



Student and Family Handbook

2025-2026

Hamilton - Wenham Regional High School

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(978) 468 0400

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Assistant Principal: Jeff Becker
Director of School Counseling: Kristen Lazzaro
Athletic Director: Craig Genuardo

Main Office: (978) 468 0400
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MISSION STATEMENT

Together we inspire continuous learning in order to lead a purposeful life.

All students, regardless of race, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy or pregnancy related condition, homelessness, ancestry, ethnic background, national origin, or any other category protected by State or Federal law shall have equal access to the general education program and the full range of any occupational/vocational education programs offered by the district.

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This will be updated after School Committee approval

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SCHOOL AND DISTRICT ADMINISTRATIVE CONTACTS

The Hamilton-Wenham Regional School District School Committee 2025-2026

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Hamilton-Wenham Regional High School Counseling and Health Services

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HWRHS 2025-2026 SCHOOL CALENDAR

August	25	Monday	Opening Day for Teachers
	27	Wednesday	Orientation-9th Grade
September	1	Monday	Labor Day — NO SCHOOL
	2	Tuesday	Students First day of School
October	13	Monday	Indigenous Peoples' Day - NO SCHOOL
	31	Friday	First Quarter Ends
November	11	Tuesday	Veterans' Day - NO SCHOOL
	26	Wednesday	Thanksgiving Recess/Half Day 10:30 AM dismissal
	27-28	Thurs-Fri	Thanksgiving holiday
December	1	Monday	School Reopens
December	23	Tuesday	Winter Holiday Recess Begins/Half Day 10:30 AM dismissal
January 2026	5	Monday	School Reopens
	19	Monday	Martin Luther King Day — No School
	20-23	Tuesday-Friday	Mid Year Exams - Second Quarter Ends
	26	Monday	Start Of Semester Two and Quarter Three
February	16	Monday	Presidents Day - Mid-Winter Vacation Begins
	23	Monday	School Reopens
April	3	Friday	Third Quarter Ends
April	20	Monday	Patriots Day— Spring Vacation Begins
	27	Monday	School Reopens
May	25	Monday	Memorial Day — No School
	30	Saturday	Graduation 10:00 A.M.
June	8-12	Monday - Friday	Exams for grades 9-11 (<i>Subject to change based on snow days</i>)
	12	Friday	Last Day For Students (<i>Subject to change based on snow days</i>) - Early Release
	19	Friday	Juneteenth - No School
	24	Monday	Day 185

STUDENT SERVICES

SCHOOL COUNSELING DEPARTMENT

The School Counseling Department at Hamilton-Wenham Regional High School supports the high school's mission statement. Corresponding student expectations for learning drive the mission of the department. In particular, the counselors work closely with all students over a four-year period of time assisting students to:

- Locate and utilize opportunities for learning beyond the school walls
- Make informed decisions
- Set and pursue personal goals
- Prepare for future learning and/or career paths

The student-counselor relationship also reinforces the need for each student to:

- Assume responsibility for making healthy choices
- Demonstrate awareness and respect for others in a diverse world
- Exhibit honesty, integrity, and personal responsibility

The School Counseling Department, which is located adjacent to the Main Administrative Offices, is home to three full time school counselors, the Director of School Counseling, K-12, and the counseling secretary. All students in grade nine are assigned to a dedicated ninth grade counselor. After grade nine, students are distributed among the counseling staff, and will remain with that counselor for the remainder of their time in the high school. The counselor's primary responsibility is to work closely with students and their parents in matters pertinent to academic advising, post-secondary planning and personal counseling. Students are encouraged to make appointments with their counselor by visiting the School Counseling Office before, during, or after school. Parents/guardians are encouraged to call and make an appointment with their child's school counselor if they have a question or concern. The school counseling department website, www.hwschools.net, also contains the e-mail addresses of all counselors as another option available to parents. School counselors meet with students on an individual and group basis throughout the year.

TRANSCRIPTS

Students must request transcripts either in writing or in person at least 10 days prior to issuance. The charge for processing a senior's official transcript and supporting materials is \$5.00, a one time fee regardless of how many colleges are applied to. Fee reductions available for those that qualify. This fee covers the automatic mailing of senior first semester grades to all colleges, the final transcript to the college the student indicates they are planning to attend, and alumni transcripts.

STUDENT RECORDS

There are two parts to a student's record: the transcript and the temporary record. The transcript is the permanent record of the student, listing name, birthdate, address, course titles, and grades. The transcript is kept for 60 years after the student leaves the high school. The cumulative file contains all other material and is given to students upon graduation. The temporary record shall consist of all the information in the student record which is not contained in the transcript. The temporary record

of a student shall be destroyed not more than seven years from the date of graduation, transfer, or withdrawal from the school district.

Any high school student or parent may request to see the contents of the student record. The Family Educational Rights and Privacy Act of 1974 (Massachusetts Department of Education Student Records Regulations, 603 CMR 23.07) provides that the student or parent be allowed to review the folder as soon as practicable and within ten days of the initial request. The school counselor will review material in the folder with the student or parent and answer any questions.

Further information regarding student records, the release of records to non-custodial parents, and the laws governing record keeping in this state is available on the [Department of Elementary and Secondary Education's website](#).

SCHOOL SOCIAL WORKER/ADJUSTMENT COUNSELOR SERVICES

In addition to the services provided by the school counseling department, the school also offers services through the school social worker/adjustment counselors. The purpose of the school social worker/adjustment counselor is to help all students with their personal, social, and academic concerns, with a focus on functioning in school. The school social worker/adjustment counselor meets with students individually and/or in small groups.

School personnel may refer a student if they believe the student may benefit from this service. Students can also request to meet with the school social worker/adjustment counselor. Parents may refer their child..

The contact information for the adjustment counselors is as follows:

Sue Howland	978-468-0432	s.howland@hwschools.net
Alison Trimby	978-468-0483	a.trimby@hwschools.net

CARE TEAM

The CARE (Counseling, Academics, Response, and Evaluation) Team is convened on a regular basis to develop strategies for addressing the needs of students with academic, social, emotional and behavior concerns. Students may be referred by parents, teachers, counselors, or administrators. Referral forms for parents are available on the high school website and via google form on our staff resources page for teachers. These referrals must be submitted to the assistant principal in advance of a team meeting. Parents may make referrals directly to the assistant principal or a student's school counselor.

SPECIAL EDUCATION AND SECTION 504 REFERRALS

Special Education: If a student is suspected of having a disability and requires specialized instruction, or related services to make effective progress, a teacher, guidance counselor, or parent may contact the principal or Director of Student Services in writing and request an evaluation for special education services. A referral for a special education evaluation is typically made after the student's teachers have implemented pre-referral strategies as recommended by the Instructional Support Team. Parent rights brochures are available from the Secondary Special Education Coordinator or the District's Student Services office.

Section 504: If a parent or teacher believes that a student may have a physical or mental impairment which substantially limits a major life activity, the parent or teacher should contact the assistant principal or Director of Student Services in writing and request an evaluation to determine whether

the student is eligible under Section 504. Information regarding parental rights under Section 504 is available on the [high school website](#).

HEALTH SERVICES

The school nurse is available during the day for students who become ill and need medical attention or medication or want to discuss physical or mental health matters. **Students must have a pass from their classroom teacher. Students who do not follow this procedure will be considered to have missed their class without permission.**

Medical-related reports i.e. physical exams, gym excuses, immunizations, should be brought to the Health Office. Students in 10th grade must provide an updated physical (completed within the last 12 months). Your cooperation enables us to keep health records up-to-date for referral during the year.

Screenings: The School Nurse will conduct screenings in 9th and 10th grade as mandated by Massachusetts Department of Public Health.

9th grade: Postural Screening

10th Grade: Height & Weight, Vision and Hearing. Screening Brief Intervention and Referral to Treatment (SBIRT) will be conducted in collaboration with the Counseling department.

In order to opt out of any screening, please send a letter in writing to the school nurse at the beginning of the school year.

Health Information: Parents or Guardians should update their child's health information under the health section in the Aspen's parent portal. In addition, children may receive acetaminophen and ibuprofen from the nurse as ordered by the school physician with parental/guardian approval.

Dispensing Medications: In accordance with state regulations, all medications, prescription and over the counter, must be accompanied by a doctor's order and parent consent in order to be administered during school hours. For short-term medications, i.e., those requiring administration for 10 school days or fewer, the pharmacy-labeled container may be used in lieu of a licensed prescriber's order. A written parent consent form is required. Narcotic medication will not be administered in school. **Asthma Medicines, diabetes medicines and supplies, pancreatic enzymes, and Epi-pens** are special circumstances and may be carried by the student with written parent consent. Parent consent forms may be downloaded from the Health office website.

Field Trips: Students who attend a field trip may be given permission to carry and self administer their medication for the duration of the activity as long as they demonstrate proper use and care of the medication. A student Contract to Self Carry and Self Administer Medication must be signed by the parent, the student and the School Nurse prior to the field trip.

A parent or guardian must deliver all medications to the school nurse in a labeled pharmacy or manufacturer container. No more than a 30 day supply of medication shall be stored at the school. All medications not picked up by the parent or guardian at the end of the school year will be disposed of by the school nurse. **Students found in possession of medication without prior approval from the school nurse shall be considered to be in violation of the Drug/Alcohol Policy.**

Sports physicals must be **on file** and **current** (within 1 year) for participation in any sports or practices.

Call the Health Office at 978-468-0409 for questions regarding illnesses, medications, or physical or mental health concerns.

STUDENT ACADEMIC EXPECTATIONS

All students, regardless of race, color, sex, religion, national origin, sexual orientation, gender, gender identity, disability, or homelessness, have equal access to the general education program and the full range of any occupational/vocational education programs offered by the district.

ACADEMIC LEVELS

Courses are taught at three different academic levels. Students with similar abilities work together in courses tailored to their particular strengths and needs. Students may move up or down in learning levels depending on their performance or desire to undertake a more challenging academic program across all disciplines.

- AP/Honors level courses are designed for students with a strong fundamental knowledge of the subject, outstanding critical thinking ability, and independent study skills.
- College Preparatory level courses adhere to a standard college preparatory curriculum. They are designed for students capable of responsible, independent study of advanced topics.

CREDIT RECOVERY

Any student who fails a semester of a core course will be expected to make up the course using Educere credit recovery which is managed by Hamilton-Wenham Regional High School before taking the next course in the sequence. Students who do not make up a failed course before the next school year will be rescheduled for the previously failed course before moving on to the next course in any sequence. For example, if a student fails English 10, the student must make up the credit before the start of the eleventh grade. If not, the school counselor will reschedule the student for the English 10. Students will work with their school counselor for more information.

- Students must pass (60% or higher) at least one quarter of the semester in the failed core course to be eligible for credit recovery.
- Students will only be able to make up a max of 1 credit (two .5 credits) through credit recovery per year.
- Any credit recovery course that is passed will be graded as a P on the permanent transcript and will not be reflected in the GPA.

Summer Makeup Deadline

Any incomplete received for the second semester final grade must be made up by the conclusion of the second full week of school in September. It is the responsibility of the student and/or parent to contact the school as soon as possible to arrange for make-ups. Failure to adhere to the above guidelines will result in a grade of zero for all incomplete work.

FINAL AND MIDYEAR EXAMS

Final and Mid-Term exams are given by all departments. Students who leave school early in June for trips and other commitments may be required to make up final exams after they return. Any student who cannot take the exam at the assigned time must receive permission from the administration before taking the exam at an alternative time. The final grades for students who complete final exams after the school year will be available no later than September 15th of the next school year.

GRADE REPORTING

Report Cards

Report cards are produced four times a year after the end of each quarter. Report cards are made available through the parent and student portals in Aspen. If a student or parent has a question about a grade on the report card, the teacher for the course in question is the first point of contact.

Progress Reports

Teachers will update their gradebooks in Aspen at least once every **10 school days**. It is important that all students and parents use this resource to check academic progress. With only four marking periods, it is extremely important that parents and students keep in touch with teachers about student performance. Parents are encouraged to contact their child's teachers any time to inquire about their child's performance.

GRADING SYSTEM

Letter grades are assigned to coursework on the standard A through F basis. An "I" indicates an incomplete grade. An incomplete grade must meet with administrative approval based on extenuating medical or personal circumstances. All incomplete work must be completed within ten days of the issuance of report cards, or the student will receive the grade earned as of the end of the academic term. A Pass/Fail grading option may be considered with prior approval of the administration. A "W" indicates withdrawal from a course.

- Credits are awarded at the end of each semester for both year-long and semester courses.
- To earn credits for a course, a student must earn a passing grade for the semester.
- A semester grade for a class is determined using the two quarter grades and the semester exam grade
- The weighting for semester exams varies by grade level
 - Grade 9: 10% of the semester grade
 - Grade 10: 15% of the semester grade
 - Grades 11 and 12: 20% of the semester grade
- Each course in the school will be assigned a grade level by the administration and this will be communicated to students at the start of each semester

Grading guidelines are as follows:

A 93-100	A- 90-92	
B+ 87-89	B 83-86	B- 80-82
C+ 77-79	C 73-76	C- 70-72
D+ 67-69	D 63-66	D- 60-62
F 59 and below		

Grade point average is based upon the scale listed below and will be calculated at the end of each academic year and at the conclusion of the first semester of the senior year. All courses factor toward the calculation of GPA except: Wellness, diversified learning programs, independent study courses and all courses not taken at Hamilton-Wenham Regional High School. Rank-in-class is not determined or reported to colleges.

GRADE	AP	H	CP	NUMERICAL GRADE EQUIVALENT
A	5.0	4.5	4.0	100-93
A-	4.7	4.2	3.7	92-90
B+	4.3	3.8	3.3	89-87
B	4.0	3.5	3.0	86-83
B-	3.7	3.2	2.7	82-80
C+	3.3	2.8	2.3	79-77
C	3.0	2.5	2.0	76-73
C-	2.7	2.2	1.7	72-70
D+	2.3	1.8	1.3	69-67
D	2.0	1.5	1.0	66-63
D-	1.7	1.2	0.7	62-60
F	0	0	0	59-0

GRADUATION

Graduation and Senior Week are celebrations of the accomplishments of our students. Attendance at Graduation and Senior Week events is a *privilege* and may be revoked by the principal for any disciplinary infractions that occur during the senior year.

Senior Graduation Obligations

Each senior must participate in all scheduled graduation rehearsals and attend the Awards, Candlelight, and Graduation Ceremonies. Failure to attend any of the rehearsals and activities without prior permission from the principal will result in the student not being allowed to participate in subsequent activities. Permission is granted only for extreme emergencies (e.g., illness). Work, routine doctor's appointments, etc. are not acceptable excuses. Seniors are still officially in attendance and as such are required to attend all scheduled activities. The principal must be notified as soon as possible of any potential attendance problems.

Any senior who cannot meet all academic graduation requirements, disciplinary obligations, or financial obligations will not be allowed to participate in any Senior Week activities, up to and including Graduation, and must resolve the requirements and/or financial obligations before participating in any Senior Week activities, up to and including Graduation.

Any student who attends the Senior Prom, a rehearsal, or any other Senior Week activity "under the influence," or brings alcohol or drugs to activities will be excluded from the activity. Parents will be notified, the normal disciplinary routine will be followed, and diplomas will be withheld for presentation at a later date. The student will not be permitted to participate in any further Senior Week activities, up to and including graduation.

Students are required to be at the Candlelight/Graduation site with caps and gowns one hour in advance of the scheduled starting time. Graduation and Candlelight are formal events and proper dress is required for participation in these ceremonies.

Valedictorian/Salutatorian Requirements

In order for a graduating senior to be considered for valedictorian or salutatorian status, the student must be enrolled on a full-time basis for their junior and senior years at Hamilton-Wenham Regional High School. These students will be determined at the conclusion of the first semester of senior year. In case of a tie for valedictorian or salutatorian, GPA will be recalculated to four decimal places to determine the recipient(s) of these honors.

Early Graduation

Hamilton-Wenham Regional High School does not encourage students to graduate early because we believe that most students benefit from four full years of high school. There are cases, nevertheless, when early graduation is an appropriate option. Parent permission and permission from the administration prior to the end of the student's sophomore year are required. A letter from the student's parent must initiate the process. The letter should be addressed to the principal. Upon receipt of the request the principal will consult with the student's teachers, guidance counselor, and special education staff, if appropriate, and meet with the student and parents to determine a course of action.

Student Transfers and Graduation

In order to receive a Hamilton-Wenham diploma, a transfer student must meet the following requirements:

1. Satisfy all graduation course requirements for their class
2. Have earned an equivalent of at least 24 credits
3. Have earned an equivalent of 5 credits as a senior at Hamilton-Wenham with a minimum of 3 credits in the following areas: English, History, Math, Science, and/or Foreign Language
4. Satisfy MCAS testing competencies
5. Complete community service requirements starting with the year the individual arrives at HWRHS

Any requests for exceptions to this policy due to extenuating circumstances must be reviewed by the principal.

Graduation with Honors

At graduation, seniors in the top 10 of their class will be identified as graduating with honors. This distinction will be determined by the principal based upon GPA after the first semester of senior year.

DIPLOMA REQUIREMENTS

To earn a Hamilton-Wenham Regional High School diploma, students must meet local graduation requirements and the state Competency Determination.

Local Graduation Requirements - Credits

All students are required to earn 24 credits in order to graduate. A semester course receives .5 credits; a year-long course receives 1 credit. The distribution requirements are as follows:

- English 4 credits
- History 3 credits
- Science (must be lab science) 3 credits
- Mathematics 4 credits
- Health/PE/Wellness 2 credits
- Foreign Language 2 credits
- Fine/Applied Arts .5 credits
- Engineering Technology .5 credits
- Additional semester of either
Fine/Applied Arts or Technology .5 credits

Local Graduation Requirements - Community Service

Students must complete 50 hours of community service over the course of their high school years with the following recommendations: 9th grade - 10 hours; 10th grade - 10 hours; 11th grade - 15 hours; 12th grade - 15 hours.

Competency Determination

In addition, the Massachusetts Department of Education requires students to meet the Competency Determination in order to receive a diploma.

For students in the Class of 2026 who have not earned the CD as of January 3, 2025 (via passing scores on the ELA, Math, and Science tests), they can earn the CD by doing all of the following:

- Pass the end-of-course assessment, or equivalent, and earn full credit in at least two year-long courses in ELA.
- Pass the end-of-course assessment, or equivalent, and earn full credit in Algebra I and Geometry.
- Pass the end-of-course assessment, or equivalent, and earn full credit in at least one year-long course in Biology, Chemistry, or Physics.

Students who do not meet any of the above requirements of the CD may appeal to the principal.

Internship

Seniors have the option to participate in an independent study project, an internship, or a capstone project during quarter 4 (see appendix for details).

Seal of Biliteracy

While not a requirement, students can also receive The Seal of Biliteracy when they graduate. See Appendix G.

PROMOTION REQUIREMENTS

1. In order to be considered a sophomore, a student must earn at least 5 credits during their freshman year. Approved summer school credits will be included in the 5 credit minimum.
2. In order to be considered a junior, a student must earn a total of 10 credits during the freshman and sophomore years. Approved summer school credits will be included in the 10 credit minimum.
3. In order to be considered a senior, a student must earn a total of 17 credits. Approved summer school credits will be included in the 17 credit minimum.

HONOR ROLL

The Honor Roll recognizes students who achieve success academically and fosters high academic standards. Students at all levels can achieve academic success and the acclaim that accompanies it. This process is not to be confused with the National Honor Society. The Honor Roll will be organized as follows:

1. The Honor Roll will be published at the end of each quarter and is based on quarter grades
2. This Roll will have two categories of recognition - High Honors and Honors
3. All courses will be weighted equally. Therefore, all grades received at all levels (AP, Honors, and CP) are to be considered of equal value
4. Any grade of C will automatically exclude a student from the Honor Roll

5. All courses on a student's schedule will count towards the Honor Roll
6. At the end of each quarter, the criteria for making High Honors will be no grade lower than an A- in all classes
7. At the end of each quarter, the criteria for making Honors will be no grade lower than a B- in all classes
8. Courses taken Pass - Fail: you must receive a P to remain eligible for honor roll.

PROGRAM CHANGES

The program selected by the student in the spring each year represents their final selection of courses for the following academic year. After the schedule has been constructed, we must limit changes to those necessary due to course failures, scheduling conflicts, or the cancellation of courses due to insufficient enrollment or lack of faculty to teach the courses. Additionally, schedules will be adjusted following verification of credits earned from successful summer school study. If a scheduling error has been made, adjustments will be made as soon as possible in individual programs.

Students who desire to change course levels should discuss this with their teacher and parents. Changes in levels of courses must be jointly recommended by the teacher, student, and parents with approval of the 6 - 12 Curriculum Leader.

Program Change Procedures

1. The student should bring in a note from one of their parents or guardians requesting the change and stating the reason for the request.
2. The student must show the current teacher and counselor a note indicating parental approval for the requested change. The teacher will consult with their Curriculum Coordinator who will notify the Guidance Department of their decision.

Deadlines for Program Change Procedures

1. Course changes which meet the above criteria may only be made in the first two weeks of the semester or year in which the course began. No indication of the course will appear on the transcript. After these first two weeks, a W will appear on the transcript.
2. Students who are performing poorly in a yearlong course may be allowed to drop the course at the end of first semester, **at the discretion of the curriculum leader.** The student will receive a W grade for the second semester. All changes are dependent on availability of alternate course selections. Course changes must be finalized within the first two weeks of the semester.

SCHOOL POLICIES/PROCEDURES

ANNOUNCEMENTS

Daily announcements are made each morning and include the Pledge of Allegiance. In order to avoid disrupting classes with P.A. announcements during the school day, the majority of school announcements will be made during the morning announcements. With faculty approval, students may submit written announcements to be announced during morning announcements. Except in an emergency, the P.A. will only be used at the beginning and/or end of the school day.

POWERSCHOOL

PowerSchool is the official student information portal for the district. All families and students will be given access to PowerSchool. Attendance, conduct, and grades (progress reports and report cards) will be distributed through Aspen. **Paper copies of these reports will not be mailed home or sent**

home with students. It is imperative that all families and students establish a PowerSchool account and access it regularly to stay current. Issues with PowerSchool may be reported to powerschool@hwschools.net.

ASSEMBLIES

The school's assembly program is designed to provide a variety of experiences for students. Some assemblies are intended to share information; some are principally entertaining; some are organized to honor student achievement; some are showcases for student performance; some celebrate certain traditions. Whatever the assembly's purpose, we expect that students will behave politely, demonstrating that they have learned how to be an appropriate and courteous audience.

On days when there are assemblies the schedule may be changed. These schedule changes will be shared with teachers electronically and posted in the school. **Students who wish to use school rooms or spaces for meetings or assemblies must complete a Building Use form and must have school personnel present during the event.**

ATTENDANCE POLICY

Statement of Purpose

Students are expected to attend class every day that school is in session. **The Hamilton-Wenham Regional School District will excuse absences for the following reasons: illness; bereavement or serious illness in family; weather so inclement as to endanger the health of the child; and observance of major religious holidays. A child may also be excused for other exceptional reasons with approval of the Principal or designee.** For example, juniors and seniors are permitted three excused absences per school year for college visits.

Regular and punctual school attendance provides an essential foundation for educational progress and assists students in developing habits necessary for success in career and professional life.

Students who are absent miss critical classroom instruction, participation in discussions with teachers and peers, and opportunities for clarification of assignments. Extended absences impair academic progress and undermine student grades. The goal of the Attendance Policy is to ensure that each student keeps their absences to a minimum so that they can take full advantage of the educational program and actively participate in the school community. **STUDENTS WHO ARE ABSENT FROM SCHOOL FOR TEN CONSECUTIVE DAYS MAY BE SUBJECT TO ADMINISTRATIVE WITHDRAWAL FROM SCHOOL.**

ATTENDANCE PROCEDURES

Notification from Families

If a student is going to be absent from any portion of the school day, parents must call the school nurse at (978) 468-0420 by 8:00 a.m. or send an email to c.turner@hwschools.net. **When the student returns to school, they must bring a note from a parent or guardian to the front office between 7:30 and 7:40 a.m.** The note must state the full name of the student, the date of absence, the reason for the absence, and be signed by the parent. Students who miss school without parent permission are considered truant. For this reason, parents must provide a note for all absences from school or class, regardless of circumstances.

College Visits

The school encourages **juniors** and **seniors** to visit colleges during weekends and school vacations. Students may be granted up to three (3) college visits if the appropriate guidance form is completed

with all necessary signatures, and pre-approved by the assistant principal at least one day in advance of the visit.

Extended Absence for Illness

Any student who is absent five (5) or more school days due to illness will be required to present a doctor's note documenting the reason for the absence.

Hospitalization

Students returning from hospitalization of any length must attend a re-entry meeting with the assistant principal, guidance counselor, and school nurse prior to returning to school. The goal of this meeting will be to develop a plan for supporting the student's academic and social-emotional transition. Parents will be asked to provide a Discharge Summary from the hospital with recommendations for re-entry.

Non-School Trips

The school year provides several vacation periods. We expect and encourage families to plan any trips, educational or recreational, during these times. Any days missed due to family trips will be counted toward the maximum number of absences allowed. **However, absences due to non-school trips are considered unexcused and will count towards school absence and class absence totals.**

1. The school will allow a student one school day more than the number of school days missed to make up work, but no more than six (6) school days. A student who does not make up missed work within the allotted time will receive zeros on all incomplete assignments, quizzes, tests, etc.
2. A student who is granted make-up work for a non-school trip is required to see their teachers beforehand to make arrangements to complete assignments. When reasonably known before the trip, all written assignments are due before the student's departure or on the day of their return. It is the student's responsibility to obtain assignments and make up work within established time limits.
3. Teachers are under no obligation to provide extra help or tutoring for missed work.
4. If a family elects to take a vacation while school is in session, parents should be aware that these absences will count towards school and class absences. The absences will also be unexcused.
5. In the event that a student misses school as a result of a trip or vacation for which no advance notice is given or trip form filed, no make-up authorization will be issued by the office for the time missed from classes.

Religious Observances

Students must provide notification from their parent/guardian informing the principal of the student's absence prior to a religious observance.

Notification from the School

The Principal or designee will notify a student's parent/guardian within 1 day of the student's absence in the event the parent/guardian has not informed the school of the absence.

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

Make-up Procedures

A student is allowed one more school day than the total number of days absent to make up work (e.g. two (2) days absent equals three (3) days make-up, three (3) days absent equals four (4) days make-up). **This deadline is based on school days rather than class meetings.** A student who fails to make up work within two days of their return may receive zeros in all work missed due to the absence. An extension of the make-up time may be granted by the assistant principal under extenuating circumstances.

A student who misses a test or quiz due to a tardy is required to make-up the assessment that day. Failure to do so may result in a zero grade on the assessment.

Policy on Extended Absences from school because of illness, disease, or special treatment

The Hamilton-Wenham Regional High School policy on extended absences from school due to illness, disease, or special treatment reflects MGL Chapter 71, Section 2 and Code of Massachusetts Regulations 28.00 Special Education CMR 28.03 (3) (c) entitled "Educational Services in Home or Hospital." All requests for home/hospital tutoring must be submitted to the Director of Student Services and be accompanied by a statement from the student's physician specifying the clinical diagnosis and documenting the student's inability to attend school. When a student requires a home or hospital tutoring program, they will receive credit for academic work only if the tutor is approved by the Hamilton-Wenham Regional School District. The content must be parallel to Hamilton-Wenham content and approved by the high school administration. When the tutor certifies that the student has completed the assigned work, credit will be granted. The guidance counselor will act as a liaison with the tutor for all regular education course work.

School Attendance and Participation in Extracurricular Activities

Any student who is absent or tardy to school (unexcused) will not be permitted to participate in any athletic or extracurricular activities scheduled for that day. If a student is absent or tardy (unexcused) on a Friday, they will not be permitted to participate in a scheduled weekend activity. A student who is dismissed from school will not be able to participate in a school activity or athletic event unless approved in advance by the administration.

Tardiness to School

1. A student is considered to be tardy if they are not in homeroom at 7:40 a.m. Tardiness due to a medical or court appointment will be excused if the student provides a note from the court or doctor's office.
2. A student who is tardy (unexcused) and misses one or more classes will be held to policies for school attendance and class attendance procedures section. In addition, the absence will be counted towards attendance totals.
3. Students who accumulate more than five unexcused tardies during each quarter will receive administrative detention for the sixth and each subsequent tardy.

Dismissals

Any student who leaves school during the day before 11:00 a.m. will be considered absent for that day. Any student planning to be dismissed must bring a dismissal request note from a parent or guardian to the front office between 7:30 and 7:40 a.m. on the day of the dismissal with the reason stated for requesting the early departure. Students who feel ill during the day must be seen by the nurse and dismissed by the nurse. If a parent calls the school to dismiss a student, the parent must come into school to meet the student. Each student leaving early must bring their dismissal slip to the front office at the time of his or her departure. Students are also required to check-in with the front office upon returning to school.

If a student is attending a school activity in the evening, they can not be dismissed unless they have a doctor/dentist note and return to school or have permission from the Principal/Asst. Principal.

Truancy

Truancy is absence from school for the entire day or any part of it for reasons other than illness and without prior permission from the school and from parents. If a parent does not call to excuse a student's absence, the School Nurse will call parents to determine whether or not the student has parental permission to miss school.

Truancy may occur when:

1. A student arrives late or does not arrive at all without permission.
2. The student leaves the building at any time during the school day without permission. The student is considered truant regardless of the length of time spent out of the building. They are also considered truant whether or not they return later in the day.

Disciplinary Consequences for Truancy

1. A student who is truant and misses class(es) will receive four days of administrative detention. If the student is under the age of sixteen, a Family and Child Engaged in Services petition may be filed.
2. Any student who arrives late without permission and misses more than thirty minutes of first period will be considered truant and receive appropriate consequences.
3. Any student with an assigned parking space who leaves school or arrives consistently late (more than 3 times) without permission will have their parking privileges suspended as follows:

First Offense: Two week suspension of parking privileges and/or 4 Administrative Detentions

Second Offense: Parking privileges revoked for remainder of school year and/or Suspension

4. Any athlete who is truant will receive the following consequences:
 1. On the first offense, the student will be suspended from the team, pending a meeting with the Athletic Director and coach.
 2. Within three (3) school days, the student will present their case before the Athletic Director and coach. They will, after hearing the student's case, determine an appropriate punishment, with final authority resting on the Athletic Director.
 3. Upon the second truancy offense, the student will be dismissed from the team for the remainder of the season.

Class Attendance Policy

In order to ensure that each student obtains the maximum benefit from each of their classes, students are only eligible to receive credit for classes attended on a regular basis. Absence from class will only be excused for illness, bereavement, religious observance, or other circumstances approved by the administration.

1. Hamilton-Wenham Regional High School enforces a "no-missed class" policy. **Any student who misses a class without an acceptable excuse will receive four after school detentions and will be ineligible to participate in any athletic or extracurricular activities for one week.** Students who miss class and leave the building without permission will receive additional disciplinary consequences from the administration. Additional disciplinary consequences will be assigned to students who miss class repeatedly.
2. **Any student who is absent from a yearlong class more than fourteen times, a semester class more than seven times, or a quarter class more than four times will lose credit for the course.** Prolonged absences can be appealed to the administration.

3. Parents of students who are approaching the maximum allowable number of absences will receive notification from the administration.

Class Attendance Policy Appeals

If a student feels that their missed class or loss of credit was the result of extenuating circumstances, they may file an appeal with the assistant principal or principal. Appeals procedures have been established to address each of these circumstances.

1. When a student is absent from class without permission, the school will notify parents that their son/daughter has missed a class. If a student and/or parent feels that there are extenuating circumstances that should be considered by the administration, the student and/or parent may submit a written request to the principal explaining the reasons why the missed class should be waived. The appeal must be initiated within three days of receiving the missed class notification.
2. Any student who loses credit for a course because of excessive absences and believes that their circumstances merit a waiver of the class attendance policy may appeal his case to the Attendance Review Committee. The student filing the appeal must obtain an attendance printout from the main office secretary and provide a written description of the reason for each of their absences prior to meeting with the committee.

Tardiness To Class

Tardiness to class will be handled by the classroom teacher according to the following guidelines:

1. Students who are frequently tardy will receive consequences directly from the classroom teacher. Any student who fails to serve their consequences for tardiness will receive administrative detention.
2. Students who arrive more than fifteen minutes late to class without teacher permission will be considered truant from class.

AUTOMOBILE REGISTRATION AND PARKING

In order to participate, each student must register their vehicle with the school by providing a copy of their license and registration, completing and signing the parking contract, and paying a fee of \$200.00 per school year. Students with outstanding disciplinary and financial obligations will not be given a parking space.

Students will comply with all rules and regulations regarding the use of motorized vehicles as outlined in the parking contract. Violations of motor vehicle rules may result in revocation of driving privilege as well as possible disciplinary action.

Driving on school grounds is a privilege and not a right, and as such may be revoked for cause, including, but not limited to, excessive tardiness, truancy, repeated disciplinary violations, misuse of motor vehicle, using vehicle to leave school property without permission, speeding, and/or not stopping when directed. If a student parks on school grounds without an assigned space, their car may be ticketed or towed. A student who brings a car to school after revocation of parking privileges will have the car towed at their own expense.

Cars are strictly off limits to all students during the school day. No student will be allowed in the parking lot without permission from an administrator. Violation of this rule will result in disciplinary consequences. Vehicles on school grounds are subject to search for banned material or substances when reasonable suspicion exists that they may present.

BLACKBOARD CONNECT AND POWERSCHOOL MESSAGES

At times, students and parents will receive pre-recorded messages at home via the Blackboard Connect phone system or PowerSchool email system. The system may be used to deliver urgent

messages regarding emergencies or school cancellations as well as reminders about important events.

CAFETERIA SERVICES

All students are entitled to one free breakfast and one free lunch per school day.

During the lunch period, at least two stations will serve food, one offering the traditional "hot lunch" and the other primarily "a la carte".

All students will remain in the cafeteria, lobby, or courtyard (weather permitting) areas during the lunch period. It is imperative that no students be in the classroom corridors during the assigned lunch block.

Students must use the cafeteria point of sale system to purchase items from the cafeteria. See the food service webpage on the district website for more information.

Free and reduced lunch applications are available from the Hamilton-Wenham Food Service Department.

CLASS DUES

Each year, class dues will be collected from members of every class to help cover the cost of class activities. The class dues are currently \$50 per student and should be paid by the end of September. Please contact your class advisor if this cost presents a financial hardship for your family. In those instances when required dues are not paid, an outstanding obligation will result. Students with unsatisfied obligations will be unable to participate in class-sponsored events, activities, and graduation.

EXTRACURRICULAR ACTIVITIES

Participation

All students have access to extracurricular activities and athletics. Upon request, the school will provide parents with announcements and notices of extracurricular activities in the parents' native language. Participation in extracurricular activities is not limited on the basis of race, color, sex, religion, national origin, sexual orientation, gender, gender identity, disability, or homelessness, have equal access to the general education program and the full range of any occupational/vocational education programs offered by the district.

[The high school website](#) contains information about the extracurricular activities that are available.

Participation in extracurricular activities and athletics is a privilege and may be revoked by the administration for disciplinary infractions, attendance issues, or academic performance.

Fee Schedule

Students are required to pay a fee for participation in high school athletics and/or activities. Fees vary by activity and athletic team. An updated listing of fees is available on [the high school website](#).

No student may participate in an athletic or extracurricular activity if they have not paid the activity fee. Any student who is unable to pay the fee may see the principal.

FIELD TRIPS

All students must submit a completed permission form, including all required signatures, five school days prior to participating in the activity. Out of State and overnight field trips require school committee approval.

FUNDRAISING POLICY

Student Government monitors school organizations' fundraising privileges. Any group wishing to hold an activity in which a fee is paid for services rendered, for entertainment provided, or for goods received must apply initially through Student Government with final approval by the Principal.

HOMEWORK POLICY

Hamilton-Wenham Regional High School requires that students at all grades and levels take homework seriously and expects that students will bring work home as an extension of the classroom experience and ongoing process of learning. Discovery and practice form the basis of learning both in and beyond the classroom. As students progress through four years at the high school, they must assume increasing responsibility for their own learning.

Guidelines for Homework

1. Homework will be assigned regularly and frequently, if not daily
2. Students should expect an average of 30-45 minutes of homework per subject every night
3. Teachers will explain to students the purpose and rationale for the assignment, including its connection to class work, when the assignment is given
4. **Teachers will notify students of homework assignments in the classroom. Homework assignments will also be posted electronically.**
5. Homework can take a variety of forms, including long and short term assignments, reviewing, reading, studying, projects and research
6. At the high school level, the parents' role in homework is primarily supervisory. Although a parent may need to help a student complete an assignment occasionally, the parents' most important function will be to make sure the student has the time and space necessary for serious study. In addition, parents can help their children by checking that assignments are being completed. The school encourages students to use a method for keeping track of assignments, and parents should check their regularly to be sure that homework is being completed.

LOCKERS

A locker is assigned to each student during the homeroom period on the first day of school each year. The locker is school property. Keep it neat; no writing or decals, please. **Keep your valuables locked or in your possession to help prevent material from being taken. During Wellness/Physical Education class, valuables should be locked in your locker.** Lockers should be emptied at the end of the school year as they are cleaned every summer. Materials left in the locker will be disposed of at the end of the year.

Periodically the lockers are inspected for school materials. Students' lockers are public property and are therefore subject to search by school officials. Certain items may not be stored in lockers or on persons, for example, weapons, illegal drugs, alcoholic beverages, stolen property, items against school policy, etc. A search warrant is not required by the school administration, as determined by

the New Jersey vs. T.L.O. case of 1985. The custodian has all combinations and should be consulted if you have problems with your locker. The school is not responsible for items taken from lockers.

LOST AND FOUND

During the school year, personal items may be lost or misplaced by students. The school collects these items and stores them in a lost and found bin, which is located outside of the auditorium. Occasionally, items are turned in to the main office. If you have lost an item, check in the front office and with the custodian on duty. In addition, at the end of each year all lockers are completely cleaned and materials not claimed are disposed of in July.

MESSAGES FOR STUDENTS

Students in class will not be interrupted with messages from parents or guardians unless an emergency arises. **Please call the main office to leave messages. Please do not text or call students directly as this disrupts the learning process.**

OFFICIAL PUBLICATIONS

In addition to the Student and Parent Handbook, a Course Catalog is distributed each winter to help students make educational program plans.

POSTERS

All flyers, bills or posters must be approved by the principal or assistant principal prior to being posted.

POWERSCHOOL

PowerSchool is the official student information portal for the district. All families and students will be given access to PowerSchool. Attendance, conduct, and grades (progress reports and report cards) will be distributed through PowerSchool. **Paper copies of these reports will not be mailed home or sent home with students.** It is imperative that all families and students establish a PowerSchool account and access it regularly to stay current. Issues with PowerSchool may be reported to TBD

SCHOOL CANCELLATIONS

Due to weather or unusual circumstances, the opening of school may be delayed or school may be canceled for the day. Information regarding school cancellations will be made available to families through Blackboard Connect phone messages, email, social media, and on local radio and television newscasts. The school year will be extended by one day for each full day cancellation.

- **Full Cancellation** - A canceled day of school will need to be made up at the end of the year.
- **Delayed Opening** - A two hour delayed opening will be declared if weather conditions are expected to be safe for travel within a two hour window of regularly scheduled school travel times. *(Rare)*
- **Early Dismissal** - If inclement weather is predicted to impact the safe travel home from school, the District may call for an early dismissal. *(Rare)*

SECURITY CAMERAS

Security cameras are in use in the school building and on the property to ensure the health, welfare and safety of all students, staff and visitors; to deter theft, vandalism and other negative behavior; to safeguard district buildings, grounds and equipment; and to monitor unauthorized individuals in or on school property. Students or staff identified on security cameras in violation of school committee

policies and/or school rules will be subject to disciplinary action. The Hamilton Police Department has access to the exterior cameras in the middle/high school campus.

A detailed description of security camera use in district schools is available in Appendix J.

STUDENT GOVERNMENT - CLASS OFFICERS

Any student without any disciplinary infractions, attendance or academic issues is eligible to run for a class officer position.

The following positions are available annually:

Each class: President, Vice President, Secretary, Treasurer, 4 representatives

Elections for class officers take place in the spring for tenth, eleventh, and twelfth grade and in the fall for ninth grade.

Anyone elected to a class officer position must remain a student in good standing at all times. Disciplinary infractions, attendance issues, and failure to uphold the duties of the office may result in removal from office by the Principal.

Student Government will be composed of the four officers of each of the classes.

Voting members in Student Government are the class officers and four representatives from each class. Student Government runs elections, supervises the calendar of events, selects students for certain awards, monitors fundraising, and investigates issues of concern to the student population.

Members of Student Government serve as an advisory council to the Principal and faculty as well as acting as a sounding board in issue resolutions.

The class presidents serve as school committee representatives on a rotating basis. Two students are elected to represent the school at the Northeast Regional Student Advisory Council.

VISITORS

All visitors to the school are required to check in at the front office and obtain a visitor's pass. The school does not permit visitors whose primary purpose for visiting is social. Persons in the school without authorization will be asked to leave immediately and will be subject to arrest and removal by the police.

WITHDRAWAL FROM HIGH SCHOOL

Students are required by law to be in school until the age of 16. Between the ages of 16-18, students may withdraw from school only with parental permission. To initiate a withdrawal, students should meet with a guidance counselor who will explain the withdrawal procedure.

WORK PERMITS/STUDENT EMPLOYMENT

Work permits and cards may be obtained from, and returned to, the principal's office. All teens under 18 years of age must complete a work permit application and get a work permit before starting a new job. Please see the complete summary of the Massachusetts laws regulating child labor, including changes made in 2007, for further information. With very limited exceptions, minors under the age of 14 may not work. Permit information is also available at www.mass.gov/dos/youth/.

STUDENT CONDUCT AND DISCIPLINARY REGULATIONS

As detailed in the Hamilton-Wenham Mission and Expectations for Learning, students will develop the ability to make healthy choices and exhibit honesty, integrity, and personal responsibility. Our goal is to assist students in internalizing school and community rules so that they can make healthy decisions, work cooperatively with others, and contribute to a healthy and positive learning environment. When a violation of school rules occurs, each student is entitled to a fair hearing with administration, at which time they can respond to the allegations that have been made and offer their perspective.

The remaining sections in this code of conduct describe some of the more frequent student offenses and how to avoid them. The list provided here is in no way meant to be exhaustive. Individual situations sometimes arise where members of the HWRHS administration and staff will need to use their judgment in determining whether a behavior is contrary to the expectations of HWRHS. Likewise, the consequences listed here are also meant to serve as a guideline. The administration of HWRHS reserves the right to use judgment in determining the consequences for individual events. In addition, the administration will employ alternative remedies (such as restorative practices or mediation) for violations of school rules prior to imposing an exclusion from school unless those remedies are unsuitable or counter-productive.

The Individual Education Plan (IEP) for every special education student will indicate whether the student can be expected to meet the school discipline code or if they require modifications. If a modification is required, any changes will be written into the IEP.

SCHOOL CLIMATE EXPECTATIONS

A safe and respectful climate is a necessary component of a school that promotes learning and the development of positive self-awareness. The students, faculty, staff and administration will work together to promote the following school climate expectations:

1. We will treat others with kindness, respect and tolerance.
2. We will to help students who are mistreated.
3. We will try to include students who are left out.
4. If we know that somebody is being mistreated, we will tell a trusted person(s) who can help (i.e. teacher, coach, mentor, community leader, or older sibling).

These expectations form the foundation of how we will interact with each other every day in and out of school.

STUDENT CONDUCT AND DISCIPLINARY POLICIES

Abusive Language

Abusive language, including, but not limited to, bullying, intimidating, racial or sexual epithets, obscene gestures, or hate speech toward a teacher, staff member, or student or vulgar language anywhere in the school will carry up to a three day suspension.

Academic Integrity Policy

Students enter the academic community in order to learn. The learning process requires time, effort, and patience for understanding and assimilating material, applying concepts through practice, and generating original thinking. Students who engage in cheating, plagiarism, or falsifying academic

records lose the opportunity to demonstrate what they have learned, sacrifice personal integrity, and undermine the trust between students and faculty that forms the foundation of a supportive educational community.

The following behaviors are examples of academic dishonesty:

Avoidance of Deadlines and/or Assessments: While students may occasionally be absent from school for legitimate physical or mental health reasons, a pattern of absences on test days and/or when assignments are due may be considered a breach of academic honesty. Any student who intentionally misses a test, quiz, exam, or project deadline for the sole purpose of avoiding a due date, extending preparation time, and/or obtaining information from other students will receive disciplinary consequences for academic dishonesty.

Cheating: Cheating is defined as obtaining an unfair advantage in completing academic work. Cheating may take a variety of forms, including, but not limited to, the following:

- The use of unauthorized books, electronic devices, notebooks, websites, or other resources
- Unauthorized collaboration on or copying or changing another student's homework, papers, projects, or ideas (see plagiarism).
- Giving another student your work to be copied or passed in as their own (see plagiarism).
- Obtaining access to a test, quiz, or exam before the scheduled administration.
- Relying on another student or parent for completion of homework, papers, or projects.
- Talking or gesturing to another student during a test, quiz, or exam. Any communication during an assessment will be interpreted as cheating, regardless of the subject matter being discussed.
- Utilization of unauthorized electronic devices to access information during exams.
- Copying another student's answers during a test, quiz, or exam.
- Accessing or attempting to gain access to computer files belonging to another student or faculty member.
- Unauthorized use of artificial intelligence (AI). Additional information on AI is included below.

Falsifying Student Records: At times, students may be required to deliver report cards, progress notices, comment sheets, or other school documents to parents, alterations to these documents by students are a breach of academic honesty.

Plagiarism: Plagiarism is a serious form of cheating. Using another person's words, ideas or thoughts without giving credit to the author is considered plagiarism; whether you express those ideas in your own words or directly quote the source. Examples of plagiarism include the following:

- Direct copying of text from a book, article, internet resource, or another student's work without proper citation.
- Claiming ideas from a book, article, or electronic resource (including AI language generators) as your own or including these ideas in your work without proper citation.
- Use of a unique term or concept from a book, article, electronic resource, or another student's work without proper citation.
- Use of false data or citations.
- Submission of a paper or project for more than one class without approval of both teachers.

(Definitions of cheating and plagiarism adapted from Needham High School Student Handbook and Wheaton College Honor Code.)

Artificial Intelligence

"Artificial intelligence" or "AI" is intelligence demonstrated by computers, as opposed to human intelligence. "Intelligence" encompasses the ability to learn, reason, generalize, and infer meaning. Examples of AI technology include ChatGPT and other chatbots and large language models.

AI is not a substitute for schoolwork that requires original thought. Students may not claim AI generated content as their own work. The use of AI to take tests, complete assignments, create multimedia projects, write papers, or complete schoolwork without prior permission of a teacher or administrator is strictly prohibited. The use of AI for these purposes constitutes cheating or plagiarism.

Students may not use AI, including AI image or voice generator technology, to violate school rules or school district policies.

In order to ensure academic integrity, tests, assignments, projects, papers, and other schoolwork may be checked by AI content detectors and/or plagiarism recognition software.

In certain situations, AI may be used as a learning tool or a study aid. Students who wish to use AI for legitimate educational purposes must have prior permission from a teacher or an administrator.

(adapted from Round Lake (IL) Area Schools Student Handbook)

Process for Notification of and Consequences for Academic Integrity Violations

The teacher will first address any incident of academic dishonesty directly with the student. The teacher will then report the incident to the assistant principal, who will assign consequences as follows:

First Violation of the Academic Integrity Policy:

1. The student will receive a zero grade on the assignment.
2. The student will receive two administrative detentions.
3. If the student holds a leadership position in school activities or membership in National Honor Society, their infraction will be referred to the faculty advisor or coach for further disciplinary action.
4. A captain in athletics who violates the academic integrity policy, whether in season or out of season, will be removed from their captaincy for the current or next sports season.

Second Violation of the Academic Integrity Policy:

1. The student will receive a zero grade on the assignment.
2. The student is subject to a one day in-school suspension.
3. If the student holds a leadership position in school activities or membership in National Honor Society, their infraction will be referred to the faculty advisor for further disciplinary action.
4. A captain in athletics who violates the academic integrity policy, whether in season or out of season, will be removed from their captaincy for the current or next sports season.

Third and Subsequent Violations of the Academic Integrity Policy:

1. The student will receive a zero grade on the assignment.
2. The student is subject to a two day out of school suspension.
3. The student must meet with a school counselor to discuss the reasons behind the repetitive nature of these infractions and to develop a plan to prevent this from occurring again.

4. The stipulations for leadership positions in the first and second violations of the academic integrity policy are still in effect.

A student's entire academic career at Hamilton-Wenham Regional High School is considered when determining the number of violations of the academic integrity policy.

Academic Integrity Appeals: Any student who disagrees with a teacher's determination that the academic integrity policy has been violated may request:

First: A review by the department chairperson

Second: A hearing before a committee chaired by the assistant principal, or another designated chair, and consisting of one faculty member of the student's choosing and the student's guidance counselor. The committee will have the authority to overturn or alter the decision of the teacher, including recommending an alternate assignment for the student. In all cases, the penalty remains in effect during the hearing and appeal phase.

Alcohol and Other Drug Use, Possession, and Distribution

Hamilton-Wenham Regional High School is strongly committed to providing an alcohol and drug-free school environment for all students. Recognizing the impact of substance use on school attendance, academic performance, student investment in school, and school climate and culture, the high school promotes and adheres to a zero tolerance policy for illegal drug use, possession, and distribution for students, teachers, and staff both on school grounds and at school events. For the purpose of this policy, the definition of illegal drug includes alcohol, any controlled substance or drug paraphernalia described in MGL Chapter 94C, or abuse of any over the counter medication. In addition, students are prohibited from possessing and self-administering any prescription drugs, with or without a doctor's orders, on school grounds. All prescription medication must be delivered to the school nurse for monitoring and administration. Narcotic medications will not be administered at school and must not be brought to school under any circumstances. Students should not be in school if they are under the influence of prescribed narcotic medications, as these controlled substances can severely affect a student's ability to function.

Faculty, students, and staff are expected to play a proactive role in maintaining a healthy, positive school culture that prevents illegal drug use. If a teacher, student, faculty, or staff member suspects that a student is impaired or "under the influence" of an illegal drug, they are directly responsible for immediately reporting their concerns to the principal or assistant principal. The school will continue to provide assistance to any student voluntarily seeking alcohol and other drug treatment and advice.

When a student is suspected of being "under the influence" or impaired by an illegal drug while at school, the following procedures will be used:

1. The student will be escorted to the nurse's office by the principal or assistant principal. If the nurse's office is unavailable (as in an off school event), another private location will be chosen.
2. The school nurse or, in her absence, an administrator will perform a screening procedure to assess whether the student may have used an illegal substance. If alcohol use is suspected and the student denies use, the student will be asked to take an alcohol screening test to confirm that they are not under the influence of alcohol. If a student refuses to participate in a screening test to assess whether alcohol has been consumed, the principal or assistant principal will make a determination based on other evidence available, including physical signs of alcohol consumption, observations by other witnesses, and a student interview.

3. If the evaluation by the nurse or administrator provides reasonable suspicion that the student is under the influence or impaired, a parent will be contacted to take the student to their physician or a local hospital emergency room to more conclusively determine the student's condition through drug testing. If the parent does so and no drugs are found to be present, the student will return to school immediately with no further consequences.
4. If the student refuses to be screened, or if medical documentation cannot rule out the presence of an illegal drug at the time in question, or if the student admits to drug use, disciplinary consequences will be implemented as detailed below.
5. Provisions related to search and seizure will be followed any time there is a reasonable suspicion of illegal drug use. If the student is in possession of an illegal drug or drug paraphernalia, the police will be notified. Any confiscated drug or paraphernalia will be turned over to the police.
6. **A student who is suspected to be under the influence of, or in possession of, drugs or alcohol at a school-sponsored events, will be subject to the disciplinary procedures outlined below.**

Disciplinary Consequences

First Violation of Illegal Drug Possession, Use, Impairment, or "Under the Influence"

Any student, who is determined to be under the influence, impaired by, and/or in possession of alcohol or any illegal drug, in school or at a school-sponsored or school-related event, including athletic games, may be subject to expulsion from the school or school district by the principal. After a hearing, a principal may, in his discretion, decide to suspend rather than expel a student.

Furthermore, pursuant to MGL Chapter 71 Section 37H, any student found in possession of a controlled substance, as identified in MGL Chapter 94C, in school or at a school-sponsored or school-related event, may be subject to expulsion. Suspension and expulsion procedures are described on page 35. For students found to be under the influence or impaired, and/or in possession of an illegal drug, the parents will be contacted immediately to ensure the student's safe departure from school or school-sponsored event.

Upon return to school, the student and parents must attend a re-entry meeting. The reentry plan developed during the meeting will include at least the following:

1. The student will arrange for weekly counseling with a substance abuse treatment professional to be paid for by the student and their parents. A minimum number of counseling sessions will be determined by parents and assistant principal. A release for communication between the school and service provider must be signed prior to reentry.
2. If the student is found to be in possession or under the influence of illegal drugs, they must commit to a defined schedule of blood or urine tests for sixty days. This commitment must be made prior to returning from suspension. A letter from a physician must be provided to verify that these tests have been performed.

After the first violation of this policy, the student will be immediately suspended from participation in athletics, student government, and any membership, leadership, or supporting role in school-sponsored activities. Policy violations by National Honor Society students will be referred to the NHS Faculty Council. Determination of reinstatement for athletes will follow MIAA guidelines as indicated below. If a student is suspended from an extracurricular activity, it is their responsibility to request a reinstatement hearing with their activity advisor no more than five (5) days later than the time of the infraction. (A student who does not request a hearing within this time frame will be automatically dismissed from the activity.) A panel consisting of the faculty advisor for the activity, guidance counselor, and assistant principal will review the student's case and make a decision regarding reinstatement. **In addition, any student who violates this policy at a school dance or**

school-sponsored event will not be allowed to attend school dances or proms for one calendar year.

Second and Subsequent Violations of School Policy on Illegal Drug Possession, Use, Impairment, or "Under the Influence"

Any student who is determined to be under the influence or in possession of an illegal drug in school or at any school event for the second time during their high school career is subject to expulsion for a period of time determined by the principal. Expulsion hearing procedures are detailed on pages 54 - 57 of the Student Handbook.

Distribution of Illegal Drugs on School Property or at a School Event

Any student who distributes or intends to distribute controlled substances on school property or at a school-sponsored event may be subject to expulsion from the school district (MGL Chapter 71 Section 37H). Intent to distribute will be determined, in part, by the quantity of drugs in the student's possession. A report will be provided to the Hamilton police department.

Athletics: MIAA Drug and Alcohol Policy

As part of the proactive expectation inherent in the Hamilton-Wenham Regional High School alcohol and other drug policy, it is expected that coaches will play an integral role in the implementation of mandated MIAA policies and reporting procedures. Coaches are responsible for immediately reporting all violations of MIAA policy to the high school Athletic Director. The high school will adhere to the following MIAA policies in disciplