

Such groups must also be aware that fundraising activities require coordination, with regard to both the methods and the frequency of fundraising. All groups which intend to utilize students to raise funds for any school-related activity or program shall submit, in writing, a description of the proposed fundraising project. Each proposal shall include information pertaining to the reasons for the project, methods of fundraising, coordinators, solicitors, timelines, and anticipated goals, and shall be submitted to the principal(s) of the school(s) for approval. Any proposal that includes online fundraising and/or solicitation will be approved in compliance with school committee policy GBEBD. Principals will then forward form IGDF-E to the Superintendent's office for placement on the Master Calendar.

Any community organizations desiring to distribute flyers or other materials to students in connection with fund drives may do so only with the approval of the Superintendent.

Adopted: 1983

Reviewed: 2003; 2008; 2011

Revised: 1993; 1997; 2006; 2018

IJNDB - TECHNOLOGY AND EMPLOYEE EMAIL POLICY

TECHNOLOGY USE

Introduction

The Amesbury Public Schools shall provide access for employees, students and others to the District's electronic networks, including connections to external networks, for limited educational purposes. Educational

purposes shall be defined as classroom activities, career and professional development, and high quality self-discovery activities of an educational nature. The purpose of the network is to assist in preparing students for success in life and work by providing access to a wide range of information and the ability to communicate with others. The network will also be used to improved productivity and to increase communication among staff, parents, the community, governmental organizations, and businesses.

The Superintendent or designee shall implement, monitor, and evaluate the district's network for instructional and administrative purposes.

Access to the network is a privilege, not a right. All users shall be required to acknowledge receipt and understanding of all regulations and procedures governing acceptable use of the network and shall agree, in writing, to comply with such regulations. Noncompliance with these policies and procedures may result in suspension or termination of user privileges and may be subject to restitution for costs associated with hardware, software, and system restoration, as well as other disciplinary actions consistent with the policies of the Amesbury Public Schools. Violations of law may result in criminal prosecution as well as in disciplinary action by the Amesbury Public Schools.

ACCEPTABLE USE

As members of a networked community, users have specific responsibilities with regard to the efficient, ethical and legal utilization of computer devices, as well as all networked and Internet resources. All users must strictly adhere to the following guidelines and conditions of use.

Security

- Users are responsible for the proper use of accounts issued to them, such as email, Internet or access to software, and must not provide or display their passwords and login information to anyone, nor leave an application open when unattended.
- Users should change their passwords regularly and make efforts to use passwords that are unique and not easily guessed.
- Users are responsible for all activity under their account.
- Attempts to compromise the security, integrity, or functionality of the system, or possession of tools, while on school or district property, designed to do so, is a violation of this policy. This includes, but is not limited to:
    - intentional uploading or creation of computer viruses
    - unauthorized use of another user´s credentials
    - deletion or alteration of another user´s files or applications
    - removing protection to gain access to restricted areas
    - unauthorized blocking of access to information, applications, or areas of the network
- Any user identified as a security risk may be subject to severe restriction of, or cancellation of, privileges.

- It is a federal offense to break into any security system. Financial and legal consequences of such actions are the responsibility of the user.
- If you feel you have identified a security problem on the network, notify the MIS Department. Do not demonstrate the problem to other users.
- It is a violation of this policy to introduce or attach any software or hardware that is not owned by the Amesbury Public Schools, or specifically authorized by the MIS Department, to technology used in the Amesbury Public Schools.
- No modification to any hardware or software owned or managed by Amesbury Public Schools may be made without specific authorization by the MIS Department.

System Resources

System resources are limited and are intended to support the educational objectives of the Amesbury Public Schools.

- The use of technology systems must be consistent with and support educational objectives. Therefore activity on the network, such as Internet sites accessed, communications via email, listservs, forums or chat rooms must support the District's objectives.
- File space has its limits and users should regularly review and delete unnecessary files and email messages on the network.
- Users should make a conscientious effort to conserve district resources. Use of high-bandwidth resources, such as video-conferencing, online music, or streaming video must be related to educational goals and authorized by the MIS Department at the school or district level.
- Users are responsible for backing-up copies of documents that are important to their jobs. The District will not be responsible for loss of data.

