EAST LONGMEADOW PUBLIC SCHOOLS

CODE OF CONDUCT

AND DISCIPLINE POLICY

STUDENT HANDBOOK

2015-2016

East Longmeadow, Massachusetts

CODE OF CONDUCT AND DISCIPLINE POLICY
STUDENT HANDBOOK

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EAST LONGMEADOW PUBLIC SCHOOLS
180 Maple Street
East Longmeadow, MA. 01028-2788

Achievement *Accountability*

Gordon Smith
Superintendent of Schools

Pamela Blair
Business Manager/Asst. Superintendent

August, 2015

Dear Parents, Legal Guardians, Students, and Community Members:

I welcome everyone back to a new school year in the East Longmeadow Public Schools. As we seek to help every student move forward in their academics, our first priority must be to ensure an environment that is safe and secure in which all students can learn. The **Student Policy Handbook** of the East Longmeadow Public Schools provides the common structure for the entire school community to help achieve our mission.

In accordance with Massachusetts General Laws, Chapter 71: Section 37H, the **Student Policy Handbook** of the East Longmeadow Public Schools contains policies of the East Longmeadow School Committee and school system rules that reinforce and structure the learning environment helping us reach our goal of safety and security for all involved. The **Student Policy Handbook** was prepared first and foremost for students. Students should read and become familiar with the information provided. We encourage all families to review the information with their students. All students are expected to adhere to the rules and policies found in the **Code of Conduct and Student Handbook**.

Together, we will continue to foster a learning environment of respect and responsibility. The **Student Policy Handbook** gives a framework to accomplish this.

We wish all of our students a happy and productive year.

Sincerely,

Mr. Gordon C. Smith
Superintendent of Schools

School Committee

Mr. Richard Freccero, Chairman
Mr. William Fonseca, Vice Chairman
Ms. Elizabeth Marsian-Boucher
Ms. Deirdre Mailloux
Ms. Gregory Thompson

Central Office

180 Maple Street, East Longmeadow, MA 01028
525-5450

Staff

Mr. Gordon C. Smith, Superintendent
Ms. Pamela Blair, Business Manager/Assistant Superintendent
Ms. Valerie Annear – Dir. of Curriculum, Instruction & Assess.
Ms. Becky Connor Transportation Manager
Ms. Kathy Celetti, Executive Secretary
Ms. Diane Tiago, Executive Secretary
Ms. Laura Moyer, Finance Department- Bookkeeper
Ms. Tammy Brown, Finance Department - Payroll
Ms. Mindy Spencer, Data and Information Specialist
Dr. Joanne Welch, Director of Student Services
Ms. Kelly LaBombard, Nursing Supervisor
Ms. Susan Jackson, METCO Liaison
Ms. Lisa Mascaro, Special Education Secretary
Ms. Kara White, Special Education Secretary

Mapleshade School – 175 Mapleshade Avenue

525-5485

Staff

Mr. Michael Fredette, Principal
Ms. Cathy Wolfenden, Secretary

Mountain View School – 77 Hampden Road

525-5490

Staff

Ms. Elaine Santaniello, Principal
Ms. Melanie McCarthy, Secretary

Meadow Brook School – 607 Parker Street

525-5470

Staff

Ms. Lisa Dakin, Principal
Ms. Renee Lodi, Assistant Principal
Ms. Cynthia Hutchinson, Secretary
Ms. Donna Miller, Secretary

Birchland Park Middle School – 50 Hanward Hill
525-5480

Staff
Dr. Timothy Allen, Principal
Mr. Conor Martin, Assistant Principal
Ms. Debra Thompson, Secretary
Ms. Linda Gorman, Secretary

East Longmeadow High School – 180 Maple Street
525-5460

Staff
Dr. Gina Flanagan, Principal
Mr. Robert Marchewka, Assistant Principal
Mr. Frank Paige – Assistant Principal
Mr. Daniel Maurer, Athletic Director
Ms. Theresa Hellyer, Secretary
Ms. Linda Bushey, Secretary
Ms. Louise Disa, Secretary

See our School District website for a calendar and other items:
http://www.eastlongmeadowma.gov/departments/school/district.htm

School Cancellations:
Watch WGGB News40, WWLP 22News, WSHM CBS3 Springfield or
Check online at www.wggb.com, www.wwlp.com, www.cbs3springfield.com or
Blackboard-Connect phone messages will be delivered no later than 6AM
(Parents can ask to be excluded from the phone call list)

EQUAL EDUCATIONAL OPPORTUNITIES

In recognition of the diversified characteristics and needs of our students and with the keen desire to be responsive to them, the School Committee will make every effort to protect the dignity of the students as individuals. It also will offer careful consideration and sympathetic understanding of their personal feelings, particularly with reference to their race, color, sex, gender identity, religion, national origin, sexual orientation or physical and intellectual differences.

To accomplish this, the Committee and its staff will make every effort to comply with the letter and the spirit of the Massachusetts equal educational opportunities law which prohibits discrimination in public school admissions and programs. The law reads as follows: No child shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and course of study of such public school on account of race, color, sex, gender identity, religion, national origin or sexual orientation.

This will mean that every student will be given equal opportunity in school admission, admissions to courses, course content, guidance, and extracurricular and athletic activities.

All implementing provisions issued by the Board of Elementary and Secondary Education in compliance with this law will be followed.

CHARACTER

During the 2001-2002 school year, a committee of parents, teachers, administrators, businessmen and women and town officials met to discuss character traits for our students and staff. The final product from the year of meetings reflects the character traits we will incorporate into our daily environment of our schools.

KINDNESS:	Helpful, sympathetic, compassionate, favor, forbearing, caring, generous, considerate, thoughtful, understanding
PERSEVERANCE:	Strive, continued belief, steadfastness, diligence, determined, persistence, commitment, endurance
RESPECT:	Thoughtfulness, courtesy, consideration, esteem, appreciation, high-regard, deference, full attention
RESPONSIBILITY:	Accountable, answerable, reliable, conscientious, dependable, trustworthy
CARING:	Interest, concern, empathetic, fondness
COURAGE:	Strength, persevere, brave, overcome fear, firmness of mind/will
EMPATHY:	Feelings, understand, sensitive, awareness, identification, … of others
HONESTY:	Not lying, truthful, genuine, straightforward, fairness, moral, display integrity, candor, sincerity
INCLUSIVE:	Broad, all-encompassing, contain, group everything, comprehensive, welcoming

1. GOALS/PHILOSOPHY OF THE CODE OF CONDUCT AND DISCIPLINE POLICY

The purpose of the public schools is to enable students to become educated to their potential and to prepare them to become contributing and responsible members of their community. Therefore, reasonable disciplinary measures which limit a student's participation in public education should only be used when a student does not respect the rights of classmates, staff or other persons in the educational system or demonstrates an inability or unwillingness to abide by school regulations and policies.

In applying reasonable disciplinary measures, administrators and staff are encouraged to use their expertise and knowledge of individual students in light of the facts and circumstances accompanying the acts or incidents in question.

In an effort to improve a student's behavior, administrators may, at their discretion, assign additional requirements beyond an exclusion from school, including, but not limited to, oral or written apologies, community service in the school the student attends, meetings with specific personnel, specific assessment, tests and evaluations by the school or a private agency, and attendance and cooperation with outside treatment programs.

Two major goals of this Code of Conduct and Discipline Policy are to encourage accountability for one's behavior and to assist students in recognizing the important decisions that must be made in learning to become independent and productive members of a democratic society.

2. SCHOOLS' RESPONSIBILITIES

The schools will provide an environment conducive to learning. All school staff will treat students with respect and in a positive manner.

The school will, to the extent financially feasible, provide school-related activities such as athletics, band, choir, and/or field trips at age appropriate levels.

School personnel will maintain communication with the home and have an "open-door" policy with parent(s)/legal guardian(s) within the guidelines of each school and the School District.

Subject to the circumstances of a given situation, the school will apply reasonable disciplinary measures consistently and fairly.

Buses will be provided to all students who are eligible under state and local guidelines.

Classroom interruptions, including loudspeaker announcements, sporting events and rehearsals, will be kept to a reasonable minimum.

In school buildings containing grades nine to twelve, inclusive, the rules pertaining to the conduct of students will be reviewed annually by a handbook review committee consisting of: the building Principal, who shall chair the review committee, three teachers, elected by the teachers of the building, parent(s)/legal guardian(s) of the children attending the school, chosen by the School Council, one other person from the community appointed by the School Council and three students attending the school elected annually by the students.

The handbook review committee may be an already existing committee within the school building that meets the above representation requirements. The handbook review committee shall conduct its annual review each spring for the handbook that will be in use starting in September of the following school year. The committee may also be convened at other times during the school year in order to consider any handbook policy changes. The annual handbook review shall cover all areas of student conduct. The handbook review committee shall submit the results of its review, including any recommended additions or revisions to the Code of Conduct, to the School Committee for its consideration.

3. CRIMINAL BACKGROUND CHECK

It shall be the policy of the school district that, as required by law, a state and national fingerprint criminal background check to determine the suitability of full or part time current and prospective school employees, who may have direct and unmonitored contact with children. School employees shall include, but not be limited to any apprentice, intern, or student teacher or individuals in similar positions, who may have direct and unmonitored contact with children. The school committee shall only obtain a fingerprint background

check for current and prospective employees for whom the school committee has direct hiring authority. In the case of an individual directly hired by a school committee, the chair of the school committee shall review the results of the national criminal history check. The superintendent shall also obtain a state and national fingerprint background check for any individual, who regularly provides school related transportation to children. All parent and volunteer chaperones on overnight trips must complete a National Fingerprint Criminal Background Check. School volunteers and subcontractors/laborers who may have direct and unmonitored contact with children must continue to submit state CORI checks.

The fee charged by the provider to the employee and educator for national fingerprint background checks will be $55.00 for school employees subject to licensure by DESE and $35.00 for other employees, which fee may from time to time be adjusted by the appropriate agency. The employer shall continue to obtain periodically, but not less than every 3 years, from the department of criminal justice information services all available criminal offender record information (CORI) for any current and prospective employee or volunteer within the school district who may have direct and unmonitored contact with children.

Direct and unmonitored contact with children is defined in DESE regulations as contact with a student when no other employee who has received a suitability determination by the school or district is present. "Contact" refers to any contact with a student that provides the individual with opportunity for physical touch or personal communication.

This policy is applicable to any fingerprint-based state and national criminal history record check made for non-criminal justice purposes and requested under applicable federal authority and/or state statute authorizing such checks for licensing or employment purposes.

4. NO CHILD LEFT BEHIND ACT of 2002:

The No Child Left Behind Act (NCLB) enacted by the United States Congress took effect in 2002. This Act sets standards for student achievement in the areas of reading, math, testing, and school district accountability, and assists the federal, state and local governments in reviewing progress in those areas. Starting with the 2002-2003 school year, state test results were reported to the public. This report includes student achievement in statewide tests, a comparison of students at the warning/failing, needs improvement, proficient, and advanced levels of academic achievement, high school graduation and drop-out rates, names of school identified for improvement, the professional qualifications of teachers, and the percentage of students not tested. School districts must also prepare annual reports for parent/guardians and the public on the academic achievement of all schools, both individually and combined, which will contain the same information as the state report. For further information on NCLB, please contact the Superintendent of Schools.

5. STUDENT RIGHTS AND RESPONSIBILITIES

Students have the right to pursue an education, the right to privacy within an educational setting and the right to due process within the Discipline Policy. Students are protected by the United States and Massachusetts Constitutions and federal and state statutes and regulations.

Student responsibilities include regular school attendance, promptness to school and class, a conscientious effort in classroom work and conformance to school and classroom rules. Students share with the administration and faculty a responsibility to develop a climate within the school that is conducive to learning.

It is the responsibility of each student to respect his/her school, to keep it clean, and to refrain from defacing walls, woodwork, and furniture. It is also the student's responsibility to ensure that books and materials belonging to the East Longmeadow Public Schools are returned in good condition. Students, who lose damage or deface school property, including computers and software, shall be subject to disciplinary action and restitution for damages.

No student has the right to interfere with the education of other students. It is the responsibility of each student to respect the rights of all who are involved in the educational process. Students who violate the Discipline Policy may have their privilege to participate in field trips and extra-curricular activities restricted or denied.

6. ACADEMIC HONESTY

The school expects all students to be academically honest. Students have the responsibility to acknowledge the work of others, only taking credit for work that is solely their own.

CHEATING is defined in The Random House Dictionary of the English Language as the following:

"To take an examination or test in a dishonest way, as by improper access to answers; to defraud or to practice deceit; to violate rules or regulations". Cheating on tests, copying assignments, or sharing work in any way not directly assigned by the teacher are forms of academic dishonesty. Giving or receiving help on tests or projects unless specifically permitted by the teacher are also forms of cheating.

PLAGIARISM is defined in The Random House Dictionary of the English Language as the following:

"The unauthorized use or close imitation of the language or thoughts of another author and the representation of them as one's own original work". To use the ideas or words of others without giving them credit is plagiarism.

Cheating and plagiarism are prohibited in all areas of study, including, but not limited to, the following areas: homework, tests, quizzes, lab reports, research papers, projects, and electronic storage devices or files.

Discipline applies to any student who cheats or plagiarizes and/or any student who willingly assists another student in cheating or plagiarizing.

In the event that a student cheats or plagiarizes, the process will be as follows:

1. The student may receive a failing grade for the assignment;
2. The teacher may notify the student's parent(s)/legal guardian(s) of the incident; and
3. The teacher will notify the administration who may take further disciplinary action, including a conference with the parent(s)/legal guardian(s), student, and guidance counselor, as well as detention, suspension, and/or expulsion if deemed appropriate.

7. ATTENDANCE POLICY

Students are subject to compulsory school attendance and truancy laws as required by the statutes of the State of Massachusetts and regulations of the State Board of Education found at M.G.L. c. 76, §§ 1, 16, & 20.

Each child who has reached the age of six (6) years or is under the age of sixteen (16) years and who has not finished four (4) years of high school work must be enrolled in school. If parents/guardians elect to enroll a child in kindergarten they are subject to this policy.

Regular and punctual school attendance is essential for success in school. The School Committee does recognize 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:

1. Illness or quarantine.
2. Bereavement or serious illness in the family.
3. Weather so inclement as to endanger the health of the child.
4. Observance of major religious holidays.

A child may also be excused for other exceptional reasons with approval of the school Administrator.

In the event of a student's absence, the absence will be considered to be accruing toward truancy as defined in Massachusetts statutes. It is the responsibility of the parent/guardian(s) to notify the school when a student is absent. A parental statement is required indicating the reason for absence. If a parental note explaining the absence is not received within three (3) days of the absence, the school will contact the parent/guardian(s) to obtain clarification for the absence. Notes from parent/guardian(s) will be kept on file at the school, as they may be needed for documentation purposes. However, when the validity of the communication is questionable, the school will attempt to establish its authenticity. 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 justifiable.

All absences will be counted. Excused absences may be granted to a student by the school administration upon request of the parent/guardian or person having care and custody of the student for the following reasons: confirmed illness, accident, injury, medical and dental appointments, death in the family, religious holidays, emergency situations, school related business, and legal responsibilities. A student who is participating in a school-sponsored activity and has received the prior approval of the Principal will receive an excused absence.

An unexcused absence is defined as any absence in which a student is absent from class without approval of the school administration.

Each student is responsible for making arrangements with teachers for the instruction missed during any absence approved by the school administration.

In accordance with M.G.L. Chapter 76, Section 1B, each school will notify the parent/guardian(s) if any student who has at least five (5) days in which the student has missed two (2) or more periods unexcused in a school year or who has missed five (5) or more school days unexcused in a school year.

The school administration will request a meeting with the parent/guardian(s) in order to jointly address the absences and develop a potential plan to improve attendance.

The school administration discourages students missing school for family vacations. Clearly, missed teacher presentations, lectures, classroom discussions, laboratory experiments and such cannot be made up as homework. However, the reality exists that parent/guardian(s) do take their children out of school for such trips and these absences will count against the attendance policy. When this occurs, the following procedures will be used:

1. The parent/guardian(s) will contact the administration in advance of the planned vacation.
2. The parent/guardian(s) and administration or his/her designee will discuss the duration of the absence, the procedure for students to follow for completion of their work upon their return and the date such work is due to the teacher(s). The administration or his/her designee will share this information with the teacher(s) involved.
3. The student will be held responsible for making specific arrangements with teacher(s) for assignments. Work will be offered to students upon their return from an absence from school. Please do not ask teachers to prepare student assignments in advance of your child's trip. All work will be offered to the student for full value credit upon the return of the student to class.

First Grade – Eighth Grade

Absences

In grades 1-8, a student must be present 90% of school year. All absences will be counted. The school will notify the parent/guardian(s) in writing after the fifth (5th) unexcused absence. When a student has accrued more than 18 days of absences the following actions will be taken:

1. Retention will be considered by the school administration.
2. Referrals may be made to the appropriate state agencies /or a court of competent jurisdiction by the Administration.

Tardies & Early Dismissals

Late arrivals or early dismissals are strongly discouraged. Seven (7) tardies will be counted as one day of absence. Middle school students who are chronically tardy may be referred for Saturday Morning Detention.

Appeals

The Principal or his/her designee shall make a final determination of all appeals. At this time, parents/guardian(s) may present information explaining absences. Information from the classroom teacher and appropriate guidance counselor may also be considered. The decision of the building Principal shall be final.

East Longmeadow High School

TARDINESS

The school day begins at 7:25 am and it is expected that students will be on time. A student will be issued one (1) point for tardiness for the first ten (10) minutes of the day. After ten (10) minutes, an additional point will be added for every **fifteen (15)** minutes (or portion of) the student is late to school. If the reason for tardiness is a medical or dental appointment, then a parent/guardian(s) must call an administrator prior to the day of the appointment. If there are extenuating circumstances, an administrator should be called.

NOTE: The assignment of tardy points is as follows:

7:25-7:35	**= 1 point**	**8:51-9:05**	**= 7 points**
7:36-7:50	**= 2 points**	**9:06-9:20**	**= 8 points**
7:51-8:05	**= 3 points**	**9:21-9:35**	**= 9 points**
8:06-8:20	**= 4 points**	**9:36-9:50**	**= 10 points**
8:21-8:35	**= 5 points**	**9:51-10:05**	**= 11 points**
8:36-8:50	**= 6 points**	**10:06-10:20**	**= 12 points**
		Tardiness after 10:21	**= 13 points**

**Note: Points increase after the first ten minutes of the day and for every fifteen minutes thereafter.*

NO TARDIES OTHER THAN THOSED LISTED ABOVE ARE EXCUSABLE.

Students will be held accountable for excessive tardiness to school. Below is an outline of how that tardiness will be addressed.

1. Eight (8) tardy points – one (1) hour administrative detention (or school-based community service during that time).
2. Every subsequent five (5) tardy points – one (1) hour administrative detention (or school-based community service during that time).

The excessive tardiness also will count towards the "Students in Good Standing" rule. See below for further explanation.

NOTICE: Telephone call by parents/guardians only! Notes accepted from the approved absence list.

ELIGIBILITY

A student is eligible for participation in athletics and other extracurricular activities in any marking period provided he/she in the previous marking period (year for the fall season) has a cumulative average equivalent to or better than 2.0 (C). The computation is based on the use of GPA1 and GPA2. Also, each student must be found as eligible within the "Students in Good Standing" rule.

STUDENTS IN GOOD STANDING

Any student who reaches *five hours of disciplinary action during the year (either detentions or community service for either tardiness or discipline issues) will lose eligibility from athletics and/or extracurricular activities for at least one week.* Prior to the beginning of the second week, the student will then meet with an administrator to determine if the student should regain his or her eligibility. A plan will be put into place at that point to outline how that student can remain eligible moving forward. However, the meeting does not guarantee that eligibility will be restored at that point

Absences

In grades 9 – 12, a student must be present 90% in a class in order to receive credit for that class. All absences will be counted. If a student is absent from a class more than 10% of the time, the grade earned will be recorded.

1. Students shall not have more than nine (9) absences in a semester course, eighteen (18) absences in a full year course, five (5) absences for a Junior PE, Senior PE, Junior Exploratory and Senior Advisory regardless of the reason with the exception of school business.

2. Students with more than nine (9) absences in a semester course, more than eighteen (18) absences in a full year course, and more than five (5) absences in Junior PE, Senior PE, Junior Exploratory, and Senior Advisory, will lose credit for that course. (All students have the right to the appeals process).

Tardy to Class: Students have 5 minutes to pass between 84-minute classes and 2 minutes before 41-minute classes. Students must be seated when the block starts. If students are more than 10 minutes late for class (5 minutes for 41 minute classes), they will be considered absent unless they have a pass from a teacher or the appropriate administrative pass.

Early Dismissals: Students who are dismissed during the school day for any reason other than school-related business will be considered absent from any class missed. If a student misses more than ten minutes of a class she/he will be considered absent from that class (5 minutes for a 41 minute class).

Notification: Written notification will be completed by the classroom teacher after the sixth (6th) and tenth (10th) absence of a semester course, after the thirteenth (13th) and nineteenth (19th) for a full year course and after the second (2nd) and sixth (6th) absence for Junior PE, Senior PE, Junior Exploratory and Senior Advisory. Students have the right to appeal the loss of credit before the Assistant Principal. At that time, students and parents/guardians may present information explaining student's absences. Information from the classroom teacher and appropriate guidance counselor may also be considered.

Appeals: The Principal or his/her designee shall make a final determination of all appeals. Students with more than nine (9) absences in a semester course, 18 absences in a full year course, or five absences in Junior PE, Senior PE, Junior Exploratory, and Senior Advisory have the right to appeal the loss of credit before the Assistant Principal. At that time, students and parents/guardians may present information and/or written documentation explaining students' absences. Information from the classroom teacher and appropriate guidance counselor may also be considered. If a parent/legal guardian wishes further review of the loss of credit after the appeal with the Assistant Principal, the parent/legal guardian may request in writing a review by the building Principal. The building Principal will conduct a hearing regarding the request and notify the parent/legal guardian in writing of the results of his/her review. The decision of the building Principal is final.

8. MAKE-UP WORK POLICY

A student's understanding of the importance of day-to-day school work is an important factor in the shaping of his/her character. Parents can help their children by refusing to allow them to miss school needlessly. However, when a student is absent, the following processes will be used in making up missed instructional work:

1. **Make-up Work Due to Illness:**
   a. Students may request, complete, and receive credit for make-up work for any absence during any school day or partial school day, with the exception of absence due to truancy.

   b. Make-up work will be granted for absences upon the student's request. Student requests for make-up work shall be initiated within two (2) consecutive school days after returning from an absence. Make-up work shall be completed and returned to the respective teacher(s) following the absence(s), at the rate of one make-up day for each day of illness – plus one additional day. Absences will be documented by the parent or physician and administration.

   c. Work will be offered to students upon their return to school from an illness. Parents may pick up missed work by contacting the appropriate school.

2. **Make-up Work Due to Non-Illness/Vacations:**
   - The parent(s) will contact the school in advance of the planned vacation.
   - The parent(s) and school will discuss the duration of the absence, the procedure for students to follow for completion of their work upon their return and the date such work is due to the teacher(s). (The Principal will share this information with the teacher(s) involved. However, the teacher(s) will not be obligated to initiate arrangements with the student.)
   - The student will be held responsible for making specific arrangements with teacher(s) for assignments. Work will be made available to students upon their return from an absence from

school. Please do not ask teachers to prepare student assignments in advance of your child's trip. All work will be offered to the student for full value credit upon the return of the student to class.

3. **Make-up Work Due to Suspensions:**
   a. Make-up work will be made available to students while on suspension in accordance with Massachusetts state law. Please contact your building Principal for arrangements.

9. STUDENT PROJECTS: GUIDELINES FOR PARENTAL ASSISTANCE

1. Know and understand the teacher's guidelines for the project's construction, the amount of parental assistance permitted and how the project will be graded. Recognize that they may be different from year to year and from teacher to teacher.
2. Avoid last minute pressure. Help your child to be aware of the deadlines and timetables established by the teacher for successful completion of the assigned project.
3. Help with transportation needs to the library, research site, the display site, and other places.
4. Ask questions. Can your child describe and explain his/her project to you? Do they know how their project will be graded? Can they tell you the next deadline date?
5. Encourage the student to take responsibility for his/her own learning. When your child asks you questions, help them to research the answers rather than providing the answers yourself.
6. Please provide encouragement and guidance, but make sure your children are the ones earning their grades. Allow them to do the project themselves. Everyone learns best by actually doing- and the quality of the learning experience will be greatly enhanced if the students do the work. The parents' role as coach and mentor to their child is always important and strongly encouraged, but the use and preparation of appropriate materials and the actual creation of the project are ultimately the student's sole responsibility.

10. PROMOTION/RETENTION AND PLACEMENT OF STUDENTS

Consistent with laws prohibiting discrimination based on race, color, religious creed, national origin, sex, sexual orientation, gender identity, age, ancestry, or disability, the building Principal, acting reasonably and in good faith, has the final decision regarding the promotion or retention of a student, the placement of a student with a particular teacher, and the placement of a student in a designated course at a specific level of academic sophistication and/or one that has specific pre-requisite requirements.

While building Principals are encouraged to involve parent/guardian(s) whenever feasible in significant decisions that affect their children, the ultimate authority concerning promotion, retention, and placement of students rests with school officials. Also see "Parent Waiver".

11. RIGHT OF STUDENTS TO FREEDOM OF EXPRESSION

Pursuant to *Massachusetts General Laws, Chapter 71, Section 82*, "the right of students to freedom of expression in the public schools of the Commonwealth shall not be abridged, provided that such right shall not cause any disruption or disorder within the school. Freedom of expression shall include, without limitation, the rights and responsibilities of students, collectively and individually, (a) to express their views through speech and symbols, (b) to write, publish and disseminate their views, and (c) to assemble peaceably on school property for the purpose of expressing their opinions."

The East Longmeadow Public Schools may regulate student speech and assembly based upon legitimate educational needs, including, but not limited to, the time, place, manner of student speech and assembly, and institute reasonable methods to insure non-interference with the learning process. Any assembly planned by students during regularly scheduled school hours shall be held only at a time and place approved in advance by the building Principal or his/her designee.

For the purpose of this section, the word "student" shall mean any person attending a secondary school, and the word "school official" shall mean any member or employee of the East Longmeadow School Committee: No expression made by students in the exercise of such rights shall be deemed to be an expression of school policy and no school official shall be held responsible in any civil or criminal action for any expression made or published by the students.

12. DISCIPLINARY POLICY IN THE CLASSROOM/DETENTION

Disciplinary Policy

Teachers are responsible for establishing standards of conduct within the classroom. They should use common sense to diffuse or stop situations which interfere with the educational process. They need to recognize the individual differences of students. Teachers are strongly encouraged to refer students to guidance and/or adjustment counselors when appropriate, as there may be underlying causes for a student's disruptive behavior.

In their attempts to affect student behavior, teachers are encouraged to utilize all school resources including guidance and/or adjustment counselors, social workers, nurses, student support teachers, the teacher support team, other teachers and administrators. These resources should be utilized by teachers before situations need the attention of the Principal or Assistant Principal. Teachers are encouraged to contact parent(s)/legal guardian(s) and/or notify guidance and/or adjustment counselors when appropriate to enhance communication between home and school.

There are some areas of discipline which should remain in the classroom and be handled by the classroom teacher. These include, but are not limited to:

1. Tardiness to class
2. Being unprepared for class
3. Talking and other minor disruptions
4. Passing notes
5. Minor horseplay
6. Chewing gum, candy, etc.
7. Non-participation in classroom activities/assignments
8. Cheating (see Academic Honesty, contained herein; disciplinary action by administrators may occur)

Students should not bring to school or operate in school any of the following:

1. Lasers, laser pens, laser pointers, or other similar devices which project intensive light upon surfaces
2. Electronic games, or any music/electronic devices
3. Matches or lighters
4. Video cameras, tape recorders, and similar devices (without the permission of administration)

The use of cellular phones and other electronic communication is not allowed in school buildings except for documented reasons. Parent(s)/legal guardian(s) are requested to support this policy. The school will not be responsible for any loss of these items if they are brought to school.

A student should only be sent to the administration for repeated offenses or serious disruptions as outlined in Sections 10, 13, 15, and 16 of this Policy. When a student is removed from a classroom, he or she must report to the administration immediately.

Classroom Detention

When a student has persisted in a behavior contrary to this Discipline Policy, a teacher may assign the student to classroom detention. The student will be given twenty-four (24) hours' notice before he/she must serve detention. This notice may only be waived by the mutual consent of both parties for students enrolled in grades 9-12; for students in grades K-8, this notice may only be waived with parental consent.

Classroom teachers are encouraged to discuss with students the violation(s) of the Discipline Policy leading to the detention and alternative ways of reacting in similar situations.

Classroom detentions can be for any length of time, but cannot exceed sixty (60) minutes from the end of school. Teachers are not to leave students unsupervised on school grounds.

Birchland Park Office Detention

If a student misses a second detention without prior approval of the teacher, the student is to be referred to administration for an office detention, Saturday detention, or suspension (internal or external). The student is still responsible to attend a detention with the classroom teacher.

Office detentions after school are assigned to a student by the administration. Reasons include, but are not limited to:

1. Tardiness to school
2. Missing classroom detention
3. Being disruptive in a non-classroom setting (lunch, hallways, etc.)
4. Being involved in multiple minor offenses
5. Throwing objects
6. Not having student ID multiple days
7. Being disruptive in the classroom

13. BIRCHLAND PARK MIDDLE SCHOOL SOCIAL PROBATION

When a Birchland Park Middle School student has demonstrated a repeated disregard for class and school rules, the student may be placed on social probation for a period of ten school weeks. During this period, parents will be notified, staff will be involved, and the school guidance office may provide some intervention. While on social probation, a student's right to participate in school activities, trips not related to the required school program, and school dances and traditional end of year grade level activities will be temporarily revoked.

14. PROCEDURES FOR REPORTING/SENDING STUDENTS TO ADMINISTRATORS DUE TO VIOLATION OF THE DISCIPLINARY POLICY

Teachers who send students to the office MUST complete a disciplinary referral form which provides a specific description of the misbehavior (what the student did or said). This form is sent to the office either with a student or within a reasonable period of time after the student's referral. One copy of the form is returned to the teacher marked with the disciplinary action taken by the administration. One copy is retained by the administrator for the student's temporary records. Parents will have access to this referral through their student's online account. Depending upon the severity of the misbehavior and the consequences imposed, administrators will notify parents by phone.

15. DISCIPLINARY ACTION BY ADMINISTRATORS

In addition to excluding a student from his/ her school program by means of short-term and long-term suspensions, administrators have the right to institute alternative disciplinary measures, including, but not limited to, the following:

1. restitution
2. school-based community service
3. referral for and/or participation in counseling
4. referral for a risk assessment
5. oral or written apology
6. suspension of driving privileges on school property
7. creation of a discipline contract
8. random testing for illegal drugs, controlled substances, and/or alcohol
9. exclusion from extra-curricular activities
10. restriction from co-curricular activities
11. Office detention
12. Saturday detention

Administrators may also order a change in placement of any student to an interim alternative educational setting for up to forty-five (45) days if the student violates any of the grounds for short-term or long-term suspension (see Sections 15 and 16).

The Principal or his/her designee may also request to meet with a student who has been assigned short-term or long-term suspension or who has been assigned to an interim alternative educational setting for forty-five (45) days prior to the student's re-entry into his/her regular school. At that time, the student shall provide the Principal or his/her designee with any documents which are required as a condition for re-entry, such as written proof of participation in a drug counseling program.

East Longmeadow High School Discipline System
Students are expected to cooperate with the reasonable rules and procedures of East Longmeadow High School. If it is necessary to deal with uncooperative students, the following will be employed.

Assignment of Detention: Detention will be assigned by an administrator for the following:

1. Skipping a class
2. Misbehavior in school, on school property, on field trips or on school business, as well as on school buses
3. Misbehavior at school activities (off campus)
4. Absence from school without permission (truancy)
5. Being outside of assigned area on school property
6. Failure to report for a teacher detention
7. Possession of tobacco products, tobacco paraphernalia, and/ or electronic cigarettes
8. Use of obscenities
9. Public displays of affection
10. Running in the halls
11. Disruptive behavior in the halls during class time
12. Tardiness
13. Hazing
14. Civil Rights violation
15. Vandalism
16. Purposeful misrepresentation of the facts
17. Cheating/Plagiarism
18. Computer violations
19. Use of cellular phones and all personal electronic devices
20. Insubordination to a staff member
21. Improper use and/or parking of a motor vehicle
22. Skateboarding/rollerblading within the building
23. Any use of playing cards
24. Gambling
25. Improper disposal of food and/or trash
26. Bullying
27. Dress code violations
28. Abuse of teacher's pass privileges
29. Leaving the building/campus without permission
30. Any other acts that interfere with the learning opportunities of other students and/or interfere with the operation of the school

Birchland Park Middle School Grounds for Saturday Detention

1. Chronic tardiness
2. Leaving the school during school hours without permission
3. Truancy from school or from class
4. Repeated unexcused absences from teacher detention
5. Inappropriate cafeteria behavior
6. Throwing snowballs (also see suspension)
7. Administrative discipline

16. CONFISCATED PROPERTY

Parent/guardian(s) must pick up student property that has been confiscated by and is in the possession of school officials, due to an infraction of the Discipline Policy, within 48 hours from the school office. The East Longmeadow Public Schools will not be liable for any property not picked up by parents within 48 hours of notification.

17. SUSPENSION AND EXPLUSION

All members of the school community have the responsibility to conduct themselves with respect for individuals, their rights, and their property in school and during all school-sponsored activities, both on and off campus, including those times when they are riding school buses or other school-provided vehicles. Therefore, the behavior of students shall be regulated during all of the aforementioned activities. It is specifically noted that, for the purposes of these rules and regulations, buses and other school transportation

vehicles are considered school property and bus drivers are considered school personnel. Students are expected to behave in accordance of the rules and regulations and to remove themselves from situations which involve illegal activity, and possession or use of illegal drugs, alcohol, or weapons, or the violations of these rules and regulations. Every effort will be made by school officials to help students solve problems or behavior without interruption of the daily program of studies. However, certain types of behavior are unacceptable and may, and in some instances shall, result in disciplinary action.

Certain breaches of conduct are so serious that the Principal may long term suspend or expel a student under the provisions of M.G.L. c. 71, §37H and 37H 1/2. These include:

1. possession of a dangerous weapon
2. possession of a controlled substance
3. assault on a member of the educational staff; or
4. a felony charge or felony delinquency complaint or conviction, 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.

Other violations of the code of conduct will subject a student to disciplinary action up to and including detention, or suspension under the provisions of M.G.L. chapter 71, §37H 3/4.

In addition to the disciplinary action, violation of the Student Code of Conduct may result in police notification pursuant to state statute.

The following actions will result in disciplinary action which may include suspension:

1. Leaving school during school hours without permission
2. Repeated, unexpected tardiness to school, class and homeroom (See Attendance Policy, contained herein)
3. Unexcused absence(s) from teacher's detention after two warnings or from an office detention
4. Behavior that disrupts the educational process (e.g. inappropriate physical contact, misuse of school equipment, disrespectful treatment of school property, dress code violations, using cellular phones or portable electronic devices etc.)
5. Gambling in any form
6. Use or possession of contraband items such as matches, lighters, fireworks, stink bombs, animal scents, electrical charges, lasers, laser pens or pointers, or any devices which project intensive light; possession of a short blade without treat or display
7. Use of electronic communication devices except for documented reasons
8. Smoking/Tobacco in a school building, on school grounds, in a school bus or at school functions (See Tobacco Free Policy, contained herein)
9. Exhibitionism, lewd, wanton and lascivious behavior, disorderly conduct and distracting and inappropriate sexual contact between students. Depending on its severity, such an offense may result in a long-term suspension/expulsion and referral to law enforcement agencies (See Massachusetts General Law, Chapter 272, Sections 16 and 53)
10. The possession, dissemination, or use of obscenity in any form, including, speech, writing or explicit sexual pictures or drawings; the use of this language or material in an intentional, disrespectful and disruptive manner will not be tolerated in a school setting and may result in a long-term suspension/expulsion and referral to law enforcement agencies (See Massachusetts General Laws, Chapter 272, Session 29 and 31)
11. Intentional acts threatening the health and safety of self and/or others (i.e. fights, false fire alarms, tampering with fire alarms, extortion, engaging in seriously unhealthy acts, etc.) on school premises, at school-sponsored or school-related events, including field trips and athletic games, and to and from school; a determination regarding the severity of such acts will be made by the appropriate administrator and staff member, and a long-term suspension/expulsion and referral to all enforcement agencies may be recommended.
12. Lack of respect for school staff and visitors, including, but not limited to, insubordination, failure to identify oneself to a teacher or administrator, disobedience to a teacher, administrator or staff member, the willful disregard of express or implied directions by a teacher, administrator or staff member, including the refusal to take or responding inappropriately to tests or exams and/or the failure to attend a mandated program, and the use of insulting and/or profane language and gestures

13. Theft or vandalism to school property or the property of others and/or possession of stolen property in a school setting, whether during or after school hours or at any school activity such as athletic events, dances, field trips, etc.; reasonable proof of the offender is necessary; restitution by the offender is required; if the offense is judged particularly severe by the appropriate administrator, a long-term suspension/expulsion and referral to law enforcement agencies may be recommended (See Massachusetts General Law, Chapter 266, Sections 30, 98, 100, 127A, etc.)
14. Chronic Code of Conduct offenses, including, but not limited to, repeated disruption of the educational process, refusal to work, falsifying signatures on reports, refusal to return signed papers to teachers or administrators, refusal to report to appropriate school personnel, exhibiting offensive behaviors on an ongoing basis
15. Organizing or participating in hazing (See Hazing - Penalties, contained herein)
16. Violation of others' Civil Rights - the right to be free from discrimination based upon race, color, religious creed, national origin, sex, sexual orientation, ancestry, or disability; such discrimination includes, but it is not limited to, verbal and physical attacks on students directed at their racial, ethnic or religious background, or their disability, and any form of sexual harassment and retaliation against someone who reports discrimination
17. Violation of rules approved by the East Longmeadow School Committee and filed with the Commissioner of Education for an individual school or program (See Massachusetts General Laws, Chapter 71, Section 37H)
18. Violation of federal or Massachusetts law
19. Bullying/Cyber-Bullying in any form, which is defined by MA General Law as: "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 victim that:

    - causes physical or emotional harm to the victim or damage to the victim's property;
    - places the victim in reasonable fear of harm to him/herself or of damage to his/her property;
    - creates a hostile environment at the school (which includes school grounds, property
    - adjacent to school grounds, at school-sponsored events, bus stops, or on school buses) for the victim; infringes on the rights of the victim at school (see above); or
    - materially and substantially disrupts the education process or the orderly operation of a school (see above)"

20. Retaliation against someone who reports bullying
21. Disruptive behavior at other schools, other school's functions, or in other school systems
22. Fighting
23. Accumulation of excessive points (East Longmeadow High School only)
24. Cheating/Plagiarism
25. Purposeful misrepresentation of the facts, i.e. lying about event(s), to school officials
26. Computer/Internet violations
27. Harassment and/or threats of any kind
28. Unexcused absence(s) from Saturday Morning/Detention Programs
29. Unauthorized buying or selling of any kind between students
30. Forging or willfully misusing a school related document, tampering with a school record, or misrepresentation of parent/guardian communication.
31. Alcohol use and/or possession
32. An school related act, on or off school property, which interferes with or restricts another student's ability to enjoy the educational benefits afforded or offered within, and outside of, the school setting; such acts include, but are not limited to incidents that interferes with or threaten the well being or order of the school or its staff, students, or the general public.

Consequences

The Principal has the authority to exercise discretion in deciding the consequences for a student who has violated disciplinary rules. The Principal shall first consider ways to re-engage the student offender in the learning process, and shall avoid using expulsion until other remedies and consequences have been employed. Suspension A suspension is a short term or long term removal from regular classroom activities. Short term suspension is the removal of a student from the school premises and regular classroom activities for 10 consecutive days or less. Long term suspension means the removal of a student from the school premises and regular classroom activities for more than 10 consecutive days, or for more than 10 days

cumulatively for multiple disciplinary offenses in any school year. A suspended student is restricted from entering the school buildings, or coming onto school grounds; and a suspended student may not participate in any school sponsored activities or functions during the suspension period. The Principal or his/her designee has the sole responsibility for determining who is suspended. The suspended student may not be permitted to return to school until a parental conference has been held. In school suspension at the discretion of the Principal, in-school suspension may also be imposed for violation of the student code of conduct. In-school suspension means the student is removed from regular classroom activities, but not from the school premises, for no more than 10 consecutive school days. In-school suspension for less than 10 days shall not be considered a short-term suspension. An in-school suspension of more than 10 days shall be deemed a long-term suspension.

For an in-school suspension, the principal or designee shall inform the student of the disciplinary offense charged and the basis for the charge, and provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident. If the principal determines that the student committed the disciplinary offense, the principal shall inform the student of the length of the student's in-school suspension, which shall not exceed 10 days, cumulatively or consecutively, in a school year.

On the same day as the in-school suspension decision, the principal shall make reasonable efforts to notify the parent orally of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension. The principal shall also invite the parent to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. Such meeting shall be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the principal is unable to reach the parent after making and documenting at least (2) attempts to do so, such attempts shall constitute reasonable efforts for purposes of orally informing the parent of the in-school suspension.

The principal shall send written notice to the student and parent about the in-school suspension, including the reason and the length of the in-school suspension, and inviting the parent to a meeting with the principal, if such meeting has not already occurred. The principal shall deliver such notice on the day of the suspension by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or by other method of delivery agreed to by the principal and the parent.

Opportunity for Academic Progress During Suspension/Expulsion

Any student receiving in-school suspension, short-term suspension, or long-term suspension shall have the opportunity to make up assignments, tests, papers, and other school work as needed to make academic progress during the period of removal from the classroom or school.

Any student who is expelled or suspended from school for more than 10 consecutive days shall have an opportunity to receive educational services that will enable the student to make academic progress toward meeting state and local requirements through the school-wide educational services plan.

18. STUDENTS DUE PROCESS RIGHTS

In administering discipline, school officials will be careful to observe the right to due process under the law for each student. The nature of the violation determines the due process that school officials follow.

1. DUE PROCESS RIGHTS FOR STUDENTS CHARGED WITH POSSESSION OF A DANGEROUS WEAPON, POSSESSION OF A CONTROLLED SUBSTANCE, ASSAULT ON SCHOOL STAFF AND/OR STUDENTS WHO HAVE BEEN CHARGED WITH OR CONVICTED OF A FELONY (M.G.L. c. 71, §37H and M.G.L. c. 71, §37H 1/2).

   Short Term Disciplinary Sanctions: Prior to the imposition of any disciplinary sanction that might result in a student's suspension from school for ten (10) consecutive school days or less, the student will be given oral notice of the offense with which he/she is charged and an opportunity to respond. In the event that the Principal or designee determines that the student will be suspended from school, the student's parent(s)/guardian(s) will be notified by telephone and in writing.

   Long Term Disciplinary Sanctions: Prior to the imposition of any disciplinary sanction that might result in the student's suspension from school for more than ten (10) consecutive school days or expulsion, the parents/guardians will be given written notice of a hearing at which they may be

represented by an attorney at their expense and may examine and present witnesses and documentary evidence. Following this hearing, a written decision will be issued. The parent(s)/guardian(s) will have the right to appeal any decision imposing a long term suspension or expulsion from school to the Superintendent. Where the student is excluded in accordance with M.G.L. c. 71, §37H, the student shall have ten (10) days from the effective date of the exclusion to file a written appeal with the Superintendent of Schools. For exclusions imposed pursuant to M.G.L. c. 71, §37H 1/2, the student shall have five (5) days from the effective date of the exclusion to file a written appeal with the Superintendent. For exclusions imposed by the School Committee in accordance with M.G.L. c. 76, §17, the student shall have the right to file a written request for reconsideration by the committee within ten (10) days of the effective date of the exclusion. Pending the outcome of any such appeal, the disciplinary sanction imposed shall remain in effect. M.G.L. c. 76, §17, M.G.L. c. 71, §37H and M.G.L. c. 71, §37H 1/2.

2. **DUE PROCESS RIGHTS FOR STUDENTS CHARGED WITH OTHER VIOLATIONS (M.G.L. c. 71, §37H 3/4)**

Notice and principal's meeting:
For any suspension under this section, the principal or a designee shall provide notice of the charges and the reason for the suspension or expulsion to the parent(s)/guardian(s) in English and the primary language spoken in the student's home. The student shall receive written notice of the charges and the opportunity to meet with the principal or designee to discuss charges and reasons for the suspension and/or exclusion prior to suspension/exclusion taking effect.

The principal or designee shall make reasonable efforts to notify the parent orally of the opportunity to attend the hearing. The meeting may take place without the student's parent(s)/guardian(s) so long as if the principal has sent written notice and has documented at least two (2) attempts to contact the parent in the manner specified by the parent for emergency notification.

The purpose of the principal's hearing is to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction. The principal shall determine the extent of the rights to be afforded the student at a disciplinary hearing based on the anticipated consequences for the disciplinary offense.

a. Short-term Suspension

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. 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.

Based on the available information, including mitigating circumstances, the principal shall 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. 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.

b. Long Term Suspension

In addition to the rights afforded a student in a short-term suspension hearing, the student shall also have 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. If present, the Parent shall have an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, which the principal should consider in determining consequences for the student. Based on the evidence, the principal shall determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension. The principal shall send the written determination to the student and parent by hand-delivery, certified mail, first-class mail, 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 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, whether short-term or long-term, before the Suspension takes effect.

If the student is suspended for more than 10 days for a single infraction or for more than 10 days cumulatively for multiple infractions in any school year, the notice will include written notification of the right to appeal to the Superintendent and the process for appealing in English and the primary language spoken in the student's home. No student will be suspended for greater than 90 days, beginning on the first day the student is removed from the building. Short-term suspensions may not be appealed.

Emergency Removal:

The 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 and the reason for it, and describe the danger presented by the student. The temporary removal shall not exceed two (2) school days following the day of the emergency removal. In the event of an emergency removal, 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. The principal shall provide written notice to the student and parent as provided above, and provide the student an opportunity for a hearing with the principal as provided above, 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. The principal shall 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 as described above. In the event of an emergency removal from school, the principal will not release the student until adequate provisions have been made for the student's safety and transportation.

Superintendent's Hearing:

The parent(s)/guardian(s) shall have 5 calendar days following the effective date of the suspension or expulsion to submit a written request for an appeal to the Superintendent but may be granted an extension of time of up to 7 calendar days. If the appeal is not timely filed, the superintendent may deny the appeal, or may allow the appeal in his or her discretion, for good cause.

The Superintendent will hold a hearing with the student and the parent(s)/guardian(s) within 3 school days or the student's request for an appeal. The time may be extended up to 7 calendar days if requested by the parent(s)/guardian(s). The Superintendent's hearing may proceed without the parent(s)/guardian(s) if a good faith effort was made to include parent(s)/guardian(s). 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.

At the hearing, the superintendent shall determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence shall be. Students shall have all of the rights afforded to students at the principal's hearing for long-terms suspension. The Superintendent will issue a written decision within 5 calendar days of the hearing. 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 Superintendent's decision is the final decision of the district.

19. DISCIPLINARY ACTION RELATIVE TO STUDENTS WITH DISABILITIES

Eligible students with disabilities, as defined by the reauthorized Individuals with Disabilities Education Act (IDEA 2004) and *Massachusetts General Laws, Chapter 71B (Chapter 766)*, as well as Section 504 of the Rehabilitation Act, shall be subject to the provisions of the East Longmeadow Student Handbook/Code of Conduct Discipline Policy except as otherwise provided in this section.

Federal and Massachusetts laws, regulations and policies do not prohibit the exclusion of students with disabilities in all cases. However, when it is permitted, the long-term removal of a student from the program which is prescribed in his/her Individualized Education Program (IEP) or Section 504 Accommodation Plan must be preceded by a more deliberate review of the causes and reasons for the proposed suspension and the development of an alternative program, consistent with federal and state law.

With respect to the exclusion of students with disabilities for more than ten (10) consecutive days, or a cumulative pattern of exclusions resulting in a change of placement, federal law (see 20 United States Code, Section 1415(k)) requires parental consent, or where the parent(s)/legal guardian(s) does not consent, the securing of an administrative or judicial order authorizing the exclusion, except for violations involving dangerous weapons, controlled substances, or fighting resulting in serious bodily injury.

With respect to the removal of students with disabilities from public schools, Massachusetts follows federal laws and regulations.

Procedures for the Exclusion of Students with Disabilities Pursuant to Federal and Massachusetts Regulations:

Exclusions of More than Ten (10) Consecutive School Days or a Pattern of Exclusions Resulting in a Change of Placement: (The following provisions shall apply whenever a school administrator proposes to suspend a student with disabilities for more than ten (10) school days):

Suspension: Suspension shall be defined as any action which results in the removal of a student from the program prescribed in his/her Individualized Education Program (IEP) or Section 504 Accommodation Plan. The term includes in-school suspension as well as any exclusion from transportation services which prohibits the student's participation in his/her prescribed program.

General Requirements: Each school shall ensure that:

1. Its Code of Conduct is on file with the Department of Elementary and Secondary Education and all student handbooks contain the specific procedures in these regulations for the exclusion of a student with disabilities;
2. It has an appropriate procedure to notify the Director of Student Services of the misconduct for which exclusion of a student with disabilities for more than ten (10) school days is proposed so that the required procedures can be implemented consistently;
3. The number and duration of exclusions of students with disabilities is recorded and maintained by school administrators;
4. The IEP or 504 Accommodation Plan of every student with disabilities indicates whether the student is or is not expected to meet the school's discipline code, and, if not, describes modifications of the code;
5. No student with disabilities may be excluded for more than ten (10) school days resulting in a change of placement except as provided hereunder.

Manifestation Determination Meeting: When it is known that the exclusion(s) of a student with disabilities approaches ten (10) school days, a review of the IEP and other relevant information will be conducted. Participants in the meeting shall include, but not be limited to, individuals who are trained in the area of the student's special needs as well as the parent(s). At that review, the review TEAM will determine whether the student's misconduct is a direct and substantial manifestation of the student's disabilities, or results from an inappropriate special education program/placement or an IEP that was not fully implemented. School personnel may consider any unique circumstances on a case-by-case basis before deciding whether a change in placement is warranted. Depending on the result of the determination, exclusion may or may not be implemented.

Circumstances under which the student may not be suspended for more than ten (10) school days:

1. If the TEAM concludes that the student's misconduct is directly and substantially related to the student's disability/ies, or results from an inappropriate special education program or placement or an IEP that was not fully implemented, the student shall not be excluded. Instead, the student's IEP shall be revised to reflect a new program or placement designed to meet the student's needs more effectively, or, if the misconduct resulted from an appropriate IEP that was not fully implemented, all necessary steps shall be taken by the school to ensure that the IEP is fully implemented. If revision of the student's IEP is required, development of an amended or new IEP shall occur.

2. If a new program or placement is designed for the student as a result of the review, the program or placement shall be implemented immediately following parental approval of the IEP. If the parent(s)/legal guardian(s) refuse consent to the IEP, the school or parent(s)/legal guardian(s) may request a hearing to determine the appropriateness of the program. Alternatively, the parties may seek mediation to resolve the dispute. If a hearing is requested, during the pendency of the hearing, the student shall remain in his/her last agreed upon educational placement (the placement in effect when the dispute arose), unless another placement is agreed upon by the school and the student's parent(s)/legal guardian(s), or a court or hearing officer's order permits the school to change the student's placement based on a showing that the student's continued presence in school presents a substantial likelihood of injury to the student or to others.

Circumstances under which exclusion may be imposed for more than ten (10) school days:

1. If the school wishes to impose a suspension/expulsion which results in more than ten (10) school days, and the TEAM concludes that the student's misconduct is not a manifestation of the student's disabilities and/or is not the result of an inappropriate special education program/placement, and the current IEP was fully implemented, the school shall:

   a. Conduct a Functional Behavioral Assessment and develop a Positive Behavioral Intervention Plan
   b. Provide an appropriate interim alternative educational plan for the delivery of services to the student during the period of the exclusion
   c. Present the interim alternative educational plan to the student's parent(s)/legal guardian(s)

2. A copy of the interim alternative educational plan must be included in the student's file, which shall also include documentation which demonstrates that:

   a. The school has complied with procedures required by Goss v. Lopez and by the school's Code of Conduct
   b. The school has complied with procedures required by Section 1415(k) of the IDEA
   c. The disciplinary action is for a stated number of days
   d. The action is necessary in light of the needs of the student and others
   e. The school administrators have conferred with appropriate special education staff as to the disciplinary action and have followed all the procedures outlined herein including notice to the parent(s) or guardian(s) of their right of appeal

For further information regarding students with disabilities, please see the *"Notice of Procedural Safeguards"* by the Massachusetts Department of Elementary and Secondary Education, contained herein.

Exception for Students on Section 504 Accommodation Plans for Drug-Related Offenses:

Section 504 of the Rehabilitation Act makes an exception for students on Section 504 Accommodation Plans who have been disciplined for drug-related offenses and are currently using illegal drugs. Section 504 permits a district to take the same disciplinary action against such a student as it would against a regular education student, including exclusion. In its definition of "student with a disability," Section 504 specifically exempts from its protections a student who is currently engaged in drug use. Once a student is involved with using drugs, he/she forfeits his/her right to services during the period of his/her exclusion. The due process procedures of the Section 504 implementing regulation also do not apply to such disciplinary actions. See *29 U.S.C. § 705(20) (c) (iv).*

Since no services are provided to regular education students who have been excluded from school for using drugs, a district is not required to provide them to students on a Section 504 Accommodation Plan. The U.S. Department of Education, Office for Civil Rights, which oversees Section 504, has stated, however, that districts "may" provide such services if they wish to. However, schools are <u>not</u> <u>required</u> under the law to provide such services during the period of exclusion. When the exclusion period ends, the student returns to school under the same Section 504 Accommodation Plan that existed prior to the offense and suspension.

IDEA 2004 Statutory Requirements:
Section 1415(k) of the Individuals with Disabilities Education Act (IDEA 2004) sets forth the following procedures with respect to disciplining students with disabilities, as well as protections for those students who have not yet been found eligible for special education services. The IDEA was amended by Congress in 2004 and became effective July 01, 2005.

Massachusetts law defers to Section 1415(k) of IDEA 2004 with regard to disciplining students with disabilities. In addition, students who fall under Section 504 of the Rehabilitation Act of 1973 also have a right to almost all of the procedural protections enumerated in Section 1415(k) as follows:

(k) <u>PLACEMENT IN ALTERNATIVE EDUCATIONAL SETTING</u>

(1) **AUTHORITY OF SCHOOL PERSONNEL**

(A) CASE-BY-CASE DETERMINATION - School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a child with a disability who violates a code of student conduct.

(B) **AUTHORITY**- School personnel under this subsection may remove a child with a disability who violates a code of student conduct from their current placement to an appropriate interim alternative educational setting, another setting, or suspension, for not more than 10 school days (to the extent such alternatives are applied to children without disabilities).

(C) **ADDITIONAL AUTHORITY**- If school personnel seek to order a change in placement that would exceed 10 school days and the behavior that gave rise to the violation of the school code is determined not to be a manifestation of the child's disability pursuant to subparagraph (E), the relevant disciplinary procedures applicable to children without disabilities may be applied to the child in the same manner and for the same duration in which the procedures would be applied to children without disabilities, except as provided in section 612(a)(1) although it may be provided in an interim alternative educational setting.

(D) **SERVICES**- A child with a disability who is removed from the child's current placement under subparagraph (G) (irrespective of whether the behavior is determined to be a manifestation of the child's disability) or subparagraph (C) shall—

(i) continue to receive educational services, as provided in section 612(a)(1), so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the child's IEP; and

(ii) receive, as appropriate, a functional behavioral assessment, behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur.

(E) **MANIFESTATION DETERMINATION**

(i) In General - Except as provided in subparagraph (B), within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the local educational agency, the parent, and relevant members of the IEP Team (as

determined by the parent and the local educational agency) shall review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine—
(I) if the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or (II) if the conduct in question was the direct result of the local educational agency's failure to implement the IEP.
(ii) Manifestation - If the local educational agency, the parent, and relevant members of the IEP Team determine that either subclause (I) or (II) of clause (i) is applicable for the child, the conduct shall be determined to be a manifestation of the child's disability.

(F) **DETERMINATION THAT BEHAVIOR WAS A MANIFESTATION**
If the local educational agency, the parent/guardian(s), and relevant members of the IEP Team make the determination that the conduct was a manifestation of the child's disability, the IEP Team shall.

(i) conduct a functional behavioral assessment, and implement a behavioral intervention plan for such child, provided that the local educational agency had not conducted such assessment prior to such determination before the behavior that resulted in a change of placement described in subparagraph (C) or (G);
(ii) in the situation where a behavioral intervention plan has been developed, review the behavioral intervention plan if the child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and
(iii) except as provided in subparagraph (G), return the child to the placement from which the child was removed, unless the parent and the local educational agency agree to a change of placement as part of the modification of the behavioral intervention plan.

(G) **SPECIAL CIRCUMSTANCES**- School personnel may remove a student to an interim alternative educational setting for not more than forty-five (45) school days without regard to whether the behavior is determined to be a manifestation of the child's disability, in cases where a child.

(i) carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of a State or local educational agency;
(ii) knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of a State or local educational agency; or
(iii) has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of a State or local educational agency.

(H) **NOTIFICATION**- Not later than the date on which the decision to take disciplinary action is made, the local educational agency shall notify the parent/guardian(s) of that decision, and of all procedural safeguards accorded under this section.

(2) **DETERMINATION OF SETTING**- The interim alternative educational setting in subparagraphs (C) and (G) of paragraph (1) shall be determined by the IEP Team.

(3) **APPEAL**
(A) IN GENERAL- The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination under this subsection, or a local educational agency that believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request a hearing.

(B) **AUTHORITY OF HEARING OFFICER**
(i) In General- A hearing officer shall hear, and make a determination regarding, an appeal requested under subparagraph (A).
(ii) Change of Placement Order- In making the determination under clause (i), the hearing officer may order a change in placement of a child with a disability. In such situations, the hearing officer may-- (I) return a child with a disability to the placement from which the child was removed; or (II) order a change in placement of a child with a disability to an appropriate interim alternative educational setting for not more than forty-five (45) school days if the

hearing officer determines that maintaining the current placement of such child is substantially likely to result in injury to the child or to others.

(4) **PLACEMENT DURING APPEALS**

When an appeal under paragraph (3) has been requested by either the parent of the local educational agency

(A) The child shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the time period provided for in paragraph (1)(C), whichever occurs first, unless the parent and the State or local educational agency agree otherwise; and
(B) The State or local educational agency shall arrange for an expedited hearing, which shall occur within twenty (20) school days of the date the hearing is requested and shall result in a determination within ten (10) school days after the hearing.

(5) **PROTECTIONS FOR CHILDREN NOT YET ELIGIBLE FOR SPECIAL EDUCATION AND RELATED SERVICES**

(A) **IN GENERAL** - A child who has not been determined to be eligible for special education and related services under this part and who has engaged in behavior that violates a code of student conduct, may assert any of the protections provided for in this part if the local educational agency had knowledge (as determined in accordance with this paragraph) that the child was a child with a disability before the behavior that precipitated the disciplinary action occurred.

(B) **BASIS OF KNOWLEDGE**

A local educational agency shall be deemed to have knowledge that a child is a child with a disability if, before the behavior that precipitated the disciplinary action occurred.

(i) the parent/guardian of the child has expressed concern in writing to supervisory or administrative personnel of the appropriate educational agency, or a teacher of the child, that the child is in need of special education and related services;
(ii) the parent/guardian of the child has requested an evaluation of the child pursuant to Section 614(a) (1) (B); or
(iii) the teacher of the child, or other personnel of the local educational agency, has expressed specific concerns about a pattern of behavior demonstrated by the child, directly to the director of special education of such agency or to other supervisory personnel of the agency.

(C) **EXCEPTION** - A local educational agency shall not be deemed to have knowledge that the child is a child with a disability if the parent of the child has not allowed an evaluation of the child pursuant to section 614 or has refused services under this part or the child has been evaluated and it was determined that the child was not a child with a disability under this part.

(D) **CONDITIONS THAT APPLY IF NO BASIS OF KNOWLEDGE**

(i) In general - If a local educational agency does not have knowledge that a child is a child with a disability (in accordance with subparagraph (B) or (C)) prior to taking disciplinary measures against the child, the child may be subjected to disciplinary measures applied to children without disabilities who engaged in comparable behaviors consistent with clause (ii).
(ii) Limitations - If a request is made for an evaluation of a child during the time period in which the child is subjected to disciplinary measures under this subsection, the evaluation shall be conducted in an expedited manner. If the child is determined to be a child with a disability, taking into consideration information from the evaluation conducted by the agency and information provided by the parents, the agency shall provide special education and related services in accordance with this part, except that, pending the results of the evaluation, the child shall remain in the educational placement determined by school authorities.

(6) **REFERRAL TO AND ACTION BY LAW ENFORCEMENT AND JUDICIAL AUTHORITIES**-

(A) **RULE OF CONSTRUCTION**- Nothing in this part shall be construed to prohibit an agency from reporting a crime committed by a child with a disability to appropriate authorities or to prevent State law enforcement and judicial authorities from exercising their responsibilities with regard to the application of Federal and State law to crimes committed by a child with a disability.

(B) **TRANSMITTAL OF RECORDS**- An agency reporting a crime committed by a child with a disability shall ensure that copies of the special education and disciplinary records of the child are transmitted for consideration by the appropriate authorities to whom the agency reports the crime.

(7) **DEFINITIONS**- In this subsection:

(A) **CONTROLLED SUBSTANCE**- The term 'controlled substance' means a drug or other substance identified under schedule I, II, III, IV or V in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c).

(B) **ILLEGAL DRUG**- The term 'illegal drug' means a controlled substance but does not include a controlled substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under that Act or under any other provision of Federal law.

(C) **WEAPON**- The term 'weapon' has the meaning given the term 'dangerous weapon' under section 930(g)(2) of title 18, United States Code.

(D) **SERIOUS BODILY INJURY**- The term 'serious bodily injury' has the meaning given the term 'serious bodily injury' under paragraph (3) of subsection (h) of section 1365 of title 18, United States Code.

20. <u>HAZING - PENALTIES</u>

In accordance with Massachusetts General Laws, Chapter 536 of the Acts of 1985, the School Committee hereby deems that no student, employee or school organization under the control of the School Committee shall engage in the activity of hazing a student while on or off school property, or at a school sponsored event regardless of the location. No organization that uses the facilities or grounds under the control of the School Committee shall engage in the activity of hazing any person while on school property.

Any student who observes what appears to them to be the activity of hazing another student or person should report such information to the Principal or his/her designee including the time, date, location, names of identifiable participants and the types of behavior exhibited. Students and employees of the District are obligated by law to report incidents of hazing to the police department.

Any student who is present at a hazing has the obligation to report such an incident. Failure to do so may result in disciplinary action by the school against that student and could involve suspension from school for up to three days.

Any student who participates in the hazing of another student or other person may, upon the approval of the building principal or his/her designee, be suspended from school for up to ten (10) school days.

Any student determined by the Principal to be the organizer of a hazing activity may be recommended for expulsion from school but will receive no less disciplinary action than that of a participant.

In all cases relating to hazing, students will receive procedural due process.

<u>CH. 269, S.17. CRIME OF HAZING: DEFINITION; PENALTY</u>

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

The term "hazing" as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation. Notwithstanding any other provisions of this section to be contrary, consent shall not be available as a defense to any prosecution under this action.

CH. 269. S.18. DUTY TO REPORT HAZING

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

CH. 269. S.19. HAZING STATUTES TO BE PROVIDED; STATEMENT OF COMPLIANCE AND DISCIPLINE POLICY REQUIRED

Each secondary school and each public and private school or college shall issue to every group or organization under its authority or operating on or in conjunction with its campus or school, and to every member, plebe, pledgee or applicant for membership in such group or organization, a copy of this section and sections seventeen and eighteen. An officer of each such group or organization, and each individual receiving a copy of said sections seventeen and eighteen shall sign an acknowledgment stating that such group, organization or individual has received a copy of said sections seventeen and eighteen.

Each secondary school and each public or private school or college shall file, at least annually, a report with the regents of higher education and in the case of secondary schools, the Board of Education, certifying that such institution has complied with the provisions of this section and also certifying that said school has adopted a disciplinary policy with regards to the organizers and participants of hazing. The Board of Regents and in the case of secondary schools, the Board of Education shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general any such institution which fails to make such a report.

21. SEXUAL HARASSMENT

General Statement

All persons have the right to be free from sexual harassment; therefore, sexual harassment in any form is strictly forbidden in school, on school grounds, or at school related activities.

Definitions of Sexual Harassment

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:

1. Submission to that conduct or communication is made a condition of obtaining educational services
2. Used as a factor in decisions affecting one's education
3. That conduct or communication has the purpose or effect of substantially interfering with an individual's education, or creating an intimidating, hostile, humiliating, or sexually offensive educational environment

Sexual harassment is not, by definition, limited to prohibited conduct by a male toward a female. A male, as well as a female, may be the victim of sexual harassment, and a female, as well as a male, may be the harasser. Further, the victim does not have to be of the opposite sex from the harasser. The victim does not have to be the person to whom the unwelcome sexual conduct is directed. Finally, an adult may be the victim of sexual harassment by a student. A student may be the victim of sexual harassment by an adult. Furthermore, sexual harassment may occur between adults or between students.

Examples of Sexual Harassment
Examples of sexual harassment include, but are not limited to:

1. demanding sexual favors accompanied by threats
2. engaging in reprisals as a result of an individual's refusing to engage in sexual behavior
3. contact with any sexual part of another's body (e.g., touching, patting or pinching)
4. touching any nonsexual part of the body (e.g., shoulder, etc.) after that person has indicated that such touching is unwanted
5. displaying or transmitting sexually suggestive pictures or objects
6. calling a person a demeaning, sexualized term, or making a reference to a person's physical characteristic when that person has indicated he/she does not wish to be addressed or referred to in that manner
7. leering (i.e., prolonged staring) at a person's body
8. sexual language or conduct in another's presence, even if not directed to said individual, once it is known that he/she objects

Reporting
Any person who believes he/she is a victim of sexual harassment should talk to his/her building Principal or any another person in a position of authority in the school as soon as possible. Staff and students should avoid trying to solve the problem of sexual harassment alone. All persons shall promptly report knowledge of actual or reasonably suspected sexual harassment to the building Principal or his/her designee.

Investigation
All complaints or reports of sexual harassment shall be promptly and thoroughly investigated by the building Principal or his/her designee, including notifying the person who has been accused of harassment and permitting a response to said allegation(s).

The investigation shall consist of personal interviews with the complainant, 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 deemed pertinent.

In addition, the building Principal or his/her designee may take immediate steps, at his/her discretion, to protect the complainant, students and employees pending completion of the investigation of alleged sexual harassment.

Disciplinary Action
If there are reasonable grounds to believe that sexual harassment has occurred, the person accused of sexual harassment will have a confidential disciplinary hearing before the building Principal or his/her designee.

If the building Principal or his/her designee, after the above hearing, determines that sexual harassment has actually taken place, disciplinary and corrective action will occur to prevent any further incidents. The range of discipline and corrective action may include one or more of the following: an education component; apology to the victim; mandatory counseling; detention; short-term suspension; long-term suspension; or recommendation for expulsion.

If either the victim or person accused of sexual harassment is aggrieved by the finding(s) or action taken by the building Principal or his/her designee, he/she may appeal said action to the Superintendent of Schools.

The Superintendent shall conduct a hearing and shall indicate his/her disposition of the appeal within two (2) days of such appeal, and shall furnish a copy thereof to the aggrieved party and the East Longmeadow School Committee.

Reprisal
Reprisal, intimidation with, interference of, and/or retaliation against any individual, including a student, parent, or guardian, for filing a complaint, filing a grievance, or opposing discrimination, including sexual harassment, is strictly prohibited and shall be treated as an actionable, wrongful act in and of itself,. Such wrongful act may result in a recommendation of permanent separation from the school community through expulsion from school.

Notification to/by Parent(s)/Legal Guardian(s)
After investigation, if there are reasonable grounds to believe that sexual harassment has occurred, the building Principal or his/her designee shall notify a student's parent(s)/legal guardian(s) if the student is the victim of, or is accused of, sexual harassment.

Parent(s)/legal guardian(s) are strongly encouraged to report incidents of sexual harassment to their son's/daughter's building Principal or to the Superintendent of Schools.

Frivolous Complaints: When a complaint of sexual harassment is unfounded, frivolous, or maliciously fabricated, the complainant shall be subject to a range of disciplinary and corrective actions consistent with the Code of Conduct.

Report to Police
Depending upon the seriousness and frequency of incidents, police/law enforcement agencies may be contacted by the school administration.

22. ANTI-BULLYING POLICY

EAST LONGMEADOW PUBLIC SCHOOLS

POLICY ON HARASSMENT, BULLYING, DISCRIMINATION, AND HATE CRIMES

Disciplinary Policy Regarding Civil Rights Issues

The East Longmeadow Public Schools prohibits all forms of harassment, discrimination, and hate crimes based on the following protected categories: race, color, religion, national origin, ethnicity, sex, sexual orientation, gender identity, age, or disability.

The East Longmeadow Public Schools also prohibits bullying, as defined below. The East Longmeadow Public Schools will also not tolerate retaliation against persons who take action consistent with this Policy.

The prohibition against harassment, discrimination, hate crimes, bullying, cyber-bullying, and retaliation applies to all students on all sites and activities the East Longmeadow Public Schools supervise, control, or where it has jurisdiction under the law, including on school premises, school buses, and at school-sponsored functions, events or activities, including field trips and athletic contests.

Pursuant to M.G.L. c. 370, the East Longmeadow Public Schools has developed a Bullying Prevention and Intervention Plan

Glossary of Terms

BULLYING: 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 victim that: (i) causes physical or emotional harm to the victim or damage to the victim's property; (ii) places the victim in reasonable fear of harm to himself or of damage to his property; (iii) creates a hostile environment at school for the victim; (iv) infringes on the rights of the victim at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school. For the purposes of this section, bullying shall include cyber-bullying.

CYBER-BULLYING: This is bullying through the use of technology or electronic devices such as telephones, cell phones, computers, and the Internet. It includes, but is not limited to, email, instant messages, text messages, and Internet postings. See M.G.L. c. 71, § 37O for the legal definition of cyber-bullying.

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

DISCRIMINATION: Treating people differently, or interfering with or preventing a person from enjoying the advantages, privileges or course of study in a public school because of an individual's actual or perceived race, color, national origin, ethnicity, religion, sex, sexual orientation, gender identity, age, or disability (i.e., protected status). A person may not be subjected to discipline or more severe punishment for wrongdoing, nor denied the same rights as other students because of his/her membership in a protected class.

HARASSMENT: Harassment is oral, written, graphic, electronic or physical conduct on school property or at a school-related event, function or activity relating to an individual's actual or perceived race, color, national origin, ethnicity, religion, sex, sexual orientation, gender identity, age, or disability, that is sufficiently severe, pervasive or persistent so as to interfere with or limit a student's ability to participate in or benefit from the District's programs or activities, by creating a hostile, demeaning, threatening, humiliating, intimidating, or offensive educational 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 environment. A single incident, depending on its severity, may create a hostile environment.

RETALIATION: Any form of intimidation, reprisal, or harassment by a student directed against any student, staff or other individual for reporting or filing a complaint, for aiding or encouraging the filing of a report or

complaint, for cooperating or participating in an investigation under this Policy, or for taking action consistent with this Policy.

HATE CRIME: A hate crime is a crime motivated by hatred, bias, or prejudice, or where the victim is targeted or selected for the crime at least in part because of his/her actual or perceived race, color, ethnicity, national origin, religion, sexual orientation, age, disability or sex. A hate crime may involve a physical attack, threat of bodily harm, physical intimidation, or damage to another's property.

Student Responsibilities

Each student is responsible for:

- Complying with this Policy;
- Ensuring that (s)he does not harass or discriminate against another person on school grounds or in a school-related function, event or activity because of that person's race, color, religion, national origin, ethnicity, sex, sexual orientation, age, or disability;
- Ensuring that (s) he does not bully another person on school grounds or at a school-related function, event or activity;
- 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
- Cooperating in the investigation of reports or complaints of harassment, bullying, discrimination, retaliation, or a hate crime.

Protection against Retaliation

Interference with, intimidation of, and/or retaliation against any individual, including a student, parent, or guardian, for filing a complaint, filing a grievance, or opposing bullying, harassment, discrimination, or hate crimes is strictly prohibited and shall be treated as an actionable, wrongful act in and of itself.

The East Longmeadow Public Schools will take appropriate steps to protect students from retaliation when they report, file a complaint of, 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, including short or long-term suspension, or expulsion.

Designated Officials for Reporting

The Principal or his/her designee is responsible for receiving reports and complaints of violations of this Policy.

Reporting Procedures

1. All complaints or reports about a violation of this Policy must be documented on the School's "Reporting/Complaint Form" (see Appendix A). The form is available from designated school officials and on the school system's web page. If a complainant or reporter is either unwilling or unable to complete the District's Reporting/Complaint Form, the school official 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.

2. Oral reports made by or to a staff member shall be recorded in writing. A school or district staff member is required to report immediately to the Principal or designee any instance of bullying or retaliation the staff member becomes aware of or witnesses. The School official will promptly provide the Principal or his/her designee with the completed Reporting/Complaint Form.

3. Reports made by students, parents or guardians, or other individuals who are not school or district staff members, may be made anonymously. The school or district will utilize a variety of reporting resources including, but not limited to, an Incident Reporting Form, a voicemail box, a dedicated mailing address, and an email address. No disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report.

4. Through the ELPS Memorandum of Understanding with the East Longmeadow Police Department, the East Longmeadow Public Schools may share any and all information with regard to student safety or possible illegal activity with the East Longmeadow School Resource Officer and/or other members of the ELPD.

5. If the Principal or designee determines that bullying has occurred, (s)he shall take appropriate disciplinary action. If it is believed that criminal charges may be pursued against the perpetrator, the Principal will consult with the School Resource Officer and the Superintendent to determine if criminal charges are warranted. If it is determined that criminal charges are warranted, the East Longmeadow Police Department will be notified.

Investigation Procedures:
The goal of the investigation is to obtain an accurate and complete account of all incidents and circumstances deemed relevant to the allegations of the complaint.

The Principal or his/her designee, upon receipt of a viable report of bullying, shall promptly contact the parents or guardians of a student who has been the alleged target and the alleged perpetrator of the bullying. The actions being taken to prevent further acts of bullying shall be discussed.

Emergencies
The Principal or his/her designee will immediately call 911 in a 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.

Students on IEPs
As required by M.G.L. c. 71B, §3, when an IEP Team determines that a student has a disability that affects social skills development or the student may participate in or is vulnerable to bullying, harassment, or teasing because of his/her disability, the Team will consider what should be included in the IEP to develop the student's skills and proficiencies to avoid and respond to bullying, harassment, or teasing.

Informal Resolution Procedure
It may be possible to resolve a complaint through a voluntary informal process. Both the complainant and the alleged perpetrator will meet separately in a timely manner with the Principal or designee who will explain the informal process, the nature of the complaint, explain the prohibition against retaliation, and determine the needed corrective action the complainant seeks. After adequate investigation, the designated official will propose a resolution. If the complainant and the alleged offender agree with the proposed resolution, the designated official will write down the resolution, and the complainant and the subject of the complaint will sign it, and each person will receive a copy. At the meeting, the designated official will again explain the prohibition against retaliation. Parents of both the complainant and alleged offender will be notified of the process being followed.

A designated school official will monitor the situation, and will follow up with the complainant to determine whether there are further incidents or concerns. The designated official will maintain a written record of the follow up. At any time, either party may choose to forego the informal process and commence the formal procedure.

Formal Procedure
STEP ONE
The Principal or his/her designee will separately meet in a timely manner with the complainant and the subject of the complaint to tell them about the formal process, explain the prohibition against retaliation, and determine the remedy the complainant seeks.

STEP TWO
The Principal or his/her designee will conduct an investigation in accordance with the procedures described under the Investigations heading of this policy. Parents of both the complainant and alleged offender will be notified of the complaint and the process being followed.

STEP THREE
The Principal or his/her designee will determine whether the allegations have been substantiated, and whether this Policy and/or the Code of Conduct have been violated. If the complaint is substantiated, the designated official will decide based on the investigative findings, on the appropriate course of action. The Principal or his/her designee will prepare a written report that includes the investigative findings.

STEP FOUR
The designated official will promptly notify the complainant and the subject of the complaint to let them know whether the complaint has been substantiated. If the complaint is substantiated and the offender remains a student in the school, the designated official will meet with the offender to describe, consistent with the Code of Conduct, the disciplinary and/or corrective action recommended, the school's expectations for future behavior and the potential consequences for retaliation or future violation of the Policy.

If a complaint is substantiated, a report of the incident will be placed in the offender's student records.

File Retention: The Principal or his/her designee will maintain a separate confidential file containing 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.

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

STEP FIVE
The Principal or his/her designee 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 and/or disciplinary action(s) imposed has/had been effective. The designated official will maintain a written record of the follow-up.

STEP SIX
Any right of appeal from discipline imposed is governed by the Code of Conduct.

Permissible Disciplinary Sanctions and Corrective Actions in Response to Bullying, Discrimination, Harassment or Hate Crimes

Disciplinary sanctions and corrective actions may include, but are not limited to, one or more of the following:

- A written warning;
- Parent conferences;
- An apology to the victim;
- Limiting or denying student access to a part or an area of the School;
- Adult supervision on school premises;
- Exclusion from participation in school-sponsored functions, after-school programs, and/or extracurricular activities;
- Classroom transfer;
- Awareness training (to help students understand the impact of their behavior);
- Participation in cultural diversity, anti-harassment, anti-bullying or intergroup relations program;
- Specific recommendations, (i.e. anger management, medical assessment, counseling, etc.)
- Short-term or long-term suspension;
- Exclusion, expulsion, or discharge from school; and
- Any other action consistent with the Code of Conduct.

Investigations for Formal Proceedings
Prompt and Thorough Investigations: When the Principal or his/her designee determines that a Formal Proceeding is appropriate, the school will promptly investigate all reports or complaints of an alleged violation of this Policy.

Investigative Procedure
The Principal or his/her designee 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 acts

of a serious criminal nature, the designated official will confer with the local police department prior to gathering or preserving evidence.

Communication during Investigation
Throughout the investigatory and complaint resolution process, the Principal or his/her designee 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, the anticipated timing for concluding the investigation, and determination of discipline and/or corrective action(s).

Time for Investigations
The Principal or his/her designee will complete his/her investigation as soon as practicable, but not to exceed 14 school days once the report has been received. The Principal or his/her designee will expedite the investigation of any claim involving physical violence or serious threats of harm.

Ensuring Safety during Investigation
The Principal or his/her designee will take any step he/she 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.

Victim Assistance
The Principal or his/her designee will make appropriate referrals for victim assistance, including counseling and crisis intervention, if requested, or as needed.

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 the Policy to investigate, report, and take appropriate disciplinary and corrective action, and consistent with applicable confidentiality laws and student record regulations.

Imposing disciplinary action or corrective action
If the Principal or his/her designee concludes that the subject of the complaint has violated this Policy, the District will 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.

Frivolous Complaints
When a complaint is unfounded, frivolous, or maliciously fabricated, the complainant shall be subject to a range of disciplinary and correction actions consistent with the Code of Conduct

Appendix A

EAST LONGMEADOW PUBLIC SCHOOL
BULLYING PREVENTION AND INTERVENTION INCIDENT REPORTING FORM

1. Name of Reporter/Person Filing the Report: _____
(Note: Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report.)

2. Check whether you are the: Target of the behavior ☐ **Reporter (not the target** ☐

3. Check whether you are a: ☐ **Student** ☐ **Staff member (specify role)** _____

☐ **Parent** ☐ **Administrator** ☐ **Other (specify)** _____

Your contact information/telephone number: _____

4. If student, state your school: _____ **Grade:** _____

5. If staff member, state your school or work site: _____

6. Information about the Incident:

Name of Target (of behavior): _____

Name of Aggressor (Person who engaged in the behavior)**:** _____

Date(s) of Incident(s): _____

Time When Incident(s) Occurred: _____

Location of Incident(s) (Be as specific as possible)**:** _____

7. Witnesses (List people who saw the incident or have information about it)**:**

Name: _____ ☐ Student ☐ Staff ☐ Other _____

Name: _____ ☐ Student ☐ Staff ☐ Other_____

Name: _____ ☐ Student ☐ Staff ☐ Other_____

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8. Describe the details of the incident (including names of people involved, what occurred, and what each person did and said, including specific words used). Please use additional space on back if necessary.

FOR ADMINISTRATIVE USE ONLY

9. Signature of Person Filing this Report: _____ **Date:** _____
(Note: Reports may be filed anonymously.)

10: Form Given to: _____ **Position:** _____ **Date:** _____

Signature: _____ **Date Received:** _____

II. INVESTIGATION

1. Investigator(s):_____ **Position(s):**_____

2. Interviews:

□ **Interviewed aggressor** **Name:** _____ **Date:** _____

□ **Interviewed target** **Name:** _____ **Date:** _____

□ **Interviewed witnesses** **Name:** _____ **Date:** _____

Name: _____ **Date:** _____

3. **Any prior documented Incidents by the aggressor?** □ Yes □ No

   If yes, have incidents involved target or target group previously? □ Yes □ No

   Any previous incidents with findings of BULLYING, RETALIATION □ Yes □ No

Summary of Investigation:

(Please use additional paper and attach to this document as needed)

III. CONCLUSIONS FROM THE INVESTIGATION

1. **Finding of bullying or retaliation:** **YES** _____ **NO** _____

   □ **Bullying** □ **Incident documented as** _____

   □ **Retaliation** □ **Discipline referral only**_____

2. **Contacts:**

   □ **Target's parent/guardian** **Date:** _____ □ **Aggressor's parent/guardian** **Date:** _____

   □ **District Equity Coordinator (DEC) Date:** _____ □ **Law Enforcement** **Date:** _____

3. **Action Taken:**

   □ **Loss of Privileges** □ **Detention** □ **STEP referral** □ **Suspension**

   □ **Community Service** □ **Education** □ **Other** _____

4. **Describe Safety Planning:** _____

Follow-up with Target: scheduled for _____ **initial and date when completed:** _____

Follow-up with Aggressor: scheduled for _____ **Initial and date when completed:** _____

Report forwarded to Principal: Date_____ **Report forwarded to Superintendent: Date**_____
(If principal was not the investigator)

Signature and Title: _____ **Date:** _____

East Longmeadow Public Schools

SAFE SCHOOLS HOT-LINE

525-5324

24 hours a day

Call this anonymous, recorded line if you know of unsafe school issues or violence or report via email

SafeSchools@eastlongmeadowma.gov

East Longmeadow Safe Schools Community Task Force

23. NON-SCHOOL RELATED TEEN DATING VIOLENCE

The East Longmeadow Public Schools is dedicated to providing an atmosphere free from actual or threatened psychological, physical, or sexual abuse, including teen dating violence. The District believes that education plays a critical role in establishing healthy relationships for its students. East Longmeadow's health curriculum for grades 6-12 includes instruction on establishing safe, non-violent relationships. In addition, an Individualized Safety Plan may be developed and implemented by the school.

It is the policy of the East Longmeadow Public Schools that teen dating violence related to school, including school-sponsored activities, shall not be tolerated.

Filing a Complaint of Teen Dating Violence

Complaints of teen dating violence related to school, including school-sponsored activities, may be filed verbally or in writing by a victim, student, faculty/staff member or a parent. The complaint may relate to verbal, nonverbal, written, physical or sexual behaviors which are observed, reported, or experienced. The complaint should be filed with the building Principal, but if the victim is more comfortable talking with another staff member, that staff member must report the incident to the building Principal. It is important to note that, pursuant to *Massachusetts General Laws Chapter 209A*, school staff are required by law to report to the Department of Social Services if they have reasonable cause to believe that a child under the age of 18 is suffering serious physical, emotional abuse or neglect, or sexual abuse, including rape and indecent assault and battery.

When a complaint related to school, including school-sponsored activities, is received, the building Principal or his/her designee will initiate an immediate investigation of the allegations. It will be conducted in such a way as to maintain confidentiality, and will include private interviews with the victim and/or person filing the complaint. The person alleged to have committed the behavior will also be interviewed separately. Upon completion of the report, both parties will be informed of the results by the building Principal.

Disciplinary Action

When it is determined that inappropriate behaviors have occurred related to school or school-sponsored activities, disciplinary and corrective action will occur consistent with the disciplinary policy.

Restraining Orders

It is the responsibility of the student to inform the building Principal if he or she has obtained a restraining order against an individual. Once the building Principal is notified of the restraining order, he or she, or his/her designee, may meet with the student and his/her parents to review the order and its implications. An appropriate safety plan will be developed in collaboration with the school psychologist, guidance counselor, and faculty. The building Principal or his/her designee may also meet with the defendant to review the terms of the order, the expectations concerning appropriate behavior, and the consequences for violation of the order. Violation of a restraining order is a criminal offense, and must be reported to the police department.

When complaints of teen dating violence are made known to administration, and are not related to school or school-sponsored activities, the student will be informed of available services. If the student agrees, a referral(s) to appropriate resources may be made. Parental involvement shall be encouraged.

24. HATE CRIMES AND BIAS INCIDENTS

General Statement

The East Longmeadow Public Schools are committed to providing a safe environment in which all students have an equal opportunity to learn, regardless of their race, ethnicity, national origin, sexual orientation, gender, religion, or disability. Hate crimes and bias incidents, by their nature, are confrontational; they create tension and promote social hostility. Such incidents will not be tolerated in the East Longmeadow Public Schools because they interfere with every student's right to an education. In addition to jeopardizing academic achievement, hate crimes and bias-related harassment can undermine a student's physical and emotional well-being, provoke retaliatory violence, damage the school's reputation, and create or exacerbate tensions in the wider community.

The East Longmeadow Public Schools will comply with all applicable federal and state laws governing hate crimes. Massachusetts law defines hate crimes as "any criminal act coupled with overt actions motivated by bigotry and bias including, but not limited to, a threatened, attempted or completed overt act motivated at least in part by racial, religious, ethnic, handicap, gender or sexual orientation prejudice, or which otherwise

deprives another person of his constitutional rights by threats, intimidation or coercion, or which seeks to interfere with or disrupt a person's exercise of constitutional rights through harassment or intimidation." M.G.L. c. 22C, § 33; M.G.L. c. 12, §§ 11H, 11I.

In addition, federal regulations prohibit the intentional use of force or threat of force against a person because of race, religion, ethnicity, handicap, gender or sexual orientation for the purpose of interfering with a student's enrollment or attendance in any public school or college. 18 U.S.C. § 245. Both federal and state statutes and regulations contain serious criminal penalties for persons convicted of hate crimes and the resulting civil rights violations.

This policy applies to hate crimes, bias incidents, civil rights violations, and bias-related harassment which occur in school buildings or on school grounds, or during the course of any and all school-sponsored activities, including those which take place outside of school or in any situation where there is a detrimental effect on the school or the educational climate.

Definitions

A hate crime occurs when a student or group of students is targeted for physical assault, threat of bodily harm, intimidation, verbal abuse, and/or damage to personal property because he or she is a member of a different race, religion, ethnic background, gender, gender identity, or has a handicapping condition or different sexual orientation.

Bias incidents are less serious acts that are also motivated by race, religion, ethnic background, gender, handicap(s), or sexual orientation issues.

Examples

Examples of hate crimes and bias incidents include, but are not limited to, the following:

Hate crimes:

1. bias-related drawings, markings, symbols, graffiti
2. harassing and/or threatening hate mail and/or e-mail messages
3. verbally abusive and/or threatening phone calls
4. damage to personal property or belongings; arson; vandalism
5. stalking: repeated, purposeful following of a student, together with evident bias against the victim's actual or perceived group status
6. assault and battery against a student based upon their actual or perceived group status
7. physical conduct which puts a student in fear of imminent harm, together with name-calling of a bigoted nature

A student who has committed a hate crime may also be subject to criminal prosecution for that crime.

Bias incidents:

1. insults, jokes, mimicking, and name-calling based upon a student's race, religion, ethnicity, handicapping condition, sexual orientation, or gender identity
2. use of racial, ethnic, religious, sexual, or anti-gay slurs
3. negative comments on a student's manner of speaking or racial customs, surname, religious traditions
4. unwelcome verbal, written, or physical conduct directed at a student because of their race or skin color, such as nicknames which emphasize stereotypes, racial slurs, comments on manner of speaking, and negative references to racial customs
5. conduct directed at the characteristics of a student's national origin, such as negative comments regarding surnames, manner of speaking, customs, language
6. conduct directed at the characteristics of a student's sexual orientation, whether actual, perceived, or asserted – such as negative name-calling and imitating mannerisms
7. conduct directed at the characteristics of a student's disabling condition, such as imitating their manner of speech or movement, or interfering with that student's necessary equipment
8. unwelcome verbal, written or physical conduct, directed at the characteristics of a student's religion, such as derogatory comments regarding surnames, religious traditions, religious jewelry or clothing

When a student has been subjected to behaviors such as those described above, and is reasonably fearful of his/her own safety, a hostile environment has been created for that student. It may be created by a series of minor incidents, or by one serious incident. The existence of a hostile environment is a violation of the student's civil rights, as it prohibits him or her from obtaining an education.

A hate crime or bias incident will be deemed to have occurred even where the harasser is mistaken about the victim's race, ethnicity, or other targeted characteristics. In addition, targeting students simply because they associate with another student or students who are members of a particular racial, ethnic, religious, or other targeted group may also be the basis of a hate crime or bias incident.

Reporting

The designated Civil Rights Administrator for the East Longmeadow Public Schools is:

Name	Dr. Joanne Welch Director of Student Services
Address	180 Maple Street East Longmeadow, MA 01028
Phone number	(413) 525-5450, ext. 3

Incidents may be reported by students, staff, or any interested third party. Students should report any incidents to an adult with whom they feel most comfortable – a teacher, guidance counselor, or other staff member. Staff members should report incidents to the building Principal or the School District's Civil Rights Administrator for investigation and handling. Confidentiality will be maintained to the extent possible, but it should be understood that where a serious crime is involved, the police, and other governmental agencies such as the Office of the Attorney General, will be alerted. When a student has complained of a bias incident but does not wish to file a written complaint, school officials or the designated administrator will conduct an informal inquiry into the circumstances of the incident, and will keep a written record of the inquiry, in the event that further incidents involving the complaining student and the alleged harasser take place.

Investigation

Upon receiving notice that a hate crime or bias incident is alleged to have taken place, the building Principal and/or his/her designee will immediately take steps to ensure that the victim or victims are safe and secure, and will notify the Civil Rights Administrator of the allegation. All victims and witnesses will be interviewed within five (5) days following the incident, followed by interviews with any other individuals who may have knowledge pertaining to the incident and the persons involved in it. Physical evidence, if any, will be gathered. The investigator will then make a determination as to whether a hate crime or bias incident has occurred, taking into consideration the definitions contained above, the surrounding circumstances, the relationships of the parties involved, and the context in which the incident(s) took place. In addition, the investigator will determine whether there are, or have been, any related incidents of harassment, and will evaluate the kinds of damage that may have been caused, both to the victim(s) and to the school environment. The investigator will issue his/her report within five (5) school days.

Notification to/by Parents/Legal Guardians

After investigation, if there are reasonable grounds to believe that a hate crime or bias incident has occurred, the building Principal and/or his/her designee shall notify a student's parent(s)/legal guardian(s) if the student is a victim of, or is accused of, a hate crime or bias incident.

Parent(s)/legal guardian(s) are strongly encouraged to report hate crimes or bias incidents to their child's building Principal or to the Superintendent of Schools.

Informal Resolution Procedure

It may be possible to resolve a complaint through a voluntary conversation between the complaining student and the alleged harasser which is facilitated by a school employee or by the designated Civil Rights Administrator. Both the complainant and the alleged harasser may be accompanied by a person of their choice for support and guidance. If the complainant and the alleged harasser feel that a resolution has been achieved, the conversation then will remain confidential and no further action will be taken.

The results of the informal resolution will be reported, in writing, to the building Principal and the Superintendent of Schools. If either party feels that the informal conversation process is inadequate, or has

not been successful, they may proceed to the formal complaint procedure. Either party may also choose to forego the informal process and proceed directly to the formal complaint procedure.

Formal Complaint Procedure

The designated administrator will fill out a harassment complaint form based on a student's written or oral allegations that an incident or incidents have taken place. The complaint form will be kept in a secure location, and will describe in detail the facts and circumstances of the incident(s).

If an involved student is under the age of 18, his/her parents or legal guardian will be notified immediately after consultation with the student, unless such notification is determined not to be in the best interests of the student.

An investigation will take place within five (5) school days of the date of the complaint or report. The investigator may determine that immediate steps need to be taken to protect the complaining student, the alleged harasser, and any potential witnesses, and will notify school administrators of such a determination.

The investigation will be completed as soon as possible, but no later than five (5) school days after the date of the complaint, and a written report made to the building Principal and the Superintendent of Schools. The report will contain a determination as to whether the allegations have been substantiated as factual, and whether they constitute a violation of this policy. The investigator will also recommend to the building Principal and the Superintendent what action, if any, is required. The complainant and the alleged harasser will be informed of the results of the investigation, and whether disciplinary action will be taken.

All written reports of investigations will be kept by both the building Principal and the Superintendent of Schools. The East Longmeadow Public Schools recognizes that both the complainant and the alleged harasser have strong interests in maintaining the confidentiality of this process. The privacy of all parties, including witnesses, will be respected as much as possible, consistent with the School District's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations which may be necessary due to the severity of the incident(s), the potential involvement of the police department, the District Attorney's Office, the Office of the Attorney General, and the potential involvement of a civil and/or criminal trial.

Disciplinary Action

Disciplinary and/or corrective action will be taken as soon as possible following completion of the investigation of an incident of hate crime or a bias-related incident, and will have as its goal the elimination of the offensive conduct, the prevention of reoccurrences, and the re-establishment of a healthy school environment, especially for the victim(s). Such action will take into account the severity of the incident and the age and identity of the victim and harasser, and the effect upon the victim. Disciplinary and/or corrective action may include one or more of the following:

1. participation in an educational program about hate crimes and bias incidents for the perpetrator
2. an apology to the victim(s)
3. mandatory counseling
4. community service
5. placement in an alternative educational setting
6. detention
7. short-term or long-term suspension
8. recommendation for expulsion

In addition, perpetrators of hate crimes which rise to the level of criminal activity may be subject to criminal punishment as mandated by state and federal laws pertaining to such crimes. Consistent with the Memorandum of Understanding between the East Longmeadow Public Schools and the East Longmeadow Police Department, police will be notified when a probable hate crime has taken place, and in particular will be notified in an emergency situation.

Retaliation
Interference with, intimidation of, and/or retaliation against any individual, including a student, parent, or guardian, for filing a complaint, filing a grievance, or opposing discrimination, including hate crimes or bias incidents, is strictly prohibited and shall itself be treated as an actionable, wrongful act in and of itself.

The East Longmeadow Public Schools will deal seriously with any and all threats or acts of retaliation against an individual who reports a hate crime or bias incident. School staff will maintain constant contact with victims and persons who report such incidents in order to ensure that no threats or acts of retaliation take place. Any person found to have threatened to retaliate and/or actually retaliated will be subject to severe disciplinary action, including potential exclusion from school. Should the retaliation rise to the level of criminal activity, school staff are required to report it to the local law enforcement agency.

25. FIREARMS AND DANGEROUS WEAPONS

Massachusetts General Laws, Chapter 269, Section 10, states in part the following:

> "Whoever, not being a law enforcement officer, and notwithstanding any license obtained by him/her, carries on his/her person a firearm as hereinafter defined, loaded or unloaded or other dangerous weapon in any building or on the grounds of any elementary or secondary school, without the written authorization of the board or officer in charge of such elementary or secondary school, shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both. For the purpose of this paragraph "firearm" shall mean any pistol, revolver, rifle or smoothbore arm from which a shot, bullet or pellet can be discharged by whatever means." M.G.L. c. 269, § 10(j).

Any officer in charge of an elementary or secondary school, or any faculty member or administrative officer of an elementary or secondary school, failing to report violations of this paragraph shall be guilty of a misdemeanor and punished by a fine of not more than five hundred dollars.

Massachusetts General Laws, Chapter 269, Section 10, states in part that air rifles, BB guns, knives, blades, clubs, blackjack, are all considered dangerous weapons. Additionally, East Longmeadow Public School administration can and will determine if any object carried or used by a student is a dangerous weapon while in school or on school grounds.

Imposter/fake/artificial firearms and weapons will all be treated as if they are real firearms and weapons. There is no place for artificial firearms or weapons on school campuses, buses, or any school event. Weapons are serious issues- students should not carry or possess anything that can be mistaken as a weapon. Students also have the responsibility to report any weapon seen or heard about while at school.

26. VIOLENT JUVENILE OFFENDER BILL

Effective October 1, 1996, *Massachusetts General Laws, Chapter 265, Section 44*, has been amended by adding the following section:

> "Whoever commits an assault and battery on a child under the age of eighteen for the purpose of causing or coercing such child to join or participate in a criminal conspiracy in violation of section seven of chapter two hundred and seventy-four, including but not limited to a criminal street gang or other organization of three or more persons which has a common name, identifying sign or symbol and whose members individually or collectively engage in criminal activity, shall, for the first offense, be punished by imprisonment in the state prison for not less than three nor more than five years or by imprisonment in the house of corrections for not more than two and one-half years; and for a second subsequent offense by imprisonment in the state prison for not less than five nor more than ten years."

27. LOCKERS/DESKS/COMPUTERS/VEHICLES - SEARCHES OF STUDENTS

Students may be issued lockers, with or without private combinations, desks, computers, etc., at the opening of school or thereafter. STUDENTS SHOULD HAVE NO EXPECTATION OF PRIVACY IN SCHOOL LOCKERS, DESKS, COMPUTERS, VEHICLES, ETC. Lockers, desks, and computers are for the use of students but remain the property of the East Longmeadow Public Schools.

Students are advised that lockers, desks, computers, etc., may be inspected without notice by school administrators to insure cleanliness, safety, and adherence to federal, state, and local laws and regulations, as well as the Code of Conduct. The use of police drug dogs may also be employed at the discretion of school administration.

The legality of a search of a student, his/her clothing, vehicle, and/or possessions depends simply on the reasonableness, under all circumstances, of the search. The search by a school official of a student and/or his/her possessions is "justified at its inception" when there are reasonable grounds for suspecting that the search will turn up evidence that a student or students have violated either the law or the rules of the school.

Such a search is permissible in its scope when the measures adopted are reasonably related to the objectives of the search and are not excessively intrusive in light of the age and sex of the student(s) and the nature of the infraction. The Massachusetts Supreme Judicial Court has ruled that a warrant requirement is unsuited to the school environment, and that school officials need not obtain a warrant before searching a student who is under their authority.

28. PARENT'S AND STUDENT'S RIGHTS UNDER SECTION 504, TITLES II, IV, VI, IX AND THE AMERICANS WITH DISABILITIES ACT

It is the policy of the East Longmeadow Public Schools to comply with all applicable provisions of Section 504 of the Rehabilitation Act of 1973, as well as those contained in Title II, Title IV, Title VI, Title IX, and the Americans with Disabilities Act ("ADA"). These Acts prohibit discrimination against persons in any program which receives federal funding.

Section 504 of the Rehabilitation Act of 1973 and the ADA prohibit discrimination against persons with a handicap. A person with a handicap is defined as one who:

- has a mental or physical impairment which substantially limits one or more major life activities
- has a record of such impairment
- is regarded as having such impairment

The Office for Civil Rights (OCR) has noted that the ADA Amendments Act, effective January 1, 2009:

- directs that the ameliorating effects of mitigating measures (other than ordinary eyeglasses or contact lenses) may not be considered in determining whether an individual has a disability;
- expands the scope of "major life activities" by providing nonexhaustive lists of general activities and major bodily functions;
- clarifies that an impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active; and
- clarifies how the ADA applies to individuals who are "regarded as" having a disability.

Students who may not have been determined to have a disability under Section 504 or the ADA in the past may now be found to have a disability under those laws.

Learning is not the only major life activity that a school district must consider in determining if a student has a disability. In fact, the list of major life activities and major bodily functions that constitute such activities includes, but is not limited to:

- caring for oneself
- performing manual tasks
- seeing
- hearing
- eating
- sleeping
- walking
- standing
- lifting
- bending
- speaking

- breathing
- learning
- reading
- concentrating
- thinking
- communicating
- working

The list of major bodily functions that are now considered major life activities includes, but is not limited to: functions of the immune system, normal cell growth, and digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

A student with ADHD, for example, may be achieving good grades in academically rigorous classes; however, the district must consider other life activities, such as concentrating, that may be substantially limited to ADHD.

A student with a peanut allergy may not have been covered before the Act because the student's use of mitigating measures – frequent hand-washing or bringing a homemade lunch – allowed him to minimize the risk of exposure. Now, after the Act, the effects of an epipen or other measures cannot be considered in the school's assessment of whether the student has a disability. The school must assess whether, without the measures, the allergy substantially limits a major life activity such as breathing – which it often does.

The East Longmeadow Public Schools recognizes its responsibility to avoid discrimination in policies and practices involving both students and staff. Discrimination against anyone who falls under the provisions of Section 504 or the ADA will not knowingly be permitted in any program or practice of the East Longmeadow Public Schools. Accordingly, the East Longmeadow Public Schools acknowledges that it has specific responsibilities to identify such handicapped persons, to evaluate such persons, and, if they are eligible under Section 504, to provide them with reasonable accommodations to access appropriate educational services.

Any student, parent or legal guardian who believes that he or she has been discriminated against on the basis of a handicap should immediately file a written complaint with the Director of Student Services of the East Longmeadow Public Schools, who will then investigate the complaint.

Interference with, intimidation of, and/or retaliation against any individual, including a student, parent, or guardian, for filing a complaint, filing a grievance, or opposing discrimination is strictly prohibited and shall be treated as an actionable, wrongful act in and of itself.

No student, parent or guardian who has filed such a complaint will be subject to coercion, intimidation, interference or retaliation for registering a complaint or assisting in the investigation of the complaint.

Parents/Guardians Notice of Rights under Section 504

You have the right to:

1. Have your child take part in, and receive benefits from public education programs without discrimination based on his/her handicapping conditions(s).
2. Have the school district advise you of your rights under the Federal law.
3. Receive notice with respect to identification, evaluation, or placement of your child.
4. Have your child receive a free, appropriate public education. This includes the right to be educated with non-handicapped students to the maximum extent appropriate. It also includes the right to have the school district make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities.
5. Have your child educated in facilities and receive services comparable to those provided to non-handicapped students.
6. Have evaluation, educational, and placement decisions based upon a variety of sources by persons who know the student, the evaluation data, and placement options.
7. Have transportation provided to and from an alternative placement setting at no greater cost to you than would be incurred if the student were placed in a program operated by the district.
8. Have your child be given an equal opportunity to participate in non-academic and extracurricular activities offered by the district.
9. Examine all relevant records relating to decisions regarding your child's identification, evaluation,

educational program and placement.

10. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records.
11. Receive a response from the school district to reasonable requests for explanations and interpretations of your child's records.
12. Request an amendment of your child's educational records if there is a reasonable cause to believe that they are inaccurate, misleading, or otherwise in violation of the privacy rights of your child. If the school district refuses this request for amendment, it shall notify you within a reasonable time, and advise you of the right to a hearing.
13. File a grievance.
14. Request mediation or an impartial due process hearing related to decisions or actions regarding your child's identification, evaluation, educational program, or placement. You and the student may take part in the hearing and have an attorney represent you. Hearing and mediation requests may be made to: Commonwealth of Massachusetts, Department of Elementary and Secondary Education, Bureau of Special Education Appeals, 75 Pleasant Street Malden, MA 02148-4906 Phone – (781)338-3000.
15. Appeal to the Office of Civil Rights (OCR), Region 1, John W. McCormack, Post Office and Court House Square, Room 222, Boston, MA 02700 Phone (617) 223-9662.

The person in this district who is responsible for assuring compliance with Section 504, Titles II, IV, VI, IX and the Americans with Disabilities Act is the Section 504, Titles II, IV, VI, IX, and Americans with Disabilities Act District Coordinator:

Name:	Dr. Joanne Welch Director of Student Services
Address:	180 Maple Street East Longmeadow, MA 01301
Phone:	(413) 525-5450 ext. 3

Grievances

The East Longmeadow Public Schools has established an internal procedure in order to provide for prompt and equitable resolutions of complaints alleging any action prohibited by the United States Department of Justice regulations implementing Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act. Title II of the ADA regulations largely reinforces Section 504 of the Rehabilitation Act of 1973. This procedure is also to be followed when lodging complaints involving alleged violations of Title IV, Title VI and Title IX.

Title II: states, in part, that "no otherwise qualified disabled individual shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination in programs or activities" sponsored by a public entity.
Title IV of the 1964 Civil Rights Acts: provides that no person shall on the ground of race, color, or national origin be excluded from participating in any program receiving federal financial assistance.
Section 901(a) of Title IX of the Education Amendments of 1972: prohibits any educational program or activity from discriminating on the basis of sex.
Section 504 of the Rehabilitation Act of 1973: protects the rights of individuals with disabilities within the work and school setting. Section 504 is a federal civil rights statute.
Section 601 of Title VI: prohibits discrimination on the basis of race, color, or national origin.

(Note: complaints that do not allege discriminatory conduct should be directed to the building Principal.)

Definitions/Purpose/Retaliation/Confidentiality

1. A "Grievance" is a complaint made pursuant to, and arising out of, the East Longmeadow Public Schools obligations under Section 504 of the Rehabilitation Act, Title II, Title IV, VI, Title IX, and the ADA. An "Aggrieved Party" is a person or persons making the complaint.
2. The purpose of this grievance procedure is to secure prompt and equitable solutions to grievances which may, from time to time, arise pursuant to Section 504, Title II, Title IV, Title IX, and the ADA.
3. Interference with, intimidation of, and/or retaliation against any individual, including a student, parent, or guardian, for filing a complaint, filing a grievance, or opposing discrimination is strictly prohibited and shall be treated as an actionable, wrongful act in and of itself. No aggrieved party will

be subject to coercion, intimidation, interference, or discrimination for registering a complaint or for assisting in the investigation of any alleged complaint within the context of this grievance procedure.

4. All documents, communications, and records dealing with the filing of a grievance will be kept confidential to the full extent provided by law.
5. Forms for filing grievances will be provided upon request by the East Longmeadow Public Schools' Section 504, Title II, Title IV, Title IX and ADA District Coordinator whose address appears above.

Procedures

1. The aggrieved party should complete the Grievance Form and return it to the Section 504 School Coordinator of the school building in which the alleged grievance occurred. The complaint should be filed within fifteen (15) days after the complainant becomes aware of the alleged violation. (Allegations of discrimination occurring before this grievance procedure was in place will be considered on a case-by-case basis). Assistance will be provided, upon request, to enable an individual to complete the Grievance Form and pursue the grievance process.
2. Within ten (10) school days after receiving the grievance, the Section 504 School Coordinator shall meet with the aggrieved party in an effort to resolve the grievance. This investigation into the complaint is contemplated to be thorough, but informal, in nature. All interested persons and their representatives, if any, shall be afforded an opportunity to be heard and to submit evidence relevant to the complaint. If the grievance is not resolved, it will be forwarded to the Section 504 District Coordinator.
3. Within thirty (30) school days of receipt of an unresolved grievance, the Section 504 District Coordinator will conduct a hearing to determine what, if any, action shall be taken in response to the grievance. The hearing shall be held at a time and place mutually convenient to all parties. The hearing procedure will follow appropriate due process procedures, including:

   a. the opportunity for the aggrieved party to present the grievance in any suitable manner
   b. the right of the aggrieved party to an impartial hearing officer
   c. the right of the aggrieved party to be represented by counsel or an advocate at the aggrieved party's expense (the aggrieved party should notify the Section 504 District Coordinator if he/she will be represented by counsel)
   d. the right of the aggrieved party to a prompt decision

4. A written determination of the validity of the complaint and a description of the resolution, if any, shall be issued by the Section 504 District Coordinator and forwarded to the complainant no later than fifteen (15) working days after the hearing. The determination of the validity of the complaint and the description of the resolution will be provided in an alternate format, upon request, if needed for effective communication.
5. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within fifteen (15) working days following receipt of the written determination to the Superintendent of the East Longmeadow Public Schools.
6. The right of a person to a prompt and equitable resolution for the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of an ADA complaint with the responsible federal department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.
7. These rules shall be construed to protect the substantive rights of the interested persons to meet appropriate due process standards and to assure that the East Longmeadow Public Schools comply with the ADA and Section 504 implementing regulations.
8. Copies of all resolutions and findings made under this procedure shall be filed with the Superintendent's office of the East Longmeadow Public Schools.

29. CONFIDENTIALITY

Any action taken by the East Longmeadow Public Schools in the application of this Disciplinary Policy shall be documented in the student's temporary cumulative record. Disclosure of this information without the prior written consent of the student's parent(s)/legal guardian(s) and the student if he/ she is fourteen (14) or older or a ninth grader is prohibited except as allowed by law.

30. STUDENT RECORDS

In order to provide students with appropriate instruction and educational services, it is necessary for the School District to maintain extensive and sometimes personal information about them and their families. It is essential that pertinent information in these records be readily available to a student's parent(s)/legal guardian(s) and/or the student in accordance with the law, and yet be guarded as confidential information.

Pursuant to state and federal statutes and regulations, no third party, other than authorized school or Department of Elementary and Secondary Education personnel, shall have access to information in or from an education record without the specific informed consent of the eligible student or the parent(s)/legal guardian(s), subject to certain exceptions. Court officers, health officials and authorized school personnel may have access to school records of the students without "the specific informed consent" of the student or his/her parent(s)/legal guardian(s).

These laws include the Family Educational Rights and Privacy Act (FERPA), found at *20 U.S.C. § 1232g*, the Individuals with Disabilities Education Act (IDEA), found at *20 U.S.C. § 1400* et seq., and *M.G.L. c. 71, §§ 34A, B, D, E,* and *H*, as well as the regulations promulgated under these statutes.

FERPA also allows disclosure of education records without the consent of parent(s)/guardian(s) and/or students to any school officials, including teachers, who have a legitimate educational interest in them; during lawsuits brought against the school by a student or against a student by the school; in the event of a health or safety emergency; and, among other exceptions, upon receipt of a Court Order or lawfully issued subpoena, or upon receipt of a request from a court or the Department of Youth Services for information regarding a student. Prior to compliance with the Court Order, subpoena, or request, the school shall notify the eligible student or parent(s)/legal guardian(s) of the Court Order, subpoena, or request in such reasonable time that he/she may seek to have the process quashed. Other exceptions may be found by reviewing the statute.

In the case of a student, fourteen through seventeen (14-17) years of age, or of one who has entered the ninth grade, both the student and his/her parent(s)/legal guardian(s), or either one acting separately, shall exercise these rights. Any student eighteen (18) years of age or older may exercise these rights alone.

This privacy protection also means that if parent(s)/legal guardian(s) or students wish transcripts or records forwarded to schools, colleges, or prospective employers, a written release must be delivered to the Principal of the school or the appropriate custodian of the student's school records.

Parent(s)/legal guardian(s) and students are guaranteed the right under state and federal law to inspect as well as seek addition to or deletion from all records which are kept or requested to be kept by the School Department concerning individual students. The term "education records" is defined as records that are "directly related to a student" and "maintained by an educational agency or institution or by a party acting for the agency or institution." *20 U.S.C. 1232g (a) (4) (A).* They include the "student record" – a student's transcript and any other recorded information which is identified by the student's name, as well as the "temporary record," which contains all other information such as evaluations by teachers, counselors, and other school staff. A signed log is kept in each cumulative record for all students identifying all persons who have obtained access to the student record.

Under FERPA, certain records are excluded from the definition of "education records" and are not subject to access by parent(s)/guardian(s), students, and other individuals. These records include personal notes kept by instructional and administrative staff in their own files, employee records, records kept by school law enforcement officers, and medical treatment records of students over the age of 18.

Complete copies of the state regulations concerning parent/legal guardian and student rights to education records may be obtained in the building Principal's office.

Public Notice – Public Directory Notice

The East Longmeadow Public Schools may release the following information 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."

Parent(s)/legal guardian(s) and eligible students have the right to request, in writing, that this information not be released without prior consent. This notice may also be included in the routine information letter the school publishes under *603 C.M.R. sec. 23.10(1)*.

31. NON-CUSTODIAL PARENTS: ACCESS TO SCHOOL RECORDS

As required by *M.G.L. c. 71, § 34H*, a non-custodial parent may have access to the student record, consisting of information concerning his/her child, including, but not limited to report cards and progress reports, the results of testing, notification of a referral for a special needs assessment, notification of enrollment in an English Language Learner program, absences, illnesses, detentions, suspensions, expulsions, or withdrawal from school, in accordance with the following provisions:

1. A non-custodial parent is eligible to obtain access to the student record unless:
   a. the parent has been denied legal custody or has been ordered to supervised visitation, based on a threat to the safety of the student and the threat is specifically noted in the order pertaining to custody or supervised visitation.
   b. the parent has been denied visitation.
   c. the parent's access to the student or to the custodial parent has been restricted by a temporary or permanent protective order, unless the protective order (or any subsequent order modifying the protective order) specifically allows access to the information contained in the student record.
   d. there is an order of a Probate and Family Court judge that prohibits the distribution of student records to the parent.
2. The school shall place in the student's record any documents indicating that a non-custodial parent's access to the student's record is limited or restricted pursuant to *603 CMR 23.07(5)(a)*.
3. In order to obtain access, the non-custodial parent must submit a written request for the student record to the building Principal.
4. Upon receipt of the request, the school must immediately notify the custodial parent by certified and first class mail, in English and in the primary language of the custodial parent, that it will provide the non-custodial parent with access after 21 days, unless the custodial parent provides the Principal with documentation that the non-custodial parent is not eligible to obtain access as set forth in *603 CMR 23.07(5)(a)*.
5. The school must delete all electronic and postal address and telephone number relating to either work or home locations of the custodial parent from student records provided to non-custodial parents. In addition, such records must be marked to indicate that they shall not be used to enroll the student in another school.
6. Upon receipt of a court order which prohibits the distribution of information pursuant to *M.G.L. c. 71, § 34H*, the school shall notify the non-custodial parent that it shall cease to provide access to the student record to the non-custodial parent.

32. SUBSTANCE ABUSE POLICY

The East Longmeadow Public Schools are dedicated to providing a drug and alcohol free environment for staff, students and citizens. The public schools believe that education plays a critical role in establishing lifelong health habits for its students. The East Longmeadow Public Schools 6-12 health curriculum emphasizes the dangers of drugs and alcohol. The East Longmeadow Public Schools also has a strong interest in the health of its employees and in their serving as positive role models for students. It is also the policy of the East Longmeadow Public Schools that the commercialization/promotion of drug or alcohol use is contrary to the health and the wellbeing of its students, staff and community.

33. E.L.P.S. / E.L. POLICE MEMORANDUM OF UNDERSTANDING

Understanding between the East Longmeadow Public Schools, the East Longmeadow Police Department, and the Hampden County District Attorney's Office.

This document recognizes the formal working relationships agreed upon by participating agencies for the purpose of providing a safe and violence-free educational setting.

I. **GENERAL POLICIES**

A. The East Longmeadow Public Schools, East Longmeadow Police Department and Hampden County District Attorney's Office agree to develop and coordinate their response to violent, delinquent or criminal acts by students, including possession or use of weapons and alcohol and other drug use, that occur on school

premises, school buses, or at school-related events. (Additionally, the policies and procedures developed will pertain to non-students and other visitors on school premises or at school related events.) To promote a safe educational environment, this cooperative effort between the school administration and law enforcement agencies supports "zero tolerance" for violence, weapons, drugs, harassment and civil rights violations, in accordance with Safe and Drug Free Schools and Communities Act.

M.G.L. Chapter 71, Section 37H, requires each school district to have a Code of Conduct contained in student handbooks, setting forth, among other things, standards and procedures to assure school building security and safety of students and school personnel. The Code of Conduct should include standards and procedures for suspension and expulsion of students pertaining to disciplinary measures and due process rights in cases involving the possession or use of illegal substances or weapons, violations of criminal law and the school's discipline code. In addition, reference to this Memorandum should be made in these handbooks.

B. Participating agencies agree, within the statutory authority of its agency, that every effort will be made to share information, so as to provide a safe and violence-free educational setting.

II. REPORTING PROCESS BETWEEN THE SCHOOL DEPARTMENT AND THE DEPARTMENT OF CHILDREN AND FAMILIES (DCF)

Under M.G.L. Ch.119, Section 51A, school personnel (mandated reporters) who, in their professional capacity, have reasonable cause to believe that a child under the age of eighteen years is suffering physical or emotional injury resulting from abuse, inflicted upon him which causes harm or substantial risk of harm to the child's health or welfare, (including sexual abuse) or from neglect, shall report such condition to the Department of Children and Families. *"Reasonable cause to believe" means known or suspected instances of child abuse or neglect, regardless of whether the person or persons responsible for the abuse or neglect was in the position of caretaker.*

Included within this definition are incidents of abuse by other students, as well as school personnel. If the incident involves criminal conduct, including physical abuse, violation of a restraining order, assault and battery, indecent assault and battery, rape, forcible rape of a child under 16 or rape and abuse of a child under age 16 (so-called "statutory rape"), school officials shall also report the incident to the police.

During the 51A investigation (Section 51B) school personnel are required to disclose to DCF any information that such personnel determine is relevant to the investigation, including student record information. School staff is expected to cooperate with DCF during this investigation, especially when circumstances of the case necessitate interviewing the child at school. It is suggested that such interviews be conducted in the presence of a teacher or other school personnel, without prior notification to parents or guardians if notice could put the child at further risk.

III. REPORTING PROCESS BETWEEN THE SCHOOL DEPARTMENT AND POLICE

It is understood by the parties that school officials are not agents of the police or the District Attorney's Office and that the District Attorney's Office and police are not agents of school officials.

School officials retain their sole prerogative to impose any disciplinary sanctions for infractions of school rules and policies in addition to any police involvement or investigation that may be warranted.

The school principals or their designee are responsible for reporting criminal activity to the police department to ensure a coordinated response. For any life-threatening or emergency situations, calls should be made to 911. Other calls needing an immediate (but non-emergency) response should go to the main police department. Follow-up and on-going communication will be provided.

When the school has reported an incident to the police, the police will be responsible for making the decision as to the course of the criminal or delinquency investigation.

In pursuit of the goals of M.G.L. Chapter 71, Section 370(d), the Principal or designee shall provide immediate notification to the local law enforcement agency if there is a reasonable basis to believe that criminal charges may be pursued against a perpetrator. The principal or designee of the school shall inform the student and his/her parent or guardian that, upon report, the police may conduct an investigation independent of school discipline. The principal or designee shall also report to the police the existence of any physical evidence related to the incident. All contraband (e.g., drugs, alcohol, firearms, dangerous weapons and stolen goods)

or any other physical or documentary evidence found by the school shall be immediately shown to and made available to the responding police department.

Any teacher or other school employee who has witnessed or become aware that a student has committed a violation of the school's discipline code or an act where criminal charges may be pursued against a student which was committed on school premises, school buses or at school related events shall report such incident to the principal or designee pursuant to the school's discipline reporting procedures.

In addition, the Principal or designee shall comply with M.G.L. Chapter 71,
Section 37L, concerning any incident involving a student's possession or use of a dangerous weapon on school premises, regardless of whether it occurred during school hours, and whether or not the student has been excluded from school. Consistent with the law, the Superintendent shall file copies of the "weapons" report with the police chief, the Department of Children and Families and the local school committee.

A. Search and Seizure
It is the policy of the East Longmeadow Public Schools to subject a student to a search of his or her person and/or personal possessions, including clothing, gym bag, purse, backpack or motor vehicle, if the authorized school personnel have, independent of information provided by the police, a reasonable suspicion to believe that such student is carrying or concealing material, the possession of which is prohibited by federal, state or local law, or by the provisions of the school discipline code (e.g., alcohol, drugs, illegal substances or weapons, or any other object which may result in physical injury or harm to students on the school grounds or in the school building). Lockers and desks used by students remain the property of the school and may be opened without notice at any time as part of non-investigatory school practices. The contents of personal items found in desks and lockers may be searched, as provided by law. The Principal(s) or designee shall include this practice in the student handbook or inform students in writing at the beginning of each school year. If material, the possession of which is prohibited by federal, state or local law, or by the provisions of the school discipline code is discovered and or seized, the principal or designee shall keep a record of such search and seizure, which should include the date, the reason(s) for the search, the witnesses to the search, what or who was searched, and what was found. If contraband or evidence of a crime is found, the police shall be notified at once.

B. The Police will communicate regularly with the school administration to share
information with the school on felony arrests and other community concerns that affect the safety and general welfare of all students. When requested, the police will provide to the school administration a copy of the daily police log. The appropriate police department designated liaison will inform the appropriate school designated liaison, subject to applicable statutes and regulations governing confidentiality, specifically including M.G.L. Chapter 12, Section 32, Chapters 71, Sections 37H and 27H1/2. (NOTE: There seems to be some phrase missing from the end of this sentence. For example, the appropriate police department designed liaison will inform the appropriate school liaison of what?)

The police and/or the District Attorney's Office shall provide notice to the school when a student:

1) Has been charged or convicted of a felony offense;
2) Has been charged or convicted as a youthful offender; or
3) Has been charged or adjudicated as a delinquency where the underlying offense is a felony.

If requested by the Superintendent, the police may provide notice regarding felony offenses of a transfer student in order to assess and evaluate the background of the transfer student.

The Superintendent, principals or designees who receive confidential delinquent or criminal information shall be CORI certified.

The school agrees to notify the police department when suspending a student under the provisions of M.G.L. Chapter 71, Section 37H1/2, if the suspension is based on information received by the school of a pending felony charge or felony disposition.

IV. ROLE OF THE HAMPDEN COUNTY DISTRICT ATTORNEY
The Hampden County District Attorney will maintain a Community Based Juvenile Justice Program as mandated by and included in M.G.L., Chapter 12, Section 32, an Act Relative to Community Based Juvenile

Justice Programs, in participation with the East Longmeadow Public Schools in providing a safe environment for learning, in accordance with the legislative mandate set forth in M.G.L.c. 71, Section 37H and 37H1/2.

Community Based Juvenile Justice Meetings/School Safety Meetings may be conducted, under the authority of the District Attorney, to allow the undersigned to discuss and assess specific events or particular individuals whose conduct may pose a threat to the safety of the school community.

Any information shared by police or the Hampden County District Attorney's Office and provided to any school or other agency, employee or representative may only be used for purposes described in M.G.L., Chapter 12, Section 32 and in accordance with the legislative mandates of M.G.L. Chapter 71, Section 37H and 37H1/2.

The Hampden County District Attorney agrees to provide training to his staff to inform them of their roles and responsibilities under this agreement. On an on-going basis, the same training will be provided to new staff members.

V. PROSECUTORIAL ALTERNATIVES

Juvenile Diversion

When appropriate, first time offenders under age 17 who commit minor misdemeanors will be referred to the Hampden County District Attorney's Juvenile Diversion Program. The Juvenile Diversion Program is an alternative to the court system. The District Attorney's Office will determine whether such offender will be offered this alternative. Participating youth may be required to attend and complete counseling/education programs, perform community service and, when applicable, pay restitution. Youth who successfully complete the Juvenile Diversion Program prior to arraignment may have no court record. Those cases deemed not appropriate for Juvenile Diversion will be prosecuted through the Juvenile Justice System.

TRUANCY PREVENTION

Truancy is a problem that has long-term effect on children, families and the community. The District Attorney's Office agrees to work with the East Longmeadow Public Schools in order to reduce truancy among its students.

Gordon C. Smith — 3-7-12

Gordon C. Smith — Date

Superintendent of East Longmeadow Public Schools

Douglas Mellis — 2-28-2012

Douglas Mellis — Date

Chief of Police, East Longmeadow

3/8/12

Mark G. Mastroianni — Date

Hampden County District Attorney

Finalized 7/21/11

34. COMMONWEALTH OF MASSACHUSETTS DRUG FREE SCHOOL ZONES

Pursuant to *Massachusetts General Laws, Chapter 94C, Section 325*, any person who violates the provisions of the law pertaining to the unauthorized manufacturing, distribution, dispensing or possession with intent to distribute a controlled substance while in or on, or within one thousand feet of the real property comprising a public or private elementary, vocational, or secondary school, whether or not in session, shall be punished by a term of imprisonment in the state prison for not less than two and one-half nor more than fifteen (15) years or by imprisonment in a jail or house of correction for not less than two nor more than two and one-half years. No sentence imposed under the provisions of this section shall be for less than a mandatory minimum term of imprisonment of two (2) years. A fine of not less than one thousand nor more than ten thousand dollars may be imposed but not in lieu of the mandatory minimum two (2) year term of imprisonment as established herein.

Lack of knowledge of school boundaries shall not be a defense to any person who violates the provisions of this section.

Suspension of a License to Operate a Motor Vehicle upon Conviction of Violation of the Controlled Substance Act

Pursuant to Massachusetts General Laws, *Chapter 90, Section 20*, the Registrar of Motor Vehicles shall suspend, without hearing, the license or right to operate of a person who is convicted of a violation of any provision of *Chapter 94C*, provided, however, that the period of such suspension shall not exceed five (5) years; provided further, that any person so convicted who is under the age of eighteen (18) years or who is adjudged a delinquent child by reason of having violated any provision of *Chapter 94C*, and is not licensed to operate a motor vehicle shall, at the discretion of the presiding judge, not be so licensed for a period no later than when such person reaches the age of twenty-one (21) years.

35. BUSING POLICY (BUS REGULATIONS)

Rule of Conduct on Buses

Pupils are under the jurisdiction of the school authorities from the time they board the bus to school until they leave the bus which returns them home. It is a privilege to ride on the school bus. If riders are not well-behaved and courteous, they endanger the health and safety of other riders and may be deprived of the privilege of riding. A bus driver's authority on the bus is comparable to that of a classroom teacher. East Longmeadow Public Schools reserves the right to assign students to specific seats.

1. Pupils are assigned to specific bus stops for transportation to and from school. Pupils are to be on time* at the location, are to respect the property of homeowners, are to stand back from the roadway and should refrain from horseplay while awaiting the arrival of the bus.
   **Please allow +/- 10 minutes from designated time of pickup/discharge to actual time of pickup/discharge.*
2. Students can only board and depart the school bus at their individually assigned bus stop, as stated on their bus pass. If there is an emergency and the need for your child to get on at a different location, you must contact the Transportation Manager. If you have an emergency and your child needs to be dropped off at a different school bus stop (even if this is the same bus) you must contact your school's Principal and submit this in writing.
3. Food and/or drink are not to be consumed on the bus at any time. Because of food allergies, the "No Eating" policy is strictly enforced and includes home to school, athletic and field trip bus transportation. No Exceptions.
4. Pupils should wait for the bus to stop, board the bus promptly and take seats toward the rear of the bus (unless otherwise assigned by the driver) with the exception of kindergarten students. Enough seats are to be reserved at the front of the bus to accommodate kindergarten students.
5. Pupils should always face the front of the bus while seated, talk quietly, keep aisles free of all objects and refrain from any and all horseplay.
6. Windows are not to be opened without the permission of the driver. Emergency equipment should only be used upon instruction of the driver.
7. Smoking is prohibited at all times.
8. Only eligible and/or authorized students may ride assigned buses on assigned routes.
9. Bus drivers furnish school administrators with written notice of any minor rule infractions by students. These notices are referred to as "bus tickets." Tickets will be reviewed by the school

administrator with the student. Appropriate disciplinary action will be taken and notification will be forwarded to the parent/guardian, the Superintendent's office and the issuing driver.

10. It is a safety violation for any large equipment or large band instruments to be loaded and transported on the bus with students. Large instruments and large equipment must be transported by other means.

All infractions are to be reported to the building Principal by the bus driver by the end of each day. Other persons having any complaint should put it in writing along with their signature and submit the grievance to the building Principal concerned. The Principal will then investigate the problem and take appropriate action.

Major infractions such as, but not limited to, vandalism, tampering with the emergency door or other safety equipment, consumption of alcohol, use of illegal drugs, fighting, the lighting of matches or other flammable items, or disrespect and insubordination to the driver will be dealt with on a single offense basis by the Principal and may result in an immediate loss of bus privileges, school disciplinary action, legal action, or all three.

36. TOBACCO FREE STATEMENT

The East Longmeadow Public Schools is dedicated to providing a healthy, safe, and productive learning and recreation environment for staff, students, and visitors to its facilities. The use of tobacco products has a direct link to numerous health problems. Tobacco prevention and education plays a critical role in establishing life-long positive health habits for its students.

In accordance with the *Massachusetts General Laws, Chapter 71, Section 37H*, the use or possession of any tobacco product within the school building, school facilities, on school grounds, or on school buses by any individual, including school personnel, shall be strictly prohibited. Students and staff who violate this policy will be disciplined in accordance with published regulations. Members of the public who violate this policy and fail to stop at the request of school staff or police will be directed to leave school property immediately. Those failing to obey the direction of school staff or police will be considered to be trespassing.

Signs shall be posted in all school buildings informing the general public of the district policy and requirements of state law.

The disciplinary procedure for this policy will be consistent across the system and may be found in the appropriate student and staff handbooks.
The Superintendent of Schools, building administrators, and school officials who have been designated by the East Longmeadow Board of Health as agents of the Board for the purpose of the Tobacco Free Policy shall be responsible for the enforcement of this policy.

37. PROPER DRESS

Moderation in all things is an admirable virtue and moderation in dress and grooming is not a difficult goal to achieve. Neatness, cleanliness and appropriateness are the keystones of school dress and appearance in the East Longmeadow Public Schools. Personal dress and appearance may not violate reasonable standards of health, safety, cleanliness and propriety.

PERSONAL DRESS AND APPEARANCE WHICH IS VULGAR OR PLAINLY OFFENSIVE OR WHICH DISRUPTS OR SUBSTANTIALLY INTERFERES WITH THE EDUCATIONAL PROCESS OR WITH ANOTHER STUDENT'S ABILITY TO RECEIVE AN EDUCATION IS PROHIBITED.

In addition, a student's personal dress and appearance must comply with any and all applicable state and federal safety regulations, especially while attending a lab or shop.

Basic Expectations

1. No exposed undergarments.
2. No low-cut shirts, no pajama pants.
3. No space between shirt and pants.
4. No backless, strapless, or one-shoulder shirts/blouses
5. No tops with less than one inch straps
6. No skirts, dresses, and shorts worn shorter than the fingertips when extended at your side. Example: If the fingertips touch your skin when arms are fully extended, then the garment is too short.

7. No clothing containing messages or pictures alluding to alcohol, illegal substances, tobacco, drugs, nudity, violence, gang-related symbolism, offensive language, profanity and the like.
8. Hats or headgear may serve a reasonable purpose under specific circumstances or be a sincere expression of recognized religious belief. The wearing of hats/headgear however, in an educational setting such as a classroom, assembly, etc., is often judged as inappropriate. Therefore, once a student has entered the school building, he/she must remove his/her hat/headgear and refrain from wearing it during the school day, unless it is an expression of recognized religious belief or due to a medical condition. Offenders will be subject to disciplinary action.

38. SKATEBOARD/ROLLERBLADE/SCOOTER/ROLLING FOOTWEAR POLICY

Students shall not roller-blade, roller-skate, scooter, or skateboard on school grounds at any time whether during or after school hours, including all outdoor and indoor recess periods (except for supervised physical education programs). For purposes of this ban, school grounds shall include all school buildings, parking lots, paths, playgrounds, and stairwells leading to school building entrances.

39. HEALTH POLICIES AND PROCEDURES:

School Health Services Mission Statement:

The mission of the East Longmeadow Public School's Health Services Department is to enhance the educational process by maximizing the health and well-being of the school-age children and adolescents physically, intellectually, socially and emotionally. An optimum level of health is basic to effective learning.

Immunization Regulations:

Under *Massachusetts General Laws Chapter 76-15*: All students entering East Longmeadow Schools must meet the MA DPH Immunization Requirements under state regulations (*102CMR7.09 and 105 CMR220.00*). Students must present a physician's certificate that he/she has been successfully immunized against diphtheria, pertussis, tetanus, measles, mumps, rubella, poliomyelitis, Hepatitis B and varicella (and such other communicable diseases as may be specified under state law) and is up to date on all required boosters. Pre-school students must show proof of Hib Influenza immunizations in addition to other immunizations noted above. New Immunization Requirements for the **2015-2016** school year: Students in Grades **K-4** and Grades **7-11**, must have 2 MMR's and 2 Varicella vaccines. Student in grades
7-11 also need a Tdap vaccine.

An exception to this regulation exists for homeless children. Pursuant to the No Child Left Behind Act, if a homeless student does not have immediate access to immunization records, the child shall be enrolled under a personal exception. Students and families are encouraged to obtain current immunization records or immunizations as soon as possible with the assistance of the district.

The School Nurse and administration have the authority to refuse school admittance and/or exclude a student from school for non-compliance with these immunization requirements subject to the exemption for homeless children described above. Religious or medical exemptions may apply if requested documentation of such exemption is provided. However, in situations when one or more cases of disease are present in a school, all susceptible students, including students with medical or religious exemptions, are subject to exclusion as described in the Reportable Disease and Isolation and Quarantine Requirements Report. No tutors will be provided for students excluded from school due to non-immunized status.

Under *Massachusetts General Laws Chapter 71, Section 57* proof of a lead test is required of all Kindergarten students.

Massachusetts School Immunization Requirements for School Year 2015-2016*

	Child Care/Preschool[1]	Kindergarten	Grades 1-6	Grades 7-12	College[2]
Hepatitis B[3]	3 doses	3 doses	3 doses	3 doses	3 doses for all health science students and full-time undergraduate and graduate students
DTaP/DTP/DT/ Td/Tdap[4]	≥4 doses DTaP/DTP	5 doses DTaP/DTP	≥4 doses DTaP/DTP or ≥ 3 doses Td	4 doses DTaP/DTP or ≥3 doses Td; plus 1 dose Tdap (See Phase-In Schedule)	All health science students and full-time undergraduate and graduate students: 1 dose Tdap
Polio[5]	≥3 doses	4 doses	≥3 doses	≥3 doses	NA
Hib[6]	1 to 4 doses[6]	NA	NA	NA	NA
MMR[7]	1 dose	2 doses	Grades 1-4: 2 doses Grades 5-6: 2 doses measles, 1 mumps, 1 rubella (See Phase-In Schedule)	Grades 7-11: 2 doses Grade 12: 2 doses measles, 1 mumps, 1 rubella (See Phase-In Schedule)	All health science students and full-time undergraduate and graduate students: 2 doses
Varicella[8]	1 dose	2 doses	Grades 1-4: 2 doses Grades 5-6: 1 dose (See Phase-In Schedule)	Grades 7-11: 2 doses Grade 12: 1 dose (See Phase-In Schedule)	All health science students and full-time undergraduate and graduate students: 2 doses
Meningococcal[9,10]	NA	NA	NA[10]	1 dose for new full-time residential students[9]	1 dose for full-time residential students[9]

*These requirements also apply to all new "enterers." NA = no vaccine requirement for the grades indicated.

[1]Child Care/Preschool: Minimum requirements by 24 months; immunize younger children according to their age.

[2]College: Requirements apply to: 1) all full-time undergraduate and graduate students; 2) all full-time and part-time health science students; and 3) any full-time or part-time student attending any postsecondary institution while on a student or other visa, including foreign students attending or visiting classes as part of a formal academic visitation or exchange program.

[3]Hepatitis B: 3 doses required for child care attendance and preschool entry, kindergarten-12th grade, and college (see footnote 2 above). Laboratory proof of immunity is acceptable.

[4]DTaP/DTP/DT/Td/Tdap: ≥4 doses required for child care attendance and preschool entry; 5 doses of DTaP/DTP required for school entry unless the 4th dose is given ≥ the 4th birthday. DT is only acceptable with a letter stating a medical contraindication to DTaP/DTP. **One dose of Tdap is required for all students entering grade 7-11, full-time college freshmen-graduates and all health science students.** If it has been <5 years since the last dose of DTaP/DTP/DT/Td, Tdap is not required but is recommended regardless of the interval since the last tetanus-containing vaccine. See Phase-In Schedule below.

[5]Polio: ≥3 doses required for child care attendance and entry into preschool. 4 doses required for school entry, unless the 3rd dose is given on or after the 4th birthday, and ≥ 6 months following the previous dose, in which case only 3 doses are needed. Administer the final dose in the series on or after the 4th birthday and ≥ 6 months following the previous dose. If 4 doses are administered before age 4 years, a 5th dose is recommended at age 4 - 6 years.

[6]Hib: Required for child care attendance and preschool entry. The number of doses is determined by vaccine product and age the series begins.

[7]MMR: 1 dose of MMR is required for child care attendance and preschool entry; **2 doses are required for kindergarten-grade 4, grade 7-11, full-time undergraduate and graduate students and all health science students.** Laboratory proof of immunity is acceptable. **For college students, except health science students, birth before 1957 in the U.S. is also acceptable.** See Phase-In Schedule below.

[8]Varicella: 1 dose required for child care attendance and preschool entry; **2 doses required for kindergarten-grade 4, grade 7-11, full-time undergraduate and graduate students and all health science students, unless they have a reliable history of chickenpox.** A reliable history includes a diagnosis of chickenpox, or interpretation of parent/guardian description of chickenpox, by a physician, nurse practitioner, physician assistant or designee; or 2) laboratory proof of immunity. **Birth before 1980 in U.S. is acceptable for college students, except health science students.** See Phase-In Schedule below.

[9]Meningococcal: 1 dose MCV4, or a dose of MPSV4 in the last 5 years, is required for 1) newly enrolled full-time students attending a secondary school with grades 9-12 (in ungraded classrooms, those with students ≥ 13 years) who will live in a dormitory or comparable congregate living arrangement approved by the secondary school; and 2) newly enrolled full-time undergraduate and graduate students in a degree program at a postsecondary institution (e.g., college) who will live in a dormitory or comparable congregate living arrangement approved by the institution.

Students may decline the vaccine after they have read and signed the MDPH Meningococcal Information and Waiver Form provided by their institution. These requirements apply to newly- enrolled full-time residential students, regardless of grade and year of study.

[10]**At residential schools with lower grades:** The requirements apply to residential students in grades pre-K through 8 only if the school combines these grades in the same school with students in grades 9-12

Phase-In Schedule for MMR, Varicella, and Tdap Vaccines 2015 - 2017

	2015	2016	2017
2 MMR and 2 Varicella	K-4 and 7-11 College: full-time freshmen-graduates; all health science	K-5 and 7-12 College: full-time freshmen-graduates; all health science	K-12 College: full-time freshmen-graduates; all health science
Tdap	Grades 7-11 College: full-time freshmen-graduates; all health science	Grades 7-12 College: full-time freshmen-graduates; all health science	Grades 7-12 College: full-time freshmen-graduates; all health science

Massachusetts Department of Public Health Immunization Program 2015

Physical Exams:

1. Physical examination s of students is required every three (3) to four (4) years, usually in Grades K, 4, 7, **10** and for new enterers. We encourage parents to have this exam completed by the student's Primary Care Provider when parent(s)/legal guardian(s) receive these notices. Physical examination by a private health care provider is required prior to entering any pre-school and/or kindergarten program in East Longmeadow Public Schools.
2. All students participating in high school sports must show proof of a current physical exam (**every 13 months**) and a completed **MIAA** athletic questionnaire signed by the parent/guardian **and students** before participating in a practice and/or game**.** New ELPS Concussion Policy and Guidelines, effective March 1, 2012, outline forms, education and baseline concussion testing for students in **Grade 9 and 11, required for ELHS sports clearance. Parents and students must register and complete information on Family ID before each sport. All paperwork must be submitted one week before the season begins.** Please see Policy on page 70.

Mandated Screenings:

1. Postural screening will be administered to students yearly in Grades 5 through 9. No parental permission is required for this screening.
2. Sight and hearing screenings shall be performed in the school by a nurse or school personnel. Vision screenings are done in Grades K-5 and in Grades 7 and 9. Hearing screenings are done in Grades K-5 and in Grades 6 and 10.
3. Statewide guidelines effective June 2010 require public schools to perform Body Mass Index (BMI) screenings in grades 1, 4, 7, and 10. This information will only be mailed home if the **parent/guardian provide written request to school nurse**. Parents/ guardians must present a written note to the school nurse, before the screening, if they do not want their child to participate.

Field Trips/Medical Concerns:

It is often a lengthy process to make arrangements to meet the medical/health needs of students on field trips. The process can involve parents, physicians, staff members and a nurse to accompany the student on the trip. Two weeks is the minimum amount of time needed to accomplish this task and ensure a safe trip for everyone. The responsibility starts with parents notifying the school.

Forms:

1. It is the responsibility of the parent(s)/legal guardian(s) to complete necessary health forms such as Emergency Information and Health Histories.
2. The school must have the proper information to contact parents(s)/legal guardian(s) in the event of an illness or accident involving their child. Parent(s)/legal guardian(s) should make arrangements to transport their child home when ill.

Special Procedures:

A written order from a physician or licensed health care provider and written parental permission is required prior to initiating any special procedure on any student for that school year.

Medication Procedures:

As a rule, medication is not given in school. In most cases, pupils who are on medication can have the dosage adjusted by their health care provider so that the routine time for taking the medication will come before or after school hours. When it is absolutely necessary that a medication – prescription and/or over-the-counter — be given during school hours, the East Longmeadow Public Schools will cooperate in the administration of medication when the following regulations have been met (a complete copy of the medication policy is available in each school and in the Central Office):

1. Parent/guardian consent forms are completed and returned to the school nurse
2. Medication order form is completed and signed by the licensed prescriber and returned to the school nurse; this order must be renewed at the beginning of each school year
3. Medication is brought to school by parent/guardian in a pharmacy or manufacturer labeled container, including student's name, physician's name, and expiration date
4. Self-Administered medications will be limited to Epipens and inhalers; these medications will need a parent/guardian written consent form, licensed prescriber's written order and

approval by the school nurse

5. No child shall carry medication on his/her person. Medications, prescription or over-the-counter, must be stored in the nurse's office and will only be dispensed when the necessary forms as noted above are provided

The school nurse will maintain the Medication Administration Plan. Medication will be kept in a locked cabinet/refrigerator in the health room.

Procedures for resolving questions between school personnel and parents/guardians are available from the Director of Student Services.

Health Room Protocol:

1. All students need a pass to be seen in the Health Room.
2. Students will be served on a triage basis of severity of illness or injury.
3. Except for emergency first aid and preliminary assessment of illness or injury, treatment is the responsibility of the student's parent(s)/legal guardian(s).
4. When a student transfers to another school or school system, upon receipt of a signed "Release of Information" form from the student's parent(s)/legal guardian(s), the health record may be sent with other school records. The nurse places the health record in a sealed envelope that is clearly labeled to the school nurse of the receiving school. Otherwise, the health record shall be sent directly to the school nurse of the receiving school.
5. In cases of communicable disease and febrile illness, the school nurse has the authority to exclude students under guidelines of the Department of Public Health. Readmission will be dependent upon compliance to above guidelines.
6. Parent(s) or legal guardian(s) may contact the East Longmeadow Nursing Supervisor or individual school nurse if there are any questions regarding these regulations.

Children and Adolescents with HIV/AIDS in School Setting: Guidelines for Attendance and Disclosure

Information gathered by the U.S. Center for Disease Control and similarly, the Massachusetts Department of Public Health, states that except in rare circumstances, a student with AIDS or HIV infection poses no risk of disease transmission of HIV infection through the kind of casual contact which occurs in a school setting. Therefore, a student with AIDS or HIV infection has the same right to attend school and participate in school programs as any other student.

1. A student's parent(s)/legal guardian(s) are not obliged to disclose the student's HIV/AIDS status with school personnel.
2. There are benefits to informing the school nurse or physician of a student's health condition, but further disclosure of a student's HIV status by the school nurse or physician to other personnel requires the specific, informed, written consent of the student's parent(s)/legal guardian(s).
3. If a health care provider (such as a school nurse or school physician) discloses a student's AIDS/HIV status, without specific, informed, written consent of the student's parent(s)/legal guardian(s), that provider and/or facility has violated the *Massachusetts General Laws, Chapter 111, Section 70F*, and may be subject to a civil suit brought by the student or the student's parent(s)/legal guardian(s).
4. Under *Massachusetts General Laws, Chapter 112, Section 12F*, minors may consent to HIV testing in certain circumstances. The law mandates strict confidentiality. If an adolescent student has sought such testing, independent of parental consent that student has a right to confidentiality of the test results, and any disclosure of this information would require that student's specific, informed, written consent.
5. *Massachusetts General Laws Chapter 214, Section 1B*, prohibits the unwarranted invasion of a person's privacy, Therefore, any school staff member, having heard of a student's HIV/AIDS status is advised to refrain from discussing any HIV/AIDS related information regarding that student unless he/she has been give specific, informed, written consent to do so.

Meningococcal Disease Protocol

Recently enacted *Massachusetts General Laws (Chapter 111, s219)* require secondary schools to provide information on Meningococcal disease to parents/guardians of their students. The Massachusetts Department of Public Health (MDPH) must approve this information, and information regarding the risk of meningococcal disease and the availability, effectiveness, and risks of the vaccine. If you need additional information, please consult with your child's Primary Care Physician.

Meningococcal Disease and Students: Commonly Asked Questions

What is meningococcal disease?

Meningococcal disease is caused by infection with bacteria called Neisseria meningitides. These bacteria can infect the tissue (the "meninges") that surrounds the brain and spinal cord and cause meningitis, or they may infect the blood or other organs of the body. In the U.S., about 2,600 people get meningococcal disease each year and 10-15% die despite receiving antibiotic treatment. Of those who survive, about 10-15% may lose limbs, become deaf, have seizures or strokes, or have other problems with their nervous system.

How is meningococcal disease spread?

These bacteria are passed from person-to-person through saliva (spit). You must be in close contact with an infected person's saliva in order for the bacteria to spread. Close contact includes activities such as kissing, sharing water bottles, sharing eating/drinking utensils or sharing cigarettes with someone who is infected; or being within 3-6 feet of someone who is infected and is coughing and sneezing.

Who is at most risk for getting meningococcal disease?

People who travel to certain parts of the world where the disease is very common are at risk for meningococcal disease. Children and adults with damaged or removed spleens or terminal complement component deficiency (an inherited immune disorder) are at risk. People who live in certain settings such as college freshmen living in dormitories and military recruits are at greater risk of disease.

Are students at increased risk for meningococcal disease?

The risk of meningococcal disease starts to increase in adolescence and young adulthood. In this age group, the highest rates of disease and death are in those 15-24 years of age.

Is there a vaccine against meningococcal disease?

There are currently 2 vaccines available in the U.S. that protect against 4 of the most common of the 13 serogroups (subgroups) of N. meningitides that cause serious disease. Protection with the meningococcal polysaccharide vaccine lasts about 3 to 5 years. The meningococcal conjugate vaccine is expected to help decrease disease transmission and to provide more long-term protection.

Should my child receive meningococcal vaccine?

Meningococcal vaccine is now recommended for children 11-12 years of age, for adolescents at high school entry (15 years of age) and college freshmen and other newly enrolled students living in dormitories. Other high risk groups include anyone with a damaged spleen or whose spleen has been removed, those travelling to countries where meningococcal disease is very common and people who may have been exposed to meningococcal disease during an outbreak.

Children and adults with terminal complement component deficiency (an inherited immune disorder) should also receive the vaccine. Parents of children in these groups should discuss vaccination with their child's healthcare provider.

In Massachusetts, beginning in August 2005, schools with grades 9-12 and colleges that provide or license residential housing will require all new students (even if they do not reside in campus-related housing) to provide documentation of having received meningococcal vaccine, or the student (or guardian) must sign a waiver declining vaccination. More information about this requirement may be found in the MDPH document entitled "Information about Meningococcal Disease and Vaccination and Waiver for Students at Colleges and Secondary Schools."

How can I protect my child from getting meningococcal disease?

The best protection against meningococcal disease and many other infectious diseases is thorough and frequent hand washing, respiratory hygiene and cough etiquette. Individuals should:

1. Wash their hands often, especially after using the toilet and before eating or preparing food (hands should be washed with soap and water or an alcohol-based hand gel or rub may be used if hands are not visibly dirty)
2. Cover their nose and mouth with a tissue when coughing or sneezing and discard the tissue in a trash can
3. Not share food, drinks or eating utensils with other people, especially if they are ill

You can obtain more information about meningococcal disease or vaccination from your healthcare provider, your local Board of Health (listed in the phone book under government), or the Massachusetts Department of Public Health Division of Epidemiology and Immunization at (617) 983-6800 or toll-free at (888) 658-2850 or on the MDPH website at http://www.mass.gov/dph. Provided by the Massachusetts Department of Public Health in accordance with *M.G.L. c.111, s.219*.

Health Insurance Portability and Accountability Act (HIPAA):

The Health Insurance Portability and Accountability Act (HIAA) is a complex federal law passed in 1996 which was intended to reform the health insurance market and simplify health care administrative procedures. This legislation addresses many issues, but the issue with the most potential impact upon school districts involves privacy provisions which protect the confidentiality of "protected health information." At this time, however, the U.S. Department of Health and Human Services, which oversees HIPAA, has not determined the exact status of public schools with regard to the Act and whether or not they must comply with its provision. In general, HIPAA's privacy rule requires that health care providers obtain the authorization of a patient's parent or guardian prior to the disclosure of protected health information. One important exception to the privacy rule allows physicians to disclose immunization information to schools so that they may comply with Massachusetts regulations which state that all children must be immunized in order to be admitted to school, found at *603 CMR18.05, 105 CMR220.000*. In addition, protected health information may be disclosed without authorization for public health purposes such as the reporting of disease or injury, child abuse, birth, death, public health surveillance, or public health investigation or intervention.

Most importantly for school districts, students and parents/guardians, however, is that the U.S. Department of Health and Human Services has ruled that education records that are protected by the Family Educational Rights and Privacy Act (FERPA) and the Individuals with Disabilities Education Act (IDEA) are not considered "protected health information" under HIPAA. Both FERPA and the IDEA provide their own privacy protections to which schools must adhere. Please refer to Section 31 of this handbook regarding student records for further information regarding these Acts.

East Longmeadow Public Schools
Policy for Management of Sports-Related Concussion

Medical management of sports-related concussion is essential. Research shows that young athletes, who return to play before the brain has healed, are highly vulnerable to more prolonged post-concussion syndrome. East Longmeadow Public Schools (ELPS) has established this policy to provide education about concussion for athletic department staff, other school personnel, the School Nurse, parents/guardians and athletes. The protocol and guidelines outline procedures that must be followed in the management of head injuries and what steps must be completed before the student/athlete may return to activity/play after concussion.

East Longmeadow Public Schools strives to provide a safe return to activity for all athletes after injury, particularly after concussion. In order to effectively and consistently manage these injuries, procedures have been developed to aid in ensuring that concussed athletes are identified, removed from activity, treated and referred appropriately, receive appropriate follow-up care during the school day, including academic assistance, and are fully recovered prior to returning to activity.

The East Longmeadow Public Schools Athletic Training Staff, Athletic Director, Nursing Supervisor and School Nurse will review the protocol on a yearly basis. Any changes or modifications will be reviewed and given to athletic department staff and appropriate school personnel in writing. All athletic department staff will attend an annual mandatory in-service in which procedures for managing sports-related concussion are discussed. The protocol developed for managing a sports-related head injury or concussion addresses the following key components.

I. Recognition of Concussion and Referral for Treatment
II. Requirement of Annual Training
III. Requirement for Neuropsychological Testing
IV. Requirements of the Athletic Director (AD)
V. Requirements of the Athletic Trainer (AT)
VI. Requirements of the School Nurse
VII. Requirements of Coaches
VIII. Requirements of Parents/Guardians
IX. Requirements of Athletes
X. Requirements of Guidance Counselors/Teachers
XI. East Longmeadow Public Schools (ELPS) Return to Play Protocol (RTP)

XII. Second Impact Syndrome Definition
XIII. Required Documentation of Head Injury and Concussion
XIV. Required Forms, Educational Materials, Management of Concussions (Appendix I-XIV)

References:

- www.cdc.gov/concussion/headsup/high_school.html
- Department of Public Health 105 CMR 201.000: Head injuries & Concussions in Extracurricular Athlete Activities.
  (For complete Concussion Policy, Protocol and Appendices, please visit the ELPS District website **www.eastlongmeadowma.org**)

40. HOME OR HOSPITAL PROGRAMS

Educational services in home or hospital:

Upon receipt of a fully completed Physician's Statement verifying that any student enrolled in a public school or placed by the public school in a private setting must remain at home or in a hospital on a day or overnight basis, or any combination of both, for medical reasons and for a period of not less than fourteen (14) school days, the Principal, or designee, shall arrange for provision of educational services in the home or hospital. Such services shall be provided with sufficient frequency to allow the student to continue his /her educational program, as long as such services do not interfere with the medical needs of the student. The Principal shall coordinate services with the Director of Student Services for special education eligible students. Such educational services shall not be considered special education unless the student has been determined eligible for such services, and the services include services contained in the student's Individualized Education Program.

Copies of the Physician's Statement form may be obtained through the building Principal or the Director of Student Services.

41. PHYSICAL RESTRAINT POLICY 603 CMR 46.00

The Commonwealth of Massachusetts Department of Elementary and Secondary Education have issued specific regulations concerning the use of physical restraint on students at publicly-funded elementary and secondary education programs, found at *603 CMR 46.00 et seq*. These regulations apply to all students, including regular education students, collaborative students, and students with disabilities. The East Longmeadow School Committee, the Superintendent of Schools, and all East Longmeadow Public School administrators are committed to ensuring that the use of physical restraint on East Longmeadow students strictly adheres to these regulations.

Pursuant to the regulations, school personnel will use physical restraint with two goals in mind, and only after other less intrusive methods have been attempted or considered:

1. To administer a physical restraint only when needed to protect a student or member of the school community from imminent, serious physical harm; and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions or such interventions are deemed to be inappropriate under the circumstances; and
2. To prevent or minimize any harm to the student as the result of the use of physical restraint.

In accordance with state and federal law, nothing in the regulations precludes school personnel from implementing physical restraint contained in an agreed-upon Behavioral Intervention Plan. A Behavioral Intervention Plan is the result of a Functional Behavioral Assessment and may be found in an Individualized Education Program, Section 504 Accommodation Plan, or on its own. A Behavioral Intervention Plan requires informed written consent by the student's parent/legal guardian.

It should also be noted that nothing in the regulations precludes a teacher or other staff member from using reasonable force to protect students, themselves, or other persons from imminent, serious physical harm.

Definitions:

1. Physical restraint may be defined as "the use of bodily force to limit a student's freedom of movement."
2. Extended restraint may be defined as a physical restraint which lasts for more than twenty (20) minutes.

3. Physical escort may be defined as "touching or holding a student without the use of force for the purpose of directing the student." Physical escort is not physical restraint.
4. Types of restraints can include, but are not limited to the use of a mechanical device to restrict movement of the entire body or portions thereof; placing a student in seclusion without access to school staff; or the administration of medication. The use of mechanical, medication or seclusion restraints is prohibited in the East Longmeadow Public Schools. The use of "time-outs" where a staff member is present or accessible by the student does not constitute seclusion restraint. The type of physical restraint used is dependent upon the special training of staff members in specific kinds of such restraints.

When Physical Restraint is used:

1. Physical restraint may be used when non-physical interventions have been attempted without success or when it is apparent that they would not be effective. It may only be used when a student's behavior poses a threat of imminent, serious physical harm to self and/or others or when otherwise outlined in a Behavioral Intervention Plan.
2. Physical restraint is limited to the use of such reasonable force as may be necessary to protect a student or other persons from assault or imminent, serious physical harm.
3. Unless specifically indicated in an agreed-upon Behavioral Intervention Plan, physical restraint may not be used as a response to property destruction, disruption of school order, a refusal to comply with a school rule or staff directive, or verbal threats which do not constitute a threat of imminent, serious physical harm. Physical restraint may never be used as a means of punishment.
4. A school staff member who uses a physical restraint on a student must use the safest method available which is most appropriate to the situation at hand, and the method for which that staff member has been trained. Staff shall review and consider any known medical or psychological limitations and/or Behavior Intervention Plans regarding the use of physical restraint upon an individual student.
5. No physical restraint may be used which prevents a student from speaking or breathing, and must be used in such a way as to prevent or minimize physical harm. If, at any time during the restraint, the student demonstrates significant physical distress, the restraint shall be removed immediately.
6. A physical restraint must be discontinued as soon as possible when it has been determined that a student no longer poses a risk of harm to self or others.
7. Following the use of a physical restraint, the building Principal or a designated program staff member will meet with the student to address the behavior which prompted the restraint, and will also review the incident with the staff members who were involved and determine whether follow-up is needed for students who may have witnessed the incident. All physical restraints shall be documented and submitted to the building administrator on the day of occurrence.
8. Physical restraint regulations do not prohibit any individual from reporting a crime committed by a student to local law enforcement or other state agencies. Law enforcement officers, school security staff, or judicial authorities are not prohibited by this regulation from the exercise of their responsibilities, which may include the physical detainment of a student or other person alleged to have committed a crime or who poses a security risk. In addition, an individual who is a mandated reporter under *M.G.L. c. 119, § 51A* is not prohibited by this policy from complying with their responsibility to report neglect or abuse to the appropriate state agency.
9. Parent(s)/guardian(s) are encouraged to voluntarily notify their child's IEP TEAM, Section 504 team, or building Principal of all medications their child takes on an ongoing basis. Failure to do so will likely hamper the ability of school personnel to de-escalate problem behaviors.

Students with Disabilities:

Restraints which are administered to students pursuant to their Individualized Education Programs, Section 504 Accommodation Plans, or other plans developed in accordance with state and federal law, and which have been agreed upon by both the school and the parent/guardian, shall be deemed to meet the requirements of *603 CMR 46.00*. The limitations on chemical, mechanical, and seclusion restraints as specified above continue to apply to students with disabilities, as do the above reporting requirements.

Physical Restraint Grievance Procedure:

The East Longmeadow Public Schools has established an internal procedure in order to provide for prompt and equitable resolutions of complaints regarding the administration of physical restraints.

Definitions:

1. A "Grievance" is a complaint made pursuant to, and arising out of, the East Longmeadow Public Schools obligations to comply with state regulations regarding the use of physical restraints.
2. An "Aggrieved Party" is a person or persons making the complaint.

Purpose:

The purpose of this grievance procedure is to secure prompt and equitable solutions to concerns which may, from time to time, arise pursuant to *603 CMR 46.00*.

General:

Interference with, intimidation of, and/or retaliation against any individual, including a student, parent, or guardian, for filing a complaint, filing a grievance, or opposing discrimination is strictly prohibited and shall be treated as an actionable, wrongful act in and of itself. No aggrieved party will be subject to coercion, intimidation, interference, or discrimination for registering a complaint or for assisting in the investigation of any alleged complaint within the context of this grievance procedure.

All documents, communications, and records dealing with the filing of a grievance will be kept confidential to the full extent provided by law.

Forms for filing grievances will be provided upon request by building Principals or the Superintendent, East Longmeadow Public Schools, 180 Maple Street, East Longmeadow, MA 01028.

Procedure:

1. The aggrieved party should complete the Grievance Form and return it to the building Principal or his/her designee at the school building in which the alleged grievance occurred. The complaint should be filed within fifteen (15) days after the complainant becomes aware of the alleged violation. Assistance will be provided, upon request, to enable an individual to complete the Grievance Form and pursue the grievance process.
2. Within (10) school days after receiving the grievance, the building Principal or his/her designee shall meet with the aggrieved party in an effort to resolve the grievance. This investigation into the complaint is contemplated to be thorough, but informal, in nature. All interested persons and their representatives, if any, shall be afforded an opportunity to be heard and to submit evidence relevant to the complaint. If the grievance is not resolved, it will be forwarded to the Director of Student Services.
3. Within thirty (30) school days of receipt of an unresolved grievance, the Director of Student Services will conduct a hearing to determine what, if any, action shall be taken in response to the grievance. The hearing shall be held at a time and place mutually convenient to all parties. The hearing procedure will follow appropriate due process procedures, including:

    a. the opportunity for the aggrieved party to present the grievance in any suitable manner
    b. the right of the aggrieved party to an impartial hearing officer
    c. the right of the aggrieved party to be represented by counsel or an advocate at the aggrieved party's expense
    d. the right of the aggrieved party to a prompt decision

    Parents/legal guardians should provide advance notice to the Director of Student Services that they will be represented by counsel or an advocate at the grievance hearing. Failure to provide such notice will likely result in a postponement of the hearing.

4. A written determination of the validity of the complaint and a description of the resolution, if any, shall be issued by the Director of Student Services and forwarded to the complainant no later than fifteen (15) working days after the hearing. The determination of the validity of the complaint and the description of the resolution will be provided in an alternate format, upon request, if needed for effective communication.
5. The complainant can request a reconsideration of the case in instances where he/she is dissatisfied with the resolution. The request for reconsideration should be made within fifteen (15) working days following receipt of the written determination to the Superintendent of the East Longmeadow Public Schools.

6. The right of a person to a prompt and equitable resolution for the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of an ADA, Section 504 or other complaint with the responsible federal department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.
7. These rules shall be construed to protect the substantive rights of the interested persons to meet appropriate due process standards and to assure that the East Longmeadow Public Schools comply with *603 CMR 46.00*.
8. Copies of all resolutions and findings made under this procedure shall be filed with the Superintendent's office of the East Longmeadow Public Schools.

42. CIVILITY POLICY

Civility/Conduct of Parents, Other Visitors, and District Employees

It is the intent of the East Longmeadow Public Schools to promote respect, civility, and orderly conduct among District employees, parents, and the public. It is not the District's intent to deprive any person of his/her right to freedom of expression. The intent of this policy is to maintain, to the greatest extent reasonably possible, a safe, harassment-free workplace for teachers, students, administrators, staff, parents, and other members of the community. The District encourages positive discussion and discourages volatile, hostile, or aggressive communications or actions.

1. **Expected Level of Behavior**:
   a. District personnel will treat parents and other members of the public with courtesy and respect.
   b. Parents and other visitors will treat teachers, administrators, and other District employees with courtesy and respect.

2. Examples of **Unacceptable and/or Disruptive Behavior**:
   a. Using loud or offensive language, swearing, cursing, or displays of temper
   b. Threatening to do physical harm or doing physical harm to a teacher, school administrator, school employee, District personnel, student or others lawfully on school or School Committee premises
   c. Threatening the health or safety of a teacher, school administrator, school employee, District personnel, student or others lawfully on school or School Committee premises
   d. Abusive, threatening, or obscene letters, e-mail, or voice mail messages
   e. Intentionally causing damage to District property or the property of others lawfully on school or School Committee premises
   f. Coming onto school premises without authorization
   g. Any other behavior that disrupts the orderly operation of a school, classroom, extra-curricular school activity, and/or administrative function

3. **Parent Recourse**:
   Any parent who believes he or she has been subjected to unacceptable behavior on the part of any staff member should bring such behavior to the attention of the staff member's immediate supervisor, appropriate administrator, and/or the Superintendent of Schools.

4. **Authority of School Personnel to Deal with Unacceptable and/or Disruptive Behavior:**
   Any individual who engages in unacceptable and/or disruptive behavior may be directed to leave school premises or School Committee premises by a building Principal or Assistant Principal, or their designee, any school administrator, including the Superintendent of Schools, and school security personnel. If the person refuses to leave the premises as directed, the administrator or other authorized personnel shall seek the assistance of law enforcement and request that law enforcement personnel take such action as they deem necessary.

5. **Authority of School Personnel to Deal with Persons who are Verbally Abusive to School Personnel**:
   If any member of the public uses obscenities or speaks in a loud, demanding, insulting, and/or demeaning manner, the employee to whom the remarks are addressed shall calmly and politely warn the speaker to communicate civilly. If the verbal abuse continues, the employee may, after giving appropriate notice to the speaker, terminate the meeting, conference, or telephone conversation. If the meeting or conference is on school premises, any employee may request that an administrator or other authorized person direct the speaker to promptly leave the premises. If the person refuses to leave, the administrator or other authorized personnel shall seek the assistance of law enforcement

and request that law enforcement personnel take such action as is deemed necessary. If the employee is threatened with personal harm, he or she may contact law enforcement.

Should an individual persist in violating the terms of this policy, the District may limit and restrict the methods of communication which may be used by said individual. Such restrictions shall not apply in the event of actual emergencies or regulatory functions such as TEAM meetings or disciplinary hearings.

In the event that there is a serious threat of harm to student(s) or school personnel, the District may obtain an Order of No Trespass prohibiting the individual making said threat from entering District property.

43. SAFETY AND SECURITY PLAN

The care and protection of students and staff of the East Longmeadow Public Schools is of primary concern to the East Longmeadow School Committee. Therefore, the Committee is determined to establish a comprehensive safety and security policy for the system. The goal of this policy is to enhance those safety and security procedures that are already in use through the development of a formal safety and security plan for the school system and for each individual school.

Needs Assessment:

There shall be annual needs assessment submitted to the Superintendent by the administrator of each school site within the East Longmeadow Public Schools by November 30th of each year. The assessment should review the school buildings' and grounds' vulnerability to outsiders and review emergency procedures, safety and security equipment and materials, internal security, and other safety concerns. The senior building custodian should participate in this assessment.

The annual needs assessment shall include a physical survey of each school site, including but not limited to:

1. Doors and windows (including locking devices, access to interior latches, concealment by building design or trees, shrubs, etc.)
2. Roof access (including hatches, skylights, air conditioning systems)
3. Building and classroom access
4. Lighting
5. Intrusion devices (alarms)
6. Internal security (including hiring methods, control of keys, identification cards)
7. Emergency notification system
8. Warning signs
9. Safety equipment and materials
10. Evacuation plan in cases of emergency

Student Field Trips A signed, parent(s) or legal guardian(s) permission slip is required of each student going on a field trip. In addition to permission slips, a roster of students' names and the bus number will be maintained in the school's office. Teachers must bring a copy of the class roster listing students' names, addresses, and phone numbers on the field trip. (See sections on Student Rights and Responsibilities and Field Trips, contained herein).

Control of Visitors

All School District employees must wear their ID badge during their work day. Notices will be posted at the entrances to each school building that all visitors shall, upon entering the school building, report to the office and sign in. They will be given visitor's badges which must be worn at all times. All schools now utilize a front door "buzz-in" access system. All staff members and students shall immediately report any strangers without badges to the building Principal. School entry ways should be monitored during the school day.

School Crisis Team

There shall be established at each school site within the East Longmeadow Public Schools a building-based Crisis Team consisting of the Principal, teachers, students, guidance counselors, and custodians.

The purpose of the Crisis Team is to formulate safety and security plans within each school in order to ensure and promote a safe and secure school environment, develop specific protocols in response to emergencies, and disseminates safety enforcements to students, staff, parent(s)/legal guardian(s) and the community. The Crisis Team shall meet at least once a month during the regular school year.

Written Reports

The Principal or his/her designee of each school site within the East Longmeadow Public Schools shall document in writing all critical incidents, including, but not limited to, misdemeanors which affect the health, safety, and welfare of students and/or staff, the outbreak of contagious diseases or illnesses, the intrusion of uninvited and/or unwelcome strangers into or upon the school site, etc., and all accidents and injuries, vandalism, felonies, and dangerous incidents involving weapons and controlled substances, and shall immediately forward a copy of the same to the Superintendent of Schools.

Severe Weather Conditions

The school shall be equipped with devices for receiving warnings for emergencies such as tornadoes, storms, blizzards, and other severe weather conditions which can be foretold.

Emergency Plans

1. Evacuation of Building: Each school site must have an established written plan for the evacuation of students, staff, and others.
2. Official Notification: For each emergency, the building Principal or his/her designee shall provide official notification to the Superintendent of Schools and, depending upon the nature of the emergency, local and/or State Police, Fire, Civil Defense, Board of Health, Environmental Protection Agency, Town Hall, and other departments or agencies. The Superintendent of Schools at his/her discretion shall notify print and/or electronic media. The building Principal or his/her designee shall notify all lessees and/or licensees within each school site when an emergency occurs.
3. Transportation Relocation: The Superintendent of Schools, at his/her discretion, shall provide for the relocation of students during emergency situations when those students are unable to get home. Designated locations are identified in each school's safety and security plans. Parents will always be notified if students are relocated.
4. Emergency School Closings and Delayed Openings: The Superintendent will be responsible for closing school(s) once the school day begins. Administrators will coordinate the dismissal of all students. The Superintendent will also be responsible for delayed openings. Radio and television stations will be notified of early closings and delayed openings for broadcast. The following television stations and their websites will broadcast closings and delayed openings: WGGB News40, WSHM CBS3 Springfield or WWLP 22News or online at www.wggb.com, www.cbs3springfield.com or www.wwlp.com. Blackboard-Connect phone messages will also be delivered.
5. Contagious Diseases: The building Principal or his/her designee shall provide the Superintendent of Schools and the Director of Health for the Town of East Longmeadow with all known information regarding students or staff who have been diagnosed as having contagious diseases. The building Principal shall not disclose this information to others without expressed written consent.

44. ACCEPTABLE INTERNET USE POLICY

Purpose

The East Longmeadow Public Schools shall provide access for employees and students to the system/network, including access 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 system/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 system/network will be used to increase communication (staff, parent, and student), enhance productivity, and assist staff in upgrading existing skills and acquiring new skills through a broader exchange of information. The system/network will also be utilized to provide information to the community, including parents, governmental agencies, and businesses.

Availability

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

Access to the system/network, including external networks, shall be made available to employees and students for instructional and administrative purposes and in accordance with administrative regulations and procedures.

Access to the system/network is a privilege, not a right. All users shall be required to acknowledge receipt and understanding of all administrative regulations and procedures governing use of the system and shall agree in writing to comply with such regulations and procedures. Noncompliance with applicable regulations and procedures may result in suspension or termination of user privileges and other disciplinary actions consistent with the policies of the East Longmeadow Public Schools. Violations of law may result in criminal prosecution as well as disciplinary action by the East Longmeadow Public Schools.

Acceptable Use

The Superintendent or designee shall develop and implement administrative regulations, procedures, and user agreements, consistent with the purposes and mission of the East Longmeadow Public Schools as well as with law and policy governing copyright.

Monitored Use

Electronic mail transmissions and all other use of electronic resources and District technologies by students and employees shall not be considered confidential and may be monitored at any time by designated staff to ensure appropriate use for instructional and administrative purposes.

Liability

The East Longmeadow Public Schools shall not be liable for users' inappropriate use of electronic resources or violations of copyright restrictions, users' mistakes or negligence, or costs incurred by users. The East Longmeadow Public Schools shall not be responsible for ensuring the accuracy or usability of any information found on external networks.

ACCEPTABLE USE POLICY AUTHORIZATION FORMS

This user agreement must be renewed each academic year.

Student Name:

School:

I have read the District's Acceptable Use Policy and Administrative Procedures and agree to abide by their provisions. I understand that violation of these provisions may result in disciplinary action including but not limited to suspension or revocation of privileges, suspension or expulsion from school, termination of employment, and criminal prosecution.

Student Signature: _____

Parent/Guardian Sponsor

I have read the District's Acceptable Use Policy and Administrative Procedures. In consideration for the privilege of using the District's system/network, and in consideration for having access to the public networks, I hereby release the District, its operators, and institutions with which they are affiliated from any and all claims and damages of any nature arising from my child's use of, or inability to use, the system/network, including, without limitation, the type of damage identified in the District's policy and administrative procedures.

___I give permission for my child to participate in the District's system/network.

___I do not give permission for my child to participate in the District's system/network.

___I give permission for my child's name to appear on their student web page should one be developed.

___I give permission for my child's photo to appear on their student web page should one be developed.

Signature of parent/guardian: _____

ACCEPTABLE USE POLICY - TECHNOLOGY
Administrative Procedures for Implementation

1. Commercial use of the system/network is prohibited.
2. The District will provide training to users in the proper use of the system/network.
3. The District will provide each user with copies of the Acceptable Use Policy and Procedures.
4. Copyrighted software or data shall not be placed on the District system/network without permission from the holder of the copyright and the system administrator.
5. Access will be granted to employees with permission of their supervisor.
6. Access will be granted to students with a signed access agreement and permission of the building administrator or designee(s).
7. Employee account names will be recorded and managed by the Town IT department…
8. Initial passwords provided by the network administrator should be set to expire on login.
9. The Town IT department will alert users to change passwords on regular intervals…
10. Passwords are confidential. All passwords shall be protected by the user and not shared or displayed.
11. Students completing required course work will have first priority for after hour's use of equipment.
12. Principals or their designee will be responsible for disseminating and enforcing policies and procedures in the building(s) under their control.

13. Principals or their designee will ensure that all users complete and sign an agreement to abide by policies and procedures regarding use of the system/network. All such agreements are to be maintained at the building level.
14. Principals or their designee will ensure that training is provided to users on appropriate use of electronic resources.
15. Principals or their designee shall be authorized to monitor or examine all system activities, including electronic mail transmissions, as deemed appropriate to ensure proper use of electronic resources.
16. The Town IT department shall be responsible for establishing appropriate retention and backup schedules.
17. The Town IT department shall be responsible for establishing disk usage limitations, if needed.
18. Individual users shall, at all times, be responsible for the proper use of accounts issued in their name.
19. The system/network may not be used for illegal purposes, in support of illegal activities, or for any activity prohibited by District policy. For example: it shall not be used to "harass" or "bully" (within the meanings of applicable District policies or applicable law) any other person(s).
20. System users shall not use another user's account.
21. System users should purge electronic information according to District retention guidelines.
22. System users may redistribute copyrighted material only with the written permission of the copyright holder or designee. Such permission must be specified in the document or in accordance with applicable copyright laws, District policy, and administrative procedures.
23. System administrators may upload/download public domain programs to the system/network. System administrators are responsible for determining if a program is in the public domain.
24. Any malicious attempt to harm or destroy equipment, materials, data, or programs is prohibited.
25. Deliberate attempts to degrade or disrupt system performance may be viewed as violations of District policy and/or as criminal activity under applicable state and federal laws. This includes, but is not limited to, the uploading or creation of computer viruses.
26. Vandalism will result in the cancellation of system privileges and will require restitution for costs associated with hardware, software, and system restoration.
27. Forgery or attempted forgery is prohibited.
28. Attempts to read, delete, copy, or modify the electronic mail of other users or to interfere with the ability of other users to send/receive electronic mail is prohibited.
29. Use appropriate language; swearing, vulgarity, ethnic or racial slurs, and other inflammatory language is prohibited.
30. Pretending to be someone else when sending/receiving message is prohibited.
31. Transmitting or viewing obscene material is prohibited.
32. Revealing personal information (addresses, phone numbers, etc.) is prohibited.
33. The District will cooperate fully with local, state, or federal officials in any investigation concerning or relating to misuse of the District's system/network.

A user who violates District policy or administrative procedures will be subject to suspension or termination of system/network privileges and will be subject to appropriate disciplinary action and/or prosecution.

45. MEDIA POLICY

Videotaping, filming, and photographing of students by members of outside media, shall have the prior authorized consent of the building Principal and the participating employees. If any student is to be videotaped, filmed, or photographed, written consent shall be obtained from the student's parent(s)/legal guardian(s) via the student Code of Conduct.

Administrative Implementation Procedures:

1. Negatives, photographs, videotape or film and the soundtrack thereof produced by the School District shall be its exclusive property unless other prior written agreements are made.
2. Building Principals must approve all photographing, videotaping, and filming in advance for their respective schools.
3. The student Code of Conduct book shall state that permission is granted for filming, taping, photographing, and videotaping – unless the parent notifies the school and denies permission. A student list of "denied media access by parents" will be kept at each school. Lists will be checked prior to any media release.
4. Films/videotapes/photographs of School District productions or events shall not be duplicated, distributed, or sold without the prior consent of the building Principal.

46. FAMILY LIFE/SEX EDUCATION POLICY

The East Longmeadow School Committee officially adopts the following policy regarding Family Life/Sex Education in the East Longmeadow Public Schools:

1. Parents/guardians will be notified every year regarding the instruction of the Family Life/Sex Education classes.
2. Parents/guardians will be given the opportunity to exempt their child/children from any portion of said curriculum.
3. No student shall be penalized by reason of such exemption.
4. Each year all Principals will be informed of such policy by the Health Education Coordinator.
5. Program instruction materials for said curriculum shall be made reasonably accessible to parents, guardians, educators, school administrators and others for inspection and review.
6. A parent/guardian who is dissatisfied with an action or decision of the building Principal under Massachusetts General Law, Chapter 71, Section 32A (that is, an action or decision concerning notice, access to instructional materials, or exemption for the student) may submit a written request to the Superintendent of Schools for review of the issue. The Superintendent or designee should review the issue and give the parent a timely decision, preferably within two weeks of the request. The parent/guardian who is dissatisfied with the Superintendent's decision may submit a written request to the School Committee for review of the issue. The School Committee should review the issue and give the parent a timely written decision, preferably within four weeks of the request.
7. The Department of Elementary and Secondary Education shall promulgate regulations for adjudicatory proceedings to resolve any and all disputes arising under this section.

47. SUMMER PROGRAMS

All rules contained in this Code of Conduct are in effect during summer sessions of the East Longmeadow Public Schools.

48. PARENT OBSERVATIONS IN THE CLASSROOM

The East Longmeadow Public Schools believes parents are important partners in educating students. To that end, we open our classrooms to parents, or their designee, who want to observe the child in the classroom context. The following criteria below shall be followed when an observation is requested:

1. All observations must be scheduled through the building Principal.
2. The parent or designee and Principal will discuss the parameters of the observation prior to the observation taking place.
3. The observation must be scheduled on a mutually agreed-upon date with the parent, Principal and teacher(s).
4. The parent or designee must report to the school office (as do all visitors) as part of our safe schools program. Parents or their designee will be directed to the classroom by the administration.
5. The parent or designee must sign the Confidentiality Statement that follows so that both the School District and other classroom parents have assurance that information concerning other students' education remain in the classroom and are not discussed in public.
6. The parent or designee may only observe a classroom in which the parent's child is enrolled and in attendance that day or in a specific program proposed by the School District for the child.
7. The parent or designee must be a silent observer at all times and not interrupt or disrupt the educational process of the class.
8. The parent or designee must refrain from using the observation to critique or evaluate teacher or staff performance.
9. Given the inherently disruptive nature of observations, more than one observation each quarter is strongly discouraged.

Confidentiality Statement

Parent observers in classrooms, and their designees, are required by Massachusetts state law to maintain confidentiality regarding all information about students in the class. As an observer you will have the opportunity to see students in a variety of interactions. By signing this statement, you are acknowledging your understanding of this confidentiality requirement.

I agree to maintain strict confidentiality regarding information or observations about all other students in the classroom where I am observing.

I further agree that the observation of the child is in no way an evaluation of teacher or staff performance.

_____ _____

(Parent or Designee Signature) (Date)

49. FIELD TRIPS

Field trips can bring the school and the community closer together, which can result in real life experiences that enrich the curriculum for students and also bring about better public relations. The School Committee will also encourage field trips as an integral part of the instructional programs in the schools.

All students must have a signed, written parental permission for all trips as well as a signed release of liability. Students who do not provide signed parental permission slips and release of liability forms will not be allowed to participate in field trips. Students are also responsible for getting assignments from teachers whose classes they will miss while on a field trip; this must be done in advance of the trip. The East Longmeadow Public Schools will ensure that:

1. Trips are properly supervised.
2. Safety precautions are observed.
3. Trips contribute substantially to the educational program.
4. Reasonable accommodations are made to promote participation by students with disabilities.
5. All moneys collected for field trips are receipted and deposited within 24 hours; cash is not to be kept in the schools.

Late Night and Overnight School-Sponsored Student Travel:

Chapter 346 of the Acts of 2002, an Act Relative to Safety of School Sponsored Travel, was enacted by the Massachusetts legislature in October 2002 and requires schools to have policies in place governing late night and overnight school-sponsored travel. Please note the following items:

1. Trip Approval: All out-of-state or extended (overnight) trips and excursions, except those required for student participation in tournament competition or contests, must have advance approval from the School Committee. Trip approval should be sought at least (30) days in advance. Fund-raising activities for such trips will be subject to approval by the appropriate Administrator and should not take place until approval has been received. The trip approval process applies only to school-sanctioned trips.
2. Transportation: Trips planned to include late night or overnight student travel will involve pre-trip checks of companies, drivers, and vehicles. The company selected must be licensed by the Federal Motor Carrier Safety Administration. The contract with the carrier will prohibit the use of subcontractors unless sufficient notice is given the District so that it may verify the subcontractor's qualifications.
3. Scheduling: Overnight accommodations will be made in advance with student safety and security as the priority. Every attempt will be made to avoid driving students between the hours of midnight and 6:00 a.m., due to the increased risk of accidents during those hours. Whenever possible, overnight trips will be scheduled on weekends or during school vacations to minimize lost classroom time. Non-academic field trips are considered "optional school programs" and do not count toward structured learning time requirements under *603 CMR 27.00*. Academic field trips are, however, counted toward these requirements. If most of a class's members are participating in a trip, the school will provide appropriate substitute activities for any students who do not participate.
4. Fundraising: The amount of time devoted to fundraising should be reasonable and take into account student responsibilities for homework, after-school activities, and jobs. Group fundraising activities are preferred; students will not be assigned individual fundraising targets. Where students are charged a fee for participation in a field trip, the district will make every effort to provide scholarships for those who need them.
5. Supervision of Students: Students will be accompanied by a sufficient number of chaperones. All chaperones, including parents and volunteers, must have a CORI check in accordance with *Massachusetts General Laws, c. 71, § 38R*. CORI checks are recommended but not required by law for bus drivers who do not regularly work for the district and who will not have unsupervised contact with students. A chaperone will always be present when students are on a bus.

6. Scheduling: Field trips will not be scheduled during the last full week (plus any partial weeks) of school in the school year.

50. VOTER REGISTRATION AFFIDAVIT FORMS

Pursuant to *Massachusetts General Laws Chapter 51, Section 42E*, all public and vocational schools shall make available affidavit of voter registration forms at all locations where students may register for classes. Such locations shall be published along with the annual course listing for students or in some other school-wide publication. Every such school shall publicize the availability of such voter registration affidavit forms within the school.

51. HOMELESS STUDENTS

To the extent practical and as required by law, the East Longmeadow Public Schools will work with homeless students and their families 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 the same district services on the same terms as families resident in the district.

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 or economic hardship
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. Awaiting foster care placement
6. Living in public or private places not designed for or ordinarily used as regular sleeping accommodations for human beings
7. Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations or similar settings
8. Migratory children living in conditions described in the previous examples

The Superintendent shall designate the Director of Student Services as the district's liaison for homeless students and their families.

To the extent feasible, homeless students will continue to be enrolled in their school of origin while they remain homeless or until the end of the academic year in which they obtain permanent housing. Instead of remaining in the school of origin, parents or guardians of homeless students may request enrollment in the school in the attendance area in which the student is actually living, or other schools. Attendance rights are available to homeless families on the same terms as families resident in the district.

If there is an enrollment dispute, the student shall be immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute. The parents or guardian shall be informed of the district's decision and their appeal rights in writing. The district's liaison will carry out dispute resolution as provided by state rule. Unaccompanied youth will also be enrolled pending resolution of the dispute.

Once the enrollment decision is made, the school shall immediately enroll the student, pursuant to district policies. If the student does not have immediate access to immunization records, the student shall be admitted 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. Records from the student's previous school shall be requested from the previous school pursuant to district policies. 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. Homeless students are entitled to the same transportation programs, on the same terms, as families resident in the district.

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 schools, family shelters and such.

52. NON-DISCRIMINATORY POLICY, 603 CMR 26.00

It is the policy of the East Longmeadow Public Schools, pursuant to the Americans with Disabilities Act (ADA), Section 504, Chapter 622, Title IX, and related Federal and State Statutes, not to discriminate on the basis of race, color, religious creed, national origin, ancestry, gender, sexual orientation, gender identity, disability or handicap or any other status or characteristic protected by applicable law.

No person shall, on the basis of race, color, religious creed, national origin, ancestry, gender, sexual orientation, gender identity, disability or handicap or any other status or characteristic protected by applicable law, be denied equal access or admission to school programs, courses, extracurricular activities or employment opportunities.

It is the policy of the East Longmeadow Public Schools to fully abide by all state and federal statutes and the regulations promulgated thereunder which prohibit discriminatory acts.

Students will not be excluded from school based on marital status or pregnancy.

Interference with, intimidation of, and/or retaliation against any individual, including a student, parent, or guardian, for filing a complaint, filing a grievance, or opposing discrimination is strictly prohibited and shall be treated as an actionable, wrongful act in and of itself.

Any student, parent or guardian in the East Longmeadow Public School District who believes he or she has been discriminated against, denied a benefit, or excluded from participation in any district education program or activity on the basis of race, ethnicity, national origin, sexual preference, gender, religion, or disability, or any other status or characteristic protected by applicable law in violation of this policy, may file a written grievance with the Director of Student Services.

53. CELL PHONES AND PORTABLE COMMUNICATION DEVICES

The use and possession of cell phones and electronic devices at school or on school property is a privilege, not a right. Therefore, students who choose to bring cell phones and/or electronic devices to school or onto school property, including buses, agree to the following policy. *ELPS is not responsible for any lost, stolen, or damaged devices.*

- The use of cell phones and electronic devices is not permissible in the classroom setting unless teacher approval has been granted and the devices are used for educational purposes that are closely aligned with the course content. Video gaming applications and social networking sites that are not connected to the course content are not permitted.
- Cell phones must remain off or in silent mode when in the building.
- For safety reasons, students are not to use headphones during school hours unless they have explicit permission from a classroom teacher or school administrator. Headphones are not allowed during passing times.
- Students who are found to be in violation of permitted cell phone and electronic device usage will be required to turn their device into the main office immediately.
- Pursuant to East Longmeadow Public School's CODE OF CONDUCT, all cell phones and electronic devices that are confiscated for unauthorized use will need to be picked up at the end of the academic day. The student may be subject to additional disciplinary action as well. On the second offense and all subsequent offenses, the device will need to be picked up at the school office during regular school hours by a parent or guardian. The student again may be subject to additional disciplinary action. The East Longmeadow Public Schools will not be liable for any property not picked up by parents within 48 hours. Multiple violations of the policy may result in further disciplinary action consistent with the CODE OF CONDUCT, including the loss of the privilege to possess cell phones and electronic devices at school.
- Students who display acts of defiance or disrespect toward staff who are implementing the Cell Phone and Electronic Device Policy will be subject to further disciplinary action.
- In grades 9-12, the use of cell phones and electronic devices will be permitted during lunch times and hallway passing times, so long as it does not violate existing school policies, including, but not limited to:

1. Bullying, intimidating, and harassing behavior via texting and social networking sites;
2. Academic integrity-sharing of assessment or assignment information;
3. Safety protocols (i.e. fire drill procedures);
4. Any act that may interfere with the learning opportunities of other students within the operation of the school;
5. Unauthorized audio/videotaping or photographing of any individual without the express consent of the school administration and
6. Policies prohibiting the viewing and/or dissemination or transmittal of obscene texts or images.

Staff members have the obligation to report to the main office students who are violating existing school policies at any time in school, on school property at school sponsored events, or on the school bus. Staff members must also report violations pursuant to the Bullying Policy herein. See Cyberbullying.

Cell phone/electronic or digital device searches:

School administrators may conduct a search of cell phones or electronic/digital devices for pictures, text messages, video, audio, uploaded and downloaded online materials if they have reasonable suspicion that a violation of the East Longmeadow Public School's CODE OF CONDUCT has occurred. Acceptable searches may include, but are not limited to:

- Video and pictures of threats, assaults, and fighting;
- Evidence of academic dishonesty;
- Evidence of harassment/intimidation/bullying;
- Evidence of graffiti/destruction of property; and
- Evidence of possession, use, or distribution of controlled substances, illegal drugs, or alcohol.

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

54. PROFICIENCY BASED PROMOTION

Upon the written request of a student, parent/guardian, or educator, a student will be given the opportunity to demonstrate proficiency in one or more areas of the core curriculum. Proficiency will be demonstrated by assessment on a criterion-referenced test that correlates to the actual curriculum taught in the East Longmeadow Public Schools.

Guidelines by Grade Level

Elementary students (Grades 1-8) must demonstrate proficiency in all of the four core curriculum areas in order to skip a grade level. The core curricula areas are: History and Social Science, English Language Arts, Mathematics, and Science.

High School students (Grades 9-12) must demonstrate proficiency in order to skip specific courses and document mastery on the official transcript. Proficiency in laboratory sciences will require that students are able to perform relevant laboratory techniques. The honors core curricula areas are History and Social Science, English Language Arts, Foreign Languages, Mathematics, and Science.

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5. Proficiency for advancing to the next level of study will be demonstrated by a score of **90%** on the criterion-referenced test.
6. Eligible students are those who are legally enrolled in East Longmeadow Public Schools.
7. Tests will be offered annually in June of each year. Students will be required to register for the proficiency assessments prior to May 31st of each year.
8. Students may take the proficiency test option only once for the specified grade level or high school course.
9. The proficiency test must be in the grade level/high school course the student has not taken.
10. The proficiency test must move the student forward in sequence as per the Program of Studies/District-Wide curriculum.

11. Accommodations to proficiency testing will be approved for eligible students consistent with their current approved IEP or 504 plans.
12. All test results remain property of East Longmeadow Public Schools and must not be photocopied nor disseminated.
13. Failure to demonstrate proficiency will not be noted on the high school student's transcript or the elementary/middle school student's permanent record.
14. Each institution of higher education will review and interpret the High School transcript and is the sole authority on admissions criteria.

Credit/Acceleration/Promotion

1. Proficiency assessments measure mastery of the Massachusetts Curriculum Frameworks in the same way that curriculum and instruction are focused on the Massachusetts Curriculum Frameworks. In other words, assessment will be aligned with the state curriculum and local instruction.
2. Proficiency testing measures skills and knowledge already learned by a student. The East Longmeadow Public Schools will not provide study materials or advanced preparation to students.
3. High School students demonstrating proficiency in a core curriculum area will be given credit for their learning and will be given the opportunity to advance to the next level of study in the appropriate curriculum area. The student will be granted an "A" on his/her official high school transcript. The unit shall count toward meeting the credit requirements for the high school diploma.
4. All students must maintain a full course load each year of enrollment in the East Longmeadow Public Schools.
5. The school will confer with parents in making promotion/acceleration decisions. Such factors as social and emotional growth should be considered.
6. If a student scores a 90% or above on the proficiency test(s) and the parent or guardian requests promotion/acceleration against the recommendation of school administration, the parent or guardian shall sign a written statement allowing the acceleration. This statement shall be included in the cumulative file of the student.

55. EAST LONGMEADOW PROCEDURE ON DISSECTION & ALTERNATIVES

In accordance with the 2005 Massachusetts Board of Education's Policy on Dissection and Dissection Alternatives, the East Longmeadow Public School District has developed the following policy.

Participation in hands-on science is important to learning science and dissections are a valuable learning experience in which all students are encouraged to participate. When dissection is used in the classroom:

1. Teachers will thoroughly explain the learning objectives of the lesson and use written and audio-visual materials as appropriate to maximize the educational benefits of the experience.
2. All specimens will be treated with respect.
3. All students will be informed, prior to the dissection, that they have the option of discussing individual concerns about dissection with the appropriate teacher.
4. Upon completion of the dissection, the remains will be appropriately disposed of as recommended by the local board of public health.

The science classes that include dissection must also include dissection alternatives. Upon written request of a student's parent or guardian, our school will permit a student who objects to dissection activities to demonstrate competency through an alternative method. The procedure for a student to participate in an alternate activity in place of dissection is as follows:

1. The student will notify the science teacher of the student's choice to participate in an alternative activity in place of participating in a dissection.
2. The student will submit a written request from his/her parent/legal guardian to the science teacher or to the building Principal.
3. The student will be provided an alternate activity to be determined by the teacher who will specify in writing what is expected of the student. Alternate activities should allow students to gain the same content knowledge as a dissection activity and should allow for a comparable investment of time and effort by the student.
4. The student will accept responsibility for completing the alternate activity within the assigned time and is expected to learn the same content knowledge as if the student were performing the dissection activity.

5. The student will be subject to the same course standards and examinations as other students in the course.

This policy will be provided to all teachers of science classes that may include dissection activities.

56. <u>CHILD ABUSE</u>

It shall be the policy of the East Longmeadow School District to report all cases of suspected child abuse consistent with *M.G.L. c. 119, § 51A* (see language from Section 51A, following). All employees are to report any suspected child abuse to their building Principal or immediate administrator. All administrators must file any suspected child abuse with the Commonwealth of Massachusetts, Department of Children and Families: (413) 452-3200, and inform the Superintendent of Schools.

The following is selected from the *Massachusetts General Laws of Chapter 119: Section 51A*:

"Any physician… public or private school teacher, educational administrator, guidance or family counselor, day care worker or any person paid to care for or work with a child in any public or private facility, or home or program funded by the commonwealth… school attendance officer… clinical social worker… to supervise, educate, coach, train or counsel a child on a regular basis…

…who, in his professional capacity shall have reasonable cause to believe that a child under the age of eighteen years is suffering physical or emotional injury resulting from abuse inflicted upon him which causes harm or substantial risk of harm to the child's health or welfare including sexual abuse, or from neglect, including malnutrition, or who is determined to be physically dependent upon an addictive drug at birth, shall immediately report such condition to the department by oral communication and by making a written report within forty-eight hours after such oral communication; provided, however, that whenever such person so required to report is a member of the staff of a medical or other public or private institution, school or facility, he shall immediately either notify the department or notify the person in charge of such institution, school or facility, or that person's designated agent, whereupon such person in charge or his said agent shall then become responsible to make the report in the manner required by this section.

Any such person so required to make such oral and written reports who fails to do so shall be punished by a fine of not more than one thousand dollars. Any person who knowingly files a report of child abuse that is frivolous shall be punished by a fine of not more than one thousand dollars.

Said reports shall contain the names and addresses of the child and his parents or other person responsible for his care, if known; the child's age; the child's sex; the nature and extent of the child's injuries, abuse, maltreatment, or neglect, including any evidence of prior injuries, abuse, maltreatment, or neglect; the circumstances under which the person required to report first became aware of the child's injuries, abuse, maltreatment or neglect; whatever action, if any, was taken to treat, shelter, or otherwise assist the child; the name of the person or persons making such report; and any other information which the person reporting believes might be helpful in establishing the cause of the injuries; the identity of the person or persons responsible therefore; and such other information as shall be required by the department.

Any person required to report under this section who has reasonable cause to believe that a child has died as a result of any of the conditions listed in said paragraph shall report said death to the department and to the district attorney for the county in which such death occurred and to the medical examiners as required by section six of chapter thirty-eight. Any such person who fails to make such a report shall be punished by a fine of not more than one thousand dollars.

No person so required to report shall be liable in any civil or criminal action by reason of such report. No other person making such report shall be liable in any civil or criminal action by reason of such report if it was made in good faith; provided, however, that such person did not perpetrate or inflict said abuse or cause said neglect. Any person making such report who, in the determination of the department or the district attorney may have perpetrated or inflicted said abuse or cause said neglect, may be liable in a civil or criminal action.

No employer of those persons required to report pursuant to this section shall discharge, or in any manner discriminate or retaliate against, any person who in good faith makes such a report, testifies or is about to

testify in any proceeding involving child abuse or neglect. Any such employer who discharges, discriminates or retaliates against such a person shall be liable to such person for treble damages, costs and attorney's fees.

Within sixty days of the receipt of a report by the department from any person required to report, the department shall notify such person, in writing, of its determination of the nature, extent and cause or causes of the injuries to the child, and the social services that the department intends to provide to the child or his family."

57. E.L.P.S. ASBESTOS MANAGEMENT PLAN

Per Federal EPA Regulations (40 CFR Part 763; AHERA) we are hereby notifying you of the availability of our Asbestos Management Plan and associated records. Although some or all of the asbestos may have been abated in the past, we may still be required to perform annual notifications of the availability of records. For the remaining asbestos containing materials (ACM's) in our schools, we are responsible for performing internal six month periodic surveillance checks, three year re-inspections by a Licensed Asbestos Inspector, internal Operations and Maintenance training and procedures, and occasional abatement with follow-up air sampling for the remaining ACM's in our buildings. Often, these asbestos abatements and/or removals are performed not as a hazard response but as a requirement, prior to a building renovation. Any asbestos removal projects we have done are always conducted by Licensed Abatement Professionals with follow-up air sampling. **Even if we have a newer school in our system (built after 1988), we are still obligated to perform limited communications regarding the availability of our Asbestos Management Plan.*

The following East Longmeadow schools have an Asbestos Management Plan and records available for your review:

East Longmeadow High School
Mapleshade School
Meadowbrook School
Mountainview School
Birchland Park Middle School

If you have any questions with regard to past current or future asbestos inspections, response actions/abatements or air sampling performed, please feel free to contact the Superintendent's office.

58. E.L.P.S. WELLNESS POLICY

East Longmeadow Public Schools strongly believes that students and staff need access to healthy food choices and opportunities to be physically active in order to grow, learn and thrive. There is a growing concern about childhood obesity and related diseases. The New Massachusetts School Nutrition Regulations for Competitive Foods and Beverages, 105 CMR 225.000, which will become effective August 2012, is an initiative that aims at combating childhood obesity by offering students/staff, foods and beverage choices that will enhance learning, contribute to their healthy growth and development and cultivate life-long healthy eating behaviors.

In compliance with Section 204 of Public Law 108-265 of the Child and WIC Reauthorization Act, we believe community participation is essential to the development and implementation of a successful wellness policy. Improved health optimizes student performance potential and ensures that no child is left behind.

East Longmeadow Public Schools will strive to meet the following goals:

I. Maintain the Health Advisory Council
- A. Members
- B. Roles of the council members

II. **Compliance with Nutritional Guidelines and Standards for Schools involving**:
- A. School Lunch
- B. Meal times and scheduling
- C. Food service staff qualifications
- D. No food/beverage sharing

III. Compliance with Nutritional Education for staff, students, parents/guardians and the community
- A. Communication with parents/guardians
- B. Food marketing in schools

IV. Maintain Physical Education and Physical Activity opportunities

A. Physical education (PE K-12)
B. Integrating physical activity into the classroom, as appropriate
C. Daily recess in specific schools
D. Physical activity opportunities before and after school

V. Promote a healthy life style for staff, which promotes a healthy school climate

A. Staff wellness opportunities

VI. Compliance with Policy Review and Monitoring

VII. Compliance with Guidelines for Reimbursable School Meals

A. Free and Reduced meals

VIII. **Compliance with Standards for competitive foods and beverages sold or provided during the school day** All competitive foods and beverages, sold or provided in public schools , shall comply with the nutritional standards of 105 CMR 225.000.

A. Foods and beverages sold individually 30 minutes before school hours and 30 minutes after school hours (foods and beverages sold in school buildings, including classrooms and hallways; school stores; school snack bars; all school campus vending machines accessible to students; concession stands; booster sales; school sponsored related events; any other location on school property)
B. Fundraising activities
C. Snacks
D. Rewards
E. Celebrations

IX. Recommendations/Guidelines for competitive foods and beverages sold outside school

A. Concession stands or school sponsored events

References:

The Child Nutrition and WIC Reauthorization Act of 2004, Section 204, P.L. 108-265.
Healthy Students, Healthy Schools: Guidance for implementing the MA School Nutrition Standards for Competitive Foods and Beverages. Developed by: MA Department of Public Health, MA DESE, John Stalker Institute of Food and Nutrition, Harvard School of Public Health and Boston Public Health Commission

The Child Nutrition Act of 1996, 42 U.S.C. 1771-1789
www.fns.usda.gov/end/goverance/legislation/implementation_timeline.pdf
www.mass.gov/eohhs/docs/dph/mass-inmotion/school-nutrition-guide.pdf
www.doe.mass.edu/cnp/nprograms/nslp.html
www.fns.usda.gov/cnd/goverance/legislation/Pricing-Equity-Facts.pdf

East Longmeadow Public Schools Wellness Protocol

I. **Health Advisory Council (HAC) -** The East Longmeadow Public School (ELPS) District will continue to maintain a HAC, which meets at least three times per year. The Nursing Supervisor and the Health Curriculum Director co-chair the Council meetings. The Council is district-wide and representative of all five schools. The membership of the Council is composed of staff, students, parents, administrators, the school physician, school nurses and members from the community. The main purpose of the HAC is to develop, implement, monitor, review, and as necessary, make recommendations on revisions to the Wellness Policy.

II. **Nutritional Guidelines and Standards for School Meals**- the Food Service Program will continue to follow the USDA requirements for the Federal School Meals Program and the School Meals Initiative for Healthy Children.
The nutritional requirements for school lunches:

- Must provide 1/3 the Recommended Daily Allowance (RDA) for:
    1. Calories

2. Protein
3. Vitamin A
4. Vitamin C
5. Calcium
6. Iron

No more than 30% of an individual's calories will come from fats and less than 10% of the calories will come from saturated fats.

- Meals will be appealing and attractive to students
- Meals will be served in a clean and pleasant setting
- Meals will meet nutritional requirements established by local, state and federal regulations (www.fns.usda.gov/end/goverance/legislation/implementation_timeline.pdf)
  Implementation of most meal requirements in the National School Lunch Program (NSLP) begins school year 2012-2013.
- Fiber rich fruits, vegetables and whole grains will be offered (see timeline link for grains component) ELPS currently participates in the Massachusetts Farm-to-School Program and purchases fresh produce directly from a Massachusetts farmer.
- Milk served will contain less than 2% or less of fat. (See timeline link for new milk guidelines). This nutritional information will be available on menus, the district website and menu boards.

A. Meal times and scheduling

- Twenty minutes per day will be provided to students for lunch time
- Lunch periods are scheduled mid-day
- Tutoring, club or organizational meetings or activities will not be scheduled during meal times, unless student is able to eat during the activity
- Students will have access to hand washing before they eat meals or snacks
- Students with oral health needs, if appropriate, will have access to care.

B. Requirements of Food Service Staff: Qualified nutritional professional will serve the school meals and have access to continued professional development opportunities. These programs will include appropriate certification or trainings for the Food Service Director, school cafeteria managers and cafeteria workers, according to their levels of responsibility. Annual training will include Life Threatening Allergy Awareness, Choking and Medical Emergency Protocol training.

C. **Sharing of Foods and Beverages:** Schools will follow the District wide policy of "no sharing" of any foods or beverages, given concerns about allergies and some diet restrictions.

III. **Compliance with Nutritional Education for staff, students, parents/guardians and the community**

All students in Grades K-12 should receive nutrition education. East Longmeadow Public Schools (ELPS) aim to teach, encourage and support healthy food choices by students. Schools should provide nutrition education and engage in nutrition promotion that:

- is offered at each grade level as part of a comprehensive, standards-based program taught by a certified health teacher and/or FACS teacher, designed to provide students with the knowledge and skills necessary to promote and protect their health;
- is part of not only health education classes, but also classroom instruction in other subjects like math, science, language arts, social studies and electives;
- includes enjoyable, developmentally appropriate, culturally-relevant, participatory activities such as contests, taste testing, farm visits and school gardens;
- promotes fruits, vegetables, whole grain products, low-fat and fat free dairy products, healthy food preparation methods and healthy enhancing nutritional practices;
- emphasizes caloric balance between food intake and physical activity;
- links for school meal programs, other school foods and nutrition-related community services;

- teaches media literacy with an emphasis on food marketing;
- includes training for teachers and other staff;
- fosters appreciation for good nutritional foods through the Family Consumer Science and Culinary Arts curriculum.

A. **Communication with Parents/Guardians**: ELPS will support parent/guardian's efforts to provide healthy meal choices and daily physical activity for their children. School staff will encourage parents to pack healthy lunches and snacks and to refrain from sending foods and beverages that do not meet the nutritional standards. Parents/Guardian will be provided a list of foods that meet the lunch and snack
requirements and ideas for healthy celebrations, rewards and fundraising activities.

ELPS will provide information about physical education and other school-based physical activity opportunities before, during and after the school day; and support parent/guardian's efforts to provide their children with opportunities to be physically active outside of school. Such supports will include sharing information about physical activity, healthy food choices and physical education through a website, newsletter or other take-home materials, special events or physical education homework.

B. **Food Marketing in Schools**: School-based food marketing will be consistent with nutrition education and health promotion. Schools will promote food and beverage marketing that meet the nutrition standards for meals or for foods and beverages sold individually. Schools will not promote low nutrition foods and beverages. Healthy foods, including fruits, vegetables, whole grains and low-fat dairy products will be encouraged.

Marketing techniques that are unacceptable include: logos and brand names on/in vending machines, books, textbook covers, school supplies, scoreboards, and sports equipment; educational incentive programs that provide food as a reward; programs that provide schools with supplies when families buy low nutrition food products.
Marketing activities that promote healthful behaviors include: vending machines promoting water, sales of fruit for fundraisers and coupons for discount gym memberships.

IV. Physical Activity Opportunities and Physical Education

A. Physical Education (P.E) K-12: All students in grades K-12 will be offered physical education and will be taught by certified physical education teachers.

B. **Integrating Physical Activity into the Classroom Setting:** Students need opportunities for physical activity beyond physical education class. The nationally recommended amount of daily physical activity is at least 60 minutes per day. Therefore:

- classroom education should complement physical education by reinforcing the knowledge and self-management skills needed to maintain a physically active lifestyle and to decrease screen time and sedentary activities;
- opportunities for physical activity should be incorporated into other subject lessons;
- classroom teachers are encouraged to provide short physical activity breaks between lessons or classes, as appropriate.

C. Daily Recess: All elementary students will have at least 12 minutes a day of supervised recess, preferably outdoors, weather permitting, during which moderate to vigorous physical activity is encouraged.

D. Physical Activity opportunities before and After School: The middle and high school will offer extracurricular activity programs, such as physical activity clubs or intramural programs. The town of East Longmeadow and the school staff will offer a range of activities that meets the needs,

interests and abilities of all students including students with disabilities and students with special healthcare needs.

Additional supplemental East Longmeadow School Policies for reference include:
AD, ADA, IHA and IHAE.

Promote a healthy life style for staff: The East Longmeadow School District highly values the health and wellbeing of every staff member and will plan to implement activities that support personal efforts by staff to maintain a healthy lifestyle.

Healthy students and healthy staff promote a healthy school climate.

- Encourage all school staff to improve their own personal health and wellness
- Improve staff morale
- Create a positive role model for the students
- Encourage the commitment from staff to promote the health of students
- Encourage the commitment from staff to help improve school nutrition and a physical activity environment

Nutrition and physical activity education opportunities and resources will be available to all staff. This may include the distribution of educational materials and access to presentations and workshops that focus on nutrition and healthy lifestyles, fitness activities and other appropriate nutrition and physical activity related topics.

Compliance with Policy Review and Monitoring:

A. **Monitoring:** The superintendent or designee will ensure compliance with current district-wide nutrition and physical activity wellness policy and protocol. In each school building, the principal or designee will ensure compliance with this policy and will report any concerns to the superintendent.

School food service staff, at the individual schools and the district level, will ensure compliance with the wellness policy and protocol within food service areas and report any concerns to the Food Service Director.

The superintendent or designee will develop a summary report every three years regarding district-wide compliance with the current wellness policy, based on input from schools within the district.

B. **Policy Review:** The Health Advisory Council will assess and review the wellness policy and protocol and determine compliance and any areas that may need improvement or revisions. The HAC will ensure that each individual school promotes an environment that supports healthy food choices and physical activity.

Additional supplemental East Longmeadow School Policies for reference include: AE, BA, BG, BGC, BGE, CH, CHB, CL and IL.

Compliance with Guidelines for Reimbursable School Meals:

A. **Free and Reduced Meals**: Schools will make every effort to eliminate any social_stigma attached to students who are eligible for free/reduced school meals. Electronic identification and a payment system promote the availability of school meals to all students. Applications for free/reduced lunch are available at each school. Local school food authorities set their own prices for full-priced meals. (www.fns.usda.gov/cnd/governance/legislation/Pricing-Equity-Feds.pdf)

In addition to cash reimbursements, schools are entitled, by law, to receive commodity foods. Under the School Meals Initiative, USDA also provides schools with technical training and assistance, to help school food service staff prepare healthy meals, and nutrition education to help children understand the link between diet and health.
(www.doe.mass.edu/cap/nprograms/nslp.html)

Compliance with Standards for Competitive Foods and beverages sold or provided during the school day: All Foods and Beverages sold individually (foods or beverages sold outside of reimbursable school meal program: a la carte, vending machines accessible to students, fundraising activities, snacks, rewards and celebrations. The regulations apply to competitive foods and beverages sold or provided to students 30 minutes before the beginning of the school day until 30 minutes after the school day ends. However, foods and beverages sold in vending machines and, accessible to students, must comply with the standards at all times. School districts are encouraged to go beyond the minimum standards to establish local protocols that apply the food and beverage standards at all times to promote a healthy school environment throughout the entire day. All vending machines, accessible to students, will only offer water, 100% fruit juice or vegetable juice and milk or milk substitutes.

A. Foods & Beverages: Water must be made available to all students during the day without charge. Fresh fruits and non-fried vegetables will be for sale where food is sold. The use of a fry-o-lator is prohibited. By August 1, 2013, nutrition information will be available for non-prepackaged competitive foods and beverages served in the cafeteria.

- 100% fruit and vegetable juice, with no added sugar and 4 oz. serving or less
- Low-fat and fat-free milk; 8 oz. serving or less
- Flavored milk with no more than 22 grams of sugar per 8 oz.
- Water may contain natural flavorings and/or carbonation but should not contain added sugars, sweeteners or artificial sweeteners
- Any beverages with added sugar or sweeteners already addressed will be phased out by August 1, 2013. Flavored milk or milk substitutes that have the same amount or less sugar than plain, fat-free or low-fat milk are allowed
- Other beverages like soda, sports drinks, teas, etc. are not allowed.
- Only 100 % fruit/vegetable juice , milk, milk substitutes and water may be sold or provided
- Foods should be 200 calories or less per item
- A la carte entrees should not exceed the calorie count of entrée items of the equivalent portion size offered as part of the National School Lunch Program (NSLP)
- Foods should have less than 35% of their total calories from fat
- Foods should have less than 10% of their total calories from saturated fat
- All foods should be trans-fat-free
- 1 oz. serving of seeds and reduced-fat cheese are exempt from the fat standards
- Foods should have less than 200 mg of sodium per item
- A la carte entrees should have a maximum of 480 mg of sodium per item
- All breads of grain-based products should be whole grain (whole grain should be listed as the first ingredient) this includes crackers, granola bars, chips, bakery items, pasta, rice, etc.
- Trace amounts of naturally occurring caffeine (such as that found in chocolate) are allowed as long as the item complies with the rest of the nutrition standards
- Artificial sweeteners in foods are, also, not permitted
- Ice cream and yogurt products will meet new competitive guidelines
- A packaged item may contain no more than one serving per package.
- All foods and beverages sold or provided to students will meet all applicable state and federal food safety requirements.

B. **Fundraising Activities**: Nutrition regulations should be applied at all times, including evening and community events. To support children's health and school nutrition/education efforts, school fundraising activities will not involve food or should only use foods that meet the above nutrition and portion size standards for foods and beverages sold individually. Schools will encourage fundraising activities that promote physical activity. The following healthy fundraising alternatives to selling food items, are highly recommended

- Walk-a-thons, jump-rope-a-thons and fun runs

- Talent shows
- Raffles for Spa treatments or sporting events, concerts, or movie tickets donated by local businesses
- Items with school logos
- Car washes
- Read-a-thons
- Auctions or garage sales
- Book fairs
- Bowling or skate nights
- Holiday cards, plants/flowers and gift wrap, candles, etc.
- Community service projects
- Fresh fruit sales

  www.cspinet.org/schoolfundraising.pdf
  www.astphnd.org/resource_read.php?resource_id=233
  www.actionforhealthykids.org/resources/files/healthy-fundraisers-for-schools.pdf
  www.fundraisingfruit.com
  www.citrusfruit.com
  www.fundraisingweb.org/listings/citrus.htm

C. **Snacks**: Snacks served by the school during the school day or in after school care or enrichment programs will make a positive contribution to children's diets and health with an emphasis on serving fruits and vegetables as the primary snacks and water as the primary beverage. Schools will assess, if and when, to offer snacks based on timing of school meals, children's nutritional needs, children's ages and other considerations. Parents, children and staff will be encouraged to send in healthy snacks, and suggestions for healthy snacks will be promoted through education, websites, etc. For example, this information can be communicated at parent-teacher nights, PTO meetings and/or through written communication on the school website, parent newsletters, etc.

- www.mass.gov/massinmotion
- www.choosemyplate.gov

D. **Rewards**: Schools should not use food or beverages as direct rewards for academic performance or good behavior and will not hold food or beverages as a punishment. Food items cited in a student's IEP or required for a medical_condition, will meet compliance with the Wellness Policy and Protocol. The Culinary Arts and Family Consumer Science Programs will also be encouraged to make/sell healthier alternatives to recipes in their classrooms.

Examples for alternatives to using food as a reward:

- Paperback book
- "Free choice time" at the end of class
- Stickers, pencils, or bookmarks
- Be a helper in class
- Play a favorite game
- "No homework Pass"
- Donated coupons to music stores, book stores or movies

  www.actionfor healthykids.org/assets/clubs/nc7-classrewards.pdf
  http://cspinet.org/new/pdf/constructive_classroom_rewards.pdf

E. **Celebrations**: Schools should limit celebrations that involve food. Any food item used in the classroom/school celebrations must conform to the district nutrition standards for foods and beverages sold individually. Foods provided by parents for classroom celebrations must also meet these standards as above. Foods must also comply with the ELPS Life Threatening Allergies Policy

and Protocol. Classroom Parties such as birthdays and holiday celebrations do not need to include food, just fun.

Examples of Healthy Celebrations:

- Arts and craft projects
- Allowing the student to be the teacher's assistant for the day
- Decorate the classroom
- Make something to bring home to the family
- Place the child's name and picture in the front of a book donated by the birthday child.
- Announce the child's name over the intercom and sing "Happy Birthday"
- Decorate a birthday crown

http://cspinet.org/new/pdf/healthy_school_celebrations.pdf
www.healthiergeneration.org/schools.aspx?id=3296

Guidelines for Competitive Foods & Beverages sold outside of school hours:

School districts are encouraged to apply the nutrition standards at all times. It is important for schools to be consistent in promoting a healthy school environment, and implementing the standards 24/7 prevents sending mixed messages to students. ELPS promotes healthier choices for the consumer at sporting events concession stands and various PTO fundraising projects. For example, offer foods and beverages that meet the new competitive al a carte and beverage regulations, in addition to the regular food and beverage items sold. Fresh fruits and vegetables should be offered.

(For full Wellness Policy and Guidelines, please visit the ELPS website)

59. LIFE THREATENING ALLERGIES POLICY

It is the policy of the East Longmeadow Public School Committee to set age-appropriate guidelines for students and schools within the East Longmeadow system that minimize the risk for children with life-threatening allergies (LTA). The risk of accidental exposure to foods/allergens may be reduced in the school setting if schools work with students, parents, and physicians to minimize risks and provide a safe educational environment for students with life-threatening allergies.

Such guidelines shall include: building-based general medical emergency plans, life-threatening allergy emergency plans, individual health care plans for all students diagnosed with LTA, appropriate training of staff, availability of on-site medical equipment for quick response to life-threatening allergic reactions, and such other guidelines that will ensure that students with LTAs can participate in school activities without undue fear or harm from exposure to life-threatening food/ allergens.

It is the School Committee's expectation that specific building based guidelines/actions will take into account the health needs and wellbeing of all children without discrimination or isolation of any child. It is the School Committee's belief that education and open, informative communication are vital for the creation of an environment with reduced risks for all students and their families. In order to assist children with LTAs to assume more individual responsibility for maintaining their safety as they grow, it is the policy of the School Committee that the guidelines shift as children advance through the primary grades and through secondary school.

Although not every circumstance that may develop can be anticipated, in an emergency situation, the interventions/guidelines in place are based on medically accurate information and evidence-based practices and experience.

References:

- Managing Life Threatening Allergies in Schools. Massachusetts Department of Education and Massachusetts Department of Public Health, 2002.
- Food Allergy and Anaphylaxis Network: http://www.foodallergy.org

(For full Life Threatening Allergy Policy and Protocol, please visit the ELPS district website)

60. FIRST AID POLICY

ELPS provides a safe environment for students. The school nurse is responsible for the care of sick or injured students at school. If an accident or sudden illness occurs and the school nurse is not available, school personnel will administer First Aid. First Aid is defined as the immediate and temporary care given to an injured or ill person. The student/staff member may be sent back to class, may be dismissed home safely, referred to a Primary Care Physician for a medical evaluation or treatment, or may need to be transported to the ER, depending on the situation. If it is evident that further treatment is necessary, a referral for medical evaluation or treatment will be made. All school staff are responsible for the welfare of students. If conditions appear serious and/or life-threatening, call 911.

At each school, procedures are in place to manage an injury or illness of a student or staff member. The following requirements will be implemented by all school staff.

1. The school nurse or other trained staff will be responsible for administering First Aid (Refer to File: EBB Protocol of First Aid for current recommendations).
2. When the nature of an illness or an injury appears serious, every effort will be made to inform parents/guardians.
3. No young student who is ill or injured will be sent home alone and a designated adult must be there to receive him/her. Any older student will not be sent home alone, unless the illness/injury appears minor.
4. In emergencies, the school nurse/ Principal/ school physician may make arrangements for immediate transport to an Emergency Room, and every effort will be made to notify parents and physician, beforehand, if possible.
5. An accident report should be filled out for every illness or injury that requires a referral for medical evaluation or treatment.
6. All student/staff accidents that require an accident report will be reported as soon as possible to the Principal, who will in turn notify the Superintendent/Director of Student Services / Nursing Director.

61. SAFE SCHOOLS NOTICE TO PARENTS

Schools and parents share a common concern and responsibility for the safety of students. Each school year schools encounter problems where students are left remaining after hours unsupervised in school buildings. Students remaining on school grounds must be in a supervised activity. All other students must leave the campus promptly after the dismissal bell. Students are not allowed to wait for other students who are in supervised activities, nor should older students be designated to supervise other students. This practice is unsafe. Furthermore, students exiting one campus should not trespass onto any other school campus. We appreciate your cooperation in keeping all our students safe.

62. MCAS PREPARATION/TUTORIAL SERVICES PARENT WAIVER

From time to time, the school administration will recommend school-based tutorial/MCAS preparation services for a child in lieu of other elective offerings. If parents do not want to follow the educational recommendations of the school administrator, they must sign the parent waiver below:

We/, _____ (hereinafter, "Parents) of _____, East Longmeadow, Massachusetts, acknowledge herewith that we have freely, voluntarily, and of our own accord waived, the MCAS preparation/tutorial services recommended for our son/daughter, _____, by the East Longmeadow Public Schools.

The Parents hereby forever waive any and all claims which were or could have been raised before any state or federal agency or court of competent jurisdiction with regard to the provision of MCAS preparation/tutorial services pursuant to federal and state laws and the regulations promulgated thereunder.

The Parents, on behalf of themselves and their son/daughter, hereby release, acquit, and forever discharge the East Longmeadow School Committee, and all past and current employees of the East Longmeadow Public Schools, in both their official and individual capacities, from any and all claims, demands, causes of action, obligations, liabilities, and damages of any kind, either at law or in equity, whether or not now known, suspected, or claimed, which the Parents and their son/daughter may have from the beginning of time and in perpetuity with regard to the provision of MCAS preparation tutorial services, or lack thereof, to and on behalf their son/daughter.

Signed and sworn to this _____ of _____, _____ (year).

_____ _____

Witness Parents, individually and on behalf of their son/daughter

63. NCLB TITLE 1 "RIGHT TO KNOW" COMPLIANCE STATEMENT

The East Longmeadow Public Schools, in accordance with No Child Left Behind, hereby informs all parents that they have the right to know the following information regarding their child's classroom teacher(s):

a. Whether the teacher meets the state qualifications and licensing criteria for the grades and subjects he/she teaches
b. Whether the teacher is teaching under emergency or provisional status because of special circumstances
c. The teacher's college major, whether the teacher has any advanced degrees, and the field of discipline of the certification or degree
d. Whether paraprofessionals provide services to your child and, if so, their qualifications.

The East Longmeadow Schools, in compliance with federal law, will provide you with the above information in a timely manner, if you request it in writing.

64. VIDEO AND AUDIO RECORDING DEVICES ON SCHOOL BUSES

To ensure the provision of a safe and secure environment for District students, it is the policy of the East Longmeadow Public Schools to utilize video and audio recording devices on any or all buses or other vehicles (hereinafter "bus") used to provide transportation for District students. This authority shall extend additionally to all vehicles contracted by the East Longmeadow Public Schools for the transportation of its students.

The presence of video and audio recording devices on a school bus shall be announced by signage displayed prominently on the bus. No additional notice of video cameras on school grounds is required. The East Longmeadow Public Schools shall provide notice of this policy annually to students and parents in the student/parent/drivers handbooks.

All recordings are considered confidential and will be viewed only on an "as needed" basis by those individuals authorized by federal and state law and this policy.

All recordings are the property of the East Longmeadow Public Schools and shall be maintained in accordance with federal and state law and this policy.

After a recording on a school bus has been made, the East Longmeadow Public Schools will retain the recording in a secure location. If no request by an authorized District official to observe recording is made within ten (10) school days of the recording, the ELPS will not access that recording for any purpose. Recordings requested by an authorized District official (the superintendent, or designee, building principal, or the District's Transportation Manager) will be provided to and be retained by the District pursuant to federal and state law and this policy. The District may use recordings in discipline/prosecution of students, staff and the public and the recordings shall be retained by the District until the final resolution of any discipline/prosecution, including the timing for appeal or a court ordered retention period (if any). Recordings not used for discipline, law enforcement or court action will be erased and the recorded media reused at the direction of the Superintendent or designee.

Any request for the viewing and listening of a recording must be approved by the Superintendent or designee. The Superintendent or designee will determine if an individual requesting to view and listen to the recording is considered authorized pursuant to federal and state law and this policy. A recording shall only be reviewed if there is a report of a serious incident as determined by the Superintendent or designee or a complaint relative to conduct. The Superintendent or designee will be responsible for maintaining a log of the date and names of all individuals who review a recording. Recordings may be reviewed by any of the following only as expressly authorized by the Superintendent or designee:

- Superintendent or Designee
- Assistant Superintendent/Business Administrator
- Law Enforcement Officers
- Transportation Manager

- Students/Parents of Students directly involved in a particular incident or complaint (subject to the following considerations*)

*Video and audio recordings used as part of disciplinary or other proceedings regarding students shall be considered an educational record for purposes of the Family Educational Rights and Privacy Act ("FERPA"). Release of such video and audio recordings will only occur pursuant to disclosure requirements of FERPA and such recordings may not be released to parents without the express, written permission of the parents of all identifiable students. Only the portion of the video or audio recording which is relevant to the incident or complaint will be reviewed or released in accordance with state and federal law and this policy.

65. VIDEO SURVEILLANCE POLICY

It is the policy of the East Longmeadow Public Schools to utilize video surveillance on school property to promote the health, safety, and welfare of students, staff and lawful visitors, to deter theft, vandalism and other negative behavior, to safeguard school
buildings, grounds, and equipment, and to monitor unauthorized individuals on school property.

Definitions: For the purpose of this policy and corresponding procedures:

Personally identifying information will be collected and disclosed consistent with confidentiality protections under Massachusetts and federal laws.

b. Video Surveillance System refers to a video, physical or other mechanical, electronic digital surveillance system or device that enables continuous or periodic video recording, observing or monitoring of individuals in school buildings and on school premises.

c. Record means any information, however recorded, whether in printed form, on film, by electronic means or otherwise, and includes: a photograph, a film, a microfilm, a videotape, a digital record and any visual image that is capable of being produced from a machine-readable source.

Guiding Principles

Cameras will only be used when the Principal or his/her designee has determined that surveillance is necessary. In determining the need for surveillance, Principal or his/her designee may consider the following:

- a history of incidents
- the physical circumstances of the school property
- the effectiveness of surveillance in preventing negative incidents
- the use of less intrusive means to address the issue of school safety and security (e.g. restricted access to the school building, use of identification badges, increased lighting and alarms).

Cameras will only be used for the following intended reasons:

- Video surveillance cameras will be used to promote the safety of staff and students.
- Video surveillance cameras will be used to deter destructive acts and safeguard school property.
- Video surveillance records may be used as evidence in any disciplinary action brought against a student arising out of conduct in violation of school rules.
- Video surveillance records may be provided to law enforcement officials.

Retention and Disposal

a. The Principal or his/her designee shall ensure that proper procedures are followed regarding disclosure, retention, disposal and security of video surveillance records in accordance with applicable laws and regulations.
b. All video records or surveillance equipment not in use shall be stored in a secured location.
c. If video records have not been viewed after 30 days, the video will not be accessed after that.
d. Any video records that have been viewed will be stored noting the dates, times, and areas that were recorded.
e. When recorded information has been viewed for law enforcement, school or public safety purposes, the information must be retained and securely stored for a minimum of one year unless the Principal or

his/her designee determines that earlier disposal is warranted and the individual to whom the information relates consents to earlier disposal.

f. The Principal or his/her designee will be responsible for ensuring the proper retention of records. Records will be disposed of in a manner such that personal information cannot be reconstructed or retrieved.

Security

a. Monitors for 'real time' viewing of video surveillance information should be placed in an area out of view from the public.

b. Monitors shall only be viewed by the Principal or his/her designee or by designated staff.

c. Video surveillance information shall only be viewed where an incident has been reported or observed, or to investigate a potential crime or violation of school rules.

d. The Principal or his/her designee will be responsible for securing video surveillance information against tampering and ensuring confidentiality in accordance with applicable laws and regulations.

Other Considerations

- Camera locations will be authorized by the Principal or his/her designee.
- Cameras will be installed in areas where there is a need for surveillance (i.e. hallways, stairwells, entryways, outside areas, and other areas open to public view).
- Cameras will be installed in such a way that only the identified area(s) can be monitored.
- Video surveillance cameras will not monitor the insides of lavatories, locker rooms, private offices, classrooms, staff work rooms, or staff lunch rooms.

The Principal or his/her designee shall maintain control of and responsibility for the video surveillance system at all times.

Any agreements between the School and service providers will state that records dealt with or created while delivering a video surveillance system are under the School's control and are subject to this Policy.

If a service provider fails to abide by this Policy, it will be considered a material breach of contract and dealt with accordingly.

- Individuals who deliberately breach this Policy may be subject to discipline.
- The School will notify parents, staff, and students of the existence/augmentation of the video surveillance system. Such notice will include publication in the Student Handbook, as well as appropriate signage posted at all major entrances into the school building.
- Requests by parents and/or students to view a video recording must be in writing to the Principal. The Principal's decision to honor or deny the request is not appealable.

Covert Surveillance

Signage will be placed prominently along the perimeter of the surveillance area, as well as at major school entrances, indicating that video surveillance is in use. Any exception to this, such as specific investigation into criminal conduct, must be authorized by the Principal. It must be demonstrated that covert surveillance is necessary to promote the safety and security of the school community and the need for such surveillance outweighs the privacy interest of the person likely to be observed. Covert surveillance should only occur for limited period(s) of time