Privacy

Communications, including voicemail messages, email, attached documents and images are not private. In theory, all records (except those specifically excluded by law), whether in electronic or hardcopy form, are subject to the Freedom of Information Act and open to public inspection.

- Amesbury Public Schools reserves the right to examine, restrict, or remove any material that is on or passes through its communication systems.
- Users are asked to use judgment and caution in communications concerning students and staff to ensure that personally identifiable information remains confidential.
- Users may not reveal home addresses, personal e-mail addresses or personal phone numbers of colleagues or students.

Internet

The Internet provides access to schools, people and informational sites all over the world. The educational potential is limitless; however, users must understand that neither the Amesbury Public Schools nor any Amesbury Public Schools employee controls the content of the information available on the systems. The school district does not condone the use of controversial or offensive materials and cannot be held responsible for such use. The Amesbury Public Schools is in compliance with the Children's Internet Protection Act (CIPA). Filtering services are in use on all computers with access to the Internet.

- Users are expected to take individual responsibility for their appropriate use of the Internet
- Student use of the Internet must be supervised and adults must be aware that filtering does not guarantee that students will not access inappropriate sites
- All communications must be polite and use appropriate language. Swearing and vulgar language are considered inappropriate and are a violation of this agreement.
- Messages relating to, or in support of, illegal activities may be reported to local law enforcement authorities.
- Employees and students, under the direction of a teacher, may publish materials on the Internet on District approved sites that support the school district's objectives and are relevant to school-related activities. In publishing information on the Internet, users must adhere to all previously stated conditions and guidelines as well as the following:
    - An Internet web page may include pictures of students or items of student work, provided that (a) the students are not identifiable or (b) if permission from the students´ parents/guardians have been received.
    - No web page will be linked to a personal web address on another server without permission from the respective employee's or student's principal.
    - Copyright laws must be adhered to. Permission to copy or use materials must be obtained from the copyright owner and must be cited. The failure of a site to display a copyright notice may not be interpreted as permission to copy the materials.
    - The unauthorized installation, use, storage, or distribution of copyrighted software or materials on district systems is prohibited.
    - Some examples of unacceptable use of district systems include:
    - Conducting commercial activities, product advertisement, political lobbying, or unethical/illegal solicitation.
    - Supporting illegal activities, such as the illegal sale or use of drugs or alcohol, criminal gang activity or threats, intimidation or harassment of any other person or for any activity prohibited by district policy.
    - Accessing, distributing or selling files or web sites that contain pornographic or obscene pictures, videos, stories, or other material; or exposing others to such material.
    - Purchasing goods or services, without authorization, that requires one to submit a credit card number, or obligates the school or district to another party. The School District will not be held responsible for any financial obligations for goods or services purchased over the Internet or via telephone conversation without appropriate authorization.

- Responding to any messages, files, or web sites that solicit personal information about you or someone else, or request a personal contact with you or another user.

Email

The Amesbury Public School District (*Amesbury Public Schools*) provides electronic mail resources (*email system*) to its staff members. Email is defined as any document created, transmitted and/or received through the Amesbury Public Schools´ email system using either a personally-owned electronic device or a device owned by the school district. It is the intent of the Amesbury Public School District to maintain the privacy and integrity of email created using the email system. However, employees should be aware that any and all email transmitted or received by any staff member is considered public record, and subject to the Massachusetts Public Records law, M.G.L. Chapter 66. (For more information, go to: http://www.sec.state.ma.us/arc/arcrmu/rmubul/bul199.htm)

Email correspondence may be subject to public inspection and may be requested during evidentiary discovery in legal actions. Employees should also know that while every attempt will be made to secure the email system, Amesbury Public Schools does not guarantee the privacy of email sent, received, or stored.

Acceptable Use of the Email System

The purpose of the email system is to provide Amesbury Public Schools´ authorized users with the ability to communicate through email for educational purposes and other school business. Communication with peers for academic or school-related business purposes is acceptable, as well as email to students, parents, and the community. Employees should be aware, however, that any written communication is considered to be a legal document and is subject to M.G.L. Chapter 66 above.

Unacceptable Use of the Email System

- Allowing an unauthorized user to access the system. This includes sharing of email passwords that allows another person to access your account.
- Using email for personal monetary gain.
- Harassing other authorized users or generating harassing email to anyone.
- Sending information that violates copyright laws, such as copied images, documents and music files.
- On-line gambling, including sports pools.
- Distribution of pornographic or other offensive materials or images.
- Advocating for products or services
- Advocating for political issues and/or candidates
- Generation of email using a false identity, or pretending to be someone else (spoofing).
- Generation of junk emails, chain letters, or SPAM.

- Forwarding of jokes, prayers, etc.
- Any unauthorized use of the system, including but not limited to, attempt of disruption of services, interception of other users´ emails, or attempt to breach the security of the mail system.

Rights of Amesbury Public School District

The Amesbury Public School District, as owner of the email system, has the right to obtain, copy, and archive all documents or communications created using the system. These documents may be subject to public inspection under the Massachusetts Public Records Law. Deleting a document from a personal mailbox only removes the electronic pointer to the document stored on the server. Even if documents are deleted from users' mailboxes, they continue to be stored on the mail system and are retrievable from the archive.

Amesbury Public Schools may also monitor any email communication at any time for the purpose of maintaining the integrity and continued operation of the email system without providing notification to the employee. To the extent of the law, Amesbury Public Schools also retains the right to disclose the contents of an employee´s mail without the consent of the employee. Disclosure of email would occur if requested by authorized personnel or law enforcement officials, as a response to a request for information in an investigation of unacceptable use or misconduct. All users should be aware that the content of their email is subject to review at any time by authorized personnel.

Confidentiality

Notwithstanding the Amesbury Public Schools´ right to retrieve and read any electronic mail or Internet messages or material, such messages or material should be treated as confidential by other users and accessed only by the intended recipient. Users are responsible for maintaining the confidentiality of material on the systems. Certain departments may have additional confidentiality obligations regarding records, for which additional policies will be implemented. Without prior management authorization, users are not permitted to retrieve or read email messages that are not sent to them; with prior management authorization, the contents of such electronic mail, Internet access, voicemail messages or materials are subject to being accessed and/or disclosed to others.

Warranty

The Amesbury Public Schools makes no warranties of any kind, whether expressed or implied, for the service it is providing. The Amesbury Public Schools will not be responsible for any damages you suffer. This includes loss of data resulting from delays, non-deliveries, misdirected deliveries, or service interruptions caused by system upgrade or repair, its own negligence, or your errors or omissions. Use of any information obtained via the Internet is at your own risk. The Amesbury Public Schools specifically denies any responsibility for the accuracy or quality of information obtained through its services.

The guidelines and conditions outlined in this policy in no way limit the school district's prerogative to manage its technology systems as it sees fit, or restrict its authority to take any actions it deems necessary to adequately supervise, protect, and, if necessary, discipline its users. The district reserves the right to revise this policy at any time, and all revisions will take effect immediately as per district governance.

The signing of this Acceptable Use Policy indicates the party who has signed has read the terms and conditions carefully and understands their significance.

Signature

I have read and understand the Amesbury Public Schools Technology Systems Acceptable Use Policy. I am aware that district technology, including the Internet and network access, is designed for educational purposes. However, I also recognize it is impossible for the Amesbury Public Schools to restrict access to all controversial materials, and I will not hold the District responsible for materials acquired on the network. I further understand that the provisions of this policy are subordinate to local, state and federal statute and that violations are unethical and may constitute a criminal offense. Should I commit a violation my access privileges may be revoked and I may be subject to other disciplinary actions prescribed by law or other school policies.

_____

Name **Position/Building** **Date**

Revised: 2009

Title IX

Nondiscrimination Policy

The Amesbury Public Schools, in accordance with Title IX of the Education Amendments of 1972, does not discriminate on the basis of sex, sexual orientation, gender identity, sex stereotypes, sex characteristics, marital status, familial status, pregnancy or pregnancy-related conditions, and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX, including in admission and employment.

Notice of Nondiscrimination

The Amesbury Public Schools, in accordance with Title IX of the Education Amendments of 1972, does not discriminate on the basis of sex, sexual orientation, gender identity, sex stereotypes, sex characteristics, marital status, familial status, pregnancy or pregnancy-related conditions, and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX, including in admission and employment.

Inquiries about Title IX may be referred to Amesbury Public Schools Title IX Coordinator, the U.S. Department of Education's Office for Civil Rights, or both. The contact information for the Office of Civil Rights:

U.S. Department of Education
Office for Civil Rights
Lyndon Baines Johnson Department of Education Bldg

400 Maryland Avenue, SW
Washington, DC 20202-1100

Telephone: 800-421-3481
FAX: 202-453-6012; TDD: 800-877-8339
Email: OCR@ed.gov

The contact information for the Amesbury Public Schools Title IX Coordinator is
Lyn Jacques
5 Highland Street
lyn.jacques@amesburyma.org
(978) 388-0507

Amesbury Public Schools nondiscrimination policy and grievance procedures can be located at https://schools.amesburyma.gov/Page/10742.

To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please refer to https://schools.amesburyma.gov/Page/10742

Include on job applications:

The Amesbury Public Schools, in accordance with Title IX of the Education Amendments of 1972, does not discriminate on the basis of sex, sexual orientation, gender identity, sex stereotypes, sex characteristics, marital status, familial status, pregnancy or pregnancy-related conditions, and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX, including in admission and employment. Individuals may report concerns or questions to the Title IX Coordinator. The Notice of Nondiscrimination is located at https://schools.amesburyma.gov/Page/10742

Grievance Procedures Pursuant to Title IX

The Amesbury Public Schools has adopted grievance procedures that provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating or attempting to participate in its education program or activity, or by the Title IX Coordinator, alleging any action that would be prohibited by Title IX or the Title IX regulations.

Definitions:

Complainant means:

1. A student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or its regulations; or

2. A person other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or its regulations and who was participating or attempting to participate in the recipient's education program or activity at the time of the alleged sex discrimination.

Complaint means an oral or written request to the recipient that objectively can be understood as a request for the recipient to investigate and make a determination about alleged discrimination under Title IX or its regulations.

Disciplinary sanctions means consequences imposed on a respondent following a determination under Title IX that the respondent violated the recipient's prohibition on sex discrimination.

Party means a complainant or respondent.

Relevant means related to the allegations of sex discrimination under investigation as part of these grievance procedures. Questions are relevant when they seek evidence that may aid in showing whether the alleged sex discrimination occurred, and evidence is relevant when it may aid a decisionmaker in determining whether the alleged sex discrimination occurred.

Remedies means measures provided, as appropriate, to a complainant or any other person the recipient identifies as having had their equal access to the recipient's education program or activity limited or denied by sex discrimination. These measures are provided to restore or preserve that person's access to the recipient's education program or activity after a recipient determines that sex discrimination occurred.

Respondent means a person who is alleged to have violated the recipient's prohibition on sex discrimination.

Retaliation means intimidation, threats, coercion, or discrimination against any person by the recipient, a student, or an employee or other person authorized by the recipient to provide aid, benefit, or service under the recipient's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations.

Sex-based harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, that is:

1. *Quid pro quo harassment.* An employee, agent, or other person authorized by the recipient to provide an aid, benefit, or service under the recipient's education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct;
2. *Hostile environment harassment.* Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or

pervasive that it limits or denies a person's ability to participate in or benefit from the recipient's education program or activity (i.e., creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:

a. The degree to which the conduct affected the complainant's ability to access the recipient's education program or activity;
b. The type, frequency, and duration of the conduct;
c. The parties' ages, roles within the recipient's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
d. The location of the conduct and the context in which the conduct occurred; and
e. Other sex-based harassment in the recipient's education program or Activity; or,

3. *Specific offenses.*

a. Sexual assault meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;
b. Dating violence meaning violence committed by a person:
    i. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
    ii. Where the existence of such a relationship shall be determined based on a consideration of the following factors:
        1. The length of the relationship;
        2. The type of relationship; and
        3. The frequency of interaction between the persons involved in the relationship;
c. Domestic violence meaning felony or misdemeanor crimes committed by a person who:
    i. Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction of the recipient, or a
    person similarly situated to a spouse of the victim;
    ii. Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
    iii. Shares a child in common with the victim; or
    iv. Commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction; or
d. Stalking meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
    i. Fear for the person's safety or the safety of others; or
    ii. Suffer substantial emotional distress.

Supportive measures means individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive

or disciplinary reasons, and without fee or charge to the complainant or respondent to:

1. Restore or preserve that party's access to the recipient's education program or activity, including measures that are designed to protect the safety of the parties or the recipient's educational environment; or
2. Provide support during the recipient's grievance procedures or during an informal resolution process.

Complaints:

The following people have a right to make a complaint of sex discrimination, including complaints of sex-based harassment, requesting that Amesbury Public Schools investigate and make a determination about alleged discrimination under Title IX:

1. A "complainant," which includes:
    1. a student or employee of Amesbury Public Schools who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX; or
    2. a person other than a student or employee of Amesbury Public Schools who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX at a time when that individual was participating or attempting to participate in Amesbury Public Schools education program or activity;
2. A parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant; or
3. Amesbury Public Schools Title IX Coordinator.

Note that a person is entitled to make a complaint of sex-based harassment only if they themselves are alleged to have been subjected to the sex-based harassment, if they have a legal right to act on behalf of such person, or if the Title IX Coordinator initiates a complaint consistent with the requirements of 34 C.F.R. § 106.44(f)(1)(v).

With respect to complaints of sex discrimination other than sex-based harassment, in addition to the people listed above, the following persons have a right to make a complaint:

1. Any student or employee Amesbury Public Schools; or
2. Any person other than a student or employee who was participating or attempting to participate in Amesbury Public Schools education program or activity at the time of the alleged sex discrimination.

Amesbury Public Schools may consolidate complaints of sex discrimination against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, when the allegations of sex discrimination arise out of the same facts or
circumstances. When more than one complainant or more than one respondent is involved, references below to a party, complainant, or respondent include the plural, as applicable.

Basic Requirements of Title IX Grievance Procedures:

Amesbury Public Schools will treat complainants and respondents equitably.

Amesbury Public Schools requires that any Title IX Coordinator, investigator, or decisionmaker not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. A decisionmaker may be the same person as the Title IX Coordinator or investigator.

Amesbury Public Schools presumes that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of its grievance procedures.

Amesbury Public Schools will act reasonably promptly throughout all stages of the grievance process (i.e., the decision whether to dismiss or investigate a complaint; investigation; determination; and appeal, if any). Reasonably prompt timelines will be established by the Title IX Coordinator based on the totality of the circumstances of the matter and included in the written notice to the parties.

The Title IX Coordinator may grant a reasonable extension to either party for good cause. Amesbury Public Schools has also established the following process that allows for the reasonable extension of timeframes on a case-by-case basis for good cause with notice to the parties that includes the reason for the delay:

> The party requesting the extension must submit a written request to the Title IX Coordinator explaining the reason for the request. The Title IX Coordinator or designee may, at their own discretion, grant a brief extension for good cause. The Title IX Coordinator will notify the parties in writing that an extension has been granted. If the Title IX Coordinator requires an extension, they will notify the parties in writing of the extension.

Amesbury Public Schools will take reasonable steps to protect the privacy of the parties and witnesses during its grievance procedures. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures. The parties cannot engage in retaliation, including against witnesses.

Amesbury Public Schools will objectively evaluate all evidence that is relevant and not otherwise impermissible – including both inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as a complainant, respondent, or witness.

The following types of evidence, and questions seeking that evidence, are impermissible (i.e., will not be accessed or considered, except by Amesbury Public Schools to determine whether one of the exceptions listed below applies; will not be disclosed; and will not otherwise be used), regardless of whether they are relevant:

1. Evidence that is protected under a privilege recognized by Federal or State law or evidence provided to a confidential employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
2. A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless Amesbury Public Schools obtains that party's or witness's voluntary, written consent for use in its grievance procedures; and
3. Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

Notice of Allegations:

Upon initiation of Amesbury Public School's Title IX grievance procedures, Amesbury Public Schools will notify the parties of the following:

1. Amesbury Public Schools Title IX grievance procedures and any informal resolution process;
2. Sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination, and the date(s) and location(s) of the alleged incident(s);
3. Retaliation is prohibited; and
4. The parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence.

If, in the course of an investigation, Amesbury Public Schools decides to investigate additional allegations of sex discrimination by the respondent toward the complainant that are not included in the notice provided or that are included in a complaint that is consolidated, Amesbury Public Schools will notify the parties of the additional allegations.

Dismissal of a Complaint:

Amesbury Public Schools may dismiss a complaint of sex discrimination if:

1. Amesbury Public Schools is unable to identify the respondent after taking reasonable steps to do so;
2. The respondent is not participating in Amesbury Public Schools education program or activity and is not employed by Amesbury Public Schools;
3. The complainant voluntarily withdraws any or all of the allegations in the complaint, the Title IX Coordinator declines to initiate a complaint, and Amesbury Public Schools

determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX even if proven; or

4. Amesbury Public Schools determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX. Before dismissing the complaint, Amesbury Public Schools will make reasonable efforts to clarify the allegations with the complainant.

Upon dismissal, Amesbury Public Schools will promptly notify the complainant of the basis for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, then Amesbury Public Schools will also notify the respondent of the dismissal and the basis for the dismissal promptly following notification to the complainant, or simultaneously if notification is in writing.

Amesbury Public Schools will notify the complainant that a dismissal may be appealed and will provide the complainant with an opportunity to appeal the dismissal of a complaint. If the dismissal occurs after the respondent has been notified of the allegations, then Amesbury Public Schools will also notify the respondent that the dismissal may be appealed. Dismissals may be appealed on the following bases:

1. Procedural irregularity that would change the outcome;
2. New evidence that would change the outcome and that was not reasonably available when the dismissal was made; and
3. The Title IX Coordinator, investigator, or decision maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.

If the dismissal is appealed, Amesbury Public Schools will:

1. Notify the parties of any appeal, including notice of the allegations, if notice was not previously provided to the respondent;
2. Implement appeal procedures equally for the parties;
3. Ensure that the decision maker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;
4. Ensure that the decisionmaker for the appeal has been trained consistent with the Title IX regulations;
5. Provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
6. Notify the parties of the result of the appeal and the rationale for the result.

When a complaint is dismissed, Amesbury Public Schools will, at a minimum:

1. Offer supportive measures to the complainant as appropriate;
2. If the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate; and

3. Take other prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that sex discrimination does not continue or recur within Amesbury Public Schools education program or activity.

Investigation:

Amesbury Public Schools will provide for adequate, reliable, and impartial investigation of complaints.

The burden is on Amesbury Public Schools – not on the parties – to conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred.

Amesbury Public Schools will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible.

Amesbury Public Schools will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance.

Amesbury Public Schools will provide each party with an equal opportunity to access the evidence that is relevant to the allegations of sex discrimination and not otherwise impermissible, in the following manner:

1. Amesbury Public Schools will provide an equal opportunity to access either the relevant and not otherwise impermissible evidence, or an accurate description of this evidence.
2. Amesbury Public Schools will provide a reasonable opportunity to respond to the evidence or the accurate description of the evidence; and
3. Amesbury Public Schools will take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the grievance procedures. Disclosures of such information and evidence for purposes of administrative proceedings or litigation related to the complaint of sex discrimination are authorized.

Questioning the Parties and Witnesses:

Amesbury Public Schools will provide a process that enables the decisionmaker to question parties and witnesses to adequately assess a party's or witness's credibility to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sex discrimination. The decision maker or designee will contact the parties and/or witnesses to offer an opportunity for such questioning.

Determination Whether Sex Discrimination Occurred:

Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, Amesbury Public Schools will:

1. Use the preponderance of the evidence standard of proof to determine whether sex discrimination occurred. The standard of proof requires the decisionmaker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the decisionmaker is not persuaded under the applicable standard by the evidence that sex discrimination occurred, whatever the quantity of the evidence is, the decisionmaker will not determine that sex discrimination occurred.
2. Notify the parties in writing of the determination whether sex discrimination occurred under Title IX including the rationale for such determination, and the procedures and permissible bases for the complainant and respondent to appeal, if applicable.
3. Not impose discipline on a respondent for sex discrimination prohibited by Title IX unless there is a determination at the conclusion of the grievance procedures that the respondent engaged in prohibited sex discrimination.
4. If there is a determination that sex discrimination occurred, the Title IX Coordinator will, as appropriate:
    a. Coordinate the provision and implementation of remedies to a complainant and other people Amesbury Public Schools identifies as having had equal access to Amesbury Public Schools education program or activity limited or denied by sex
    discrimination;
    b. Coordinate the imposition of any disciplinary sanctions on a respondent, including notification to the complainant of any such disciplinary sanctions; and
    c. Take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within Amesbury Public Schools education program or activity.
5. Comply with the grievance procedures before the imposition of any disciplinary sanctions against a respondent; and
6. Not discipline a party, witness, or others participating in the grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether sex discrimination occurred.

Appeal of Determinations

Amesbury Public Schools offers the following process for appeals from a determination whether sex discrimination occurred. This appeal process will be, at a minimum, the same as Amesbury Public Schools offers in all other comparable proceedings, including proceedings relating to other discrimination complaints.

Within a reasonable period of time (but no more than ten business days of receipt of the decision), either party may request an appeal by sending a written request to the Title IX Coordinator. The Title IX Coordinator will assign an appeal decision maker and notify all parties of their right to submit additional information for consideration by the appeal decision maker.

Informal Resolution

In lieu of resolving a complaint through Amesbury Public Schools's Title IX grievance procedures, the parties may instead elect to participate in an informal resolution process. Amesbury Public Schools does not offer informal resolution to resolve a complaint that includes allegations that an employee engaged in sex-based harassment of an elementary school or secondary school student, or when such a process would conflict with Federal, State, or local law.

Supportive Measures:

Amesbury Public Schools will offer and coordinate supportive measures as appropriate for the complainant and/or respondent to restore or preserve that person's access to Amesbury Public Schools education program or activity or provide support during Amesbury Public Schools Title IX grievance procedures or during the informal resolution process. For complaints of sex-based harassment, supportive measures may include one or more of the following:

1. Counseling
2. Extensions of deadlines and other course-related adjustments
3. Campus escort services
4. Increased security and monitoring of certain areas of the campus
5. Restrictions on contact applied to one or more parties
6. Leaves of absence
7. Changes in class, work, housing, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative
8. Training and education programs related to sex-based harassment

Disciplinary Sanctions and Remedies:

Following a determination that sex-based harassment occurred, Amesbury Public Schools may impose disciplinary sanctions in accordance with its student discipline policies/procedures.

Amesbury Public Schools may also provide remedies to restore or preserve a person's access to the recipient's education program or activity.

Amesbury Public Schools
Bell to Bell Policy

Amesbury Public Schools Cell Phone and Personal Electronic Device Policy

In alignment with the Massachusetts Department of Elementary and Secondary Education (DESE) "bell-to-bell" guidelines, our school maintains a cell phone-free learning environment. Our core objective is to protect instructional time, support the mental health and social development of our students, and foster a connected, distraction-free school culture.

With our school-provided 1:1 Chromebook devices, students are equipped with all the necessary technology to support their learning during the school day. Personal electronic devices are not required for academic purposes.

Amesbury Public Schools is committed to fostering a school environment that prioritizes engaged learning, supports the development of social skills, and promotes the overall well-being of our students. To achieve this, Amesbury Public Schools is a cell phone-free community. This means that, subject to the exceptions outlined below, cell phones and other personal electronic devices are not accessible to students during school hours. Implementation of this policy varies by grade level, as further described below.

Definition of Personal Electronic Devices:
Personal electronic devices ("devices" as used herein) are defined as any electronic device utilized to access the internet, wi-fi, cellular telephone signals, or to capture or play images or video. These include, but are not limited to: smartphones, mobile phones, headphones, earbuds, smartwatches, tablets, laptops, and gaming devices.

The school reserves the right to classify additional devices as personal electronic devices.

Grade-Level Procedures:

Middle School School:

- Student cell phones will be collected and secured in a lockbox by the homeroom teacher every morning during the homeroom period.
- Students will collect their cell phones from the teacher during the afternoon homeroom period at the end of each day.
- Students who arrive late to school will turn their cell phone in at the main office upon arrival and can collect from the main office at the end of the day.
- Earbuds and headphones must be put away and may not be left in/on the ears at any time during the school day. Smart watches may be worn, but if a student is found to be using a smart watch in place of a cell phone, the watch will also be secured in a lockbox.
- If a student is found to have a cell phone after the homeroom collection period, the cell phone will be taken by staff and placed in the appropriate lock box for collection at the end of the day.
- Repeated offenses may result in additional disciplinary consequences.

Amesbury High School:

- Cell phones will be collected at the start of each day (7:40 am) and safely stored in a locked box. Students will collect their cell phones at the end of the school day (2:30 pm).
- Students who arrive late to school will turn their cell phone in at the main office upon arrival and can collect from the main office at the end of the day.
- Students who have a planned dismissal will also turn their cell phone into the main office upon arrival when turning in their dismissal note. They can retrieve their cell phone at dismissal.
- Students with abbreviated schedules (ie. work study, Senior PASS) will follow the same procedures as late arrivals/early dismissals and turn phones in at the main office.
- For unexpected dismissals (ie. nurse), a staff member will promptly retrieve the student's cell phone.
- Earbuds and headphones must be put away and may not be left in/on ears at any time during the school day. Smart watches may be worn, but if a student is found to be using it in the place of a cell phone, this will be considered a violation and response will follow the same as a cell phone.
- If a student device is not picked up by the end of the day, it will remain locked until the next day.

Amesbury Innovation High School:

- Cell phones will be collected at the start of Block 1 each day (8:40 am) and safely stored in a locked box in the classrooms. Students will collect their cell phones at the end of their school day (1:30 pm). Students who stay for Work Study will retrieve their phones at the conclusion of that last block (2:30 pm).
- Students who arrive late to school will turn their cell phone in at the main office upon arrival and can collect them from the main office at the end of the day.
- Students who also have a planned dismissal will also turn their cell phone into the main office upon arrival when turning in their dismissal note. They can retrieve their cell phone at dismissal.
- Students with abbreviated schedules (ie. work study, Senior PASS) will follow the same procedures as late arrivals/early dismissals and turn phones in at the main office.
- For unexpected dismissals (ie. nurse), a staff member will promptly retrieve the student's cell phone.

Response to Policy Violations:

First incident: The cell phone or device will be confiscated and placed in the designated storage location for the remainder of the school day. The student can retrieve the device at the end of the day.

Second incident: The cell phone or device will be confiscated and placed in the designated storage location for the remainder of the school day. The parent/guardian will be contacted and must retrieve the device.

Third incident: The cell phone or device will be confiscated and placed in the designated storage location for the remainder of the school day. The parent/guardian will be contacted and must retrieve the device. A meeting will be held with the student, parent/guardian, and school administrator (and school counselor, social worker, or other staff, as appropriate) to review the policy and develop a written "Cell Phone/Personal Device Action Plan" that includes an educational component on digital literacy.

Repeat incidents (more than 2) may result in the loss of the privilege to bring personal devices to school. Beginning with the third incident, a meeting with the student and parent/guardian will be scheduled each time the policy is violated. At the meeting, the Action Plan will be modified as necessary and underlying needs of the student that may be contributing to repeated non-compliance will be discussed and addressed. Please note that repeated incidents may also result in progressive discipline including, but not limited to, detention, loss of privileges, Saturday School, etc.

Parent-Student Communication During School Day:

Students needing to contact a parent/guardian during the school day may do so by using the phone in the front office, or by accessing their cell phone in the front office with administrator approval. Parent/guardian and emergency contact numbers should be kept current.

Parents/guardians needing to reach their student during the school day can contact the front office. The school will ensure urgent messages are promptly relayed.

Middle School:

If a student needs to contact a parent/guardian during the school day:

1. The student needs to ask their teacher to go to the Main Office.
2. In the Main Office, students can use the office phone to call parents/guardians.
3. Unless there is an emergency, students should call home before or after school or during their lunch period only.

Accommodations:

If a student has a disability or medical condition that requires a cell phone, or other device, the accommodation will be noted in the student's IEP, 504 Plan, or health plan. The special education team coordinator or health office will notify appropriate staff of the necessary accommodations.

Students with outside responsibilities, such as after-school jobs or caregiving, should make all plans prior to the school day.

Families should make arrangements with their child that don't rely upon their child having access to a cell phone or personal device during school hours.

School events:

Students may not use cell phones or other devices at school-sponsored events during the school day.

Specific cell phone restrictions and expectations may be put in place for school-sponsored events outside of normal school hours. These will be at the discretion of the school sponsoring the event.

Staff use of personal devices:

School staff are strongly discouraged from using cell phones or personal devices in front of students, except for essential purposes and/or emergency situations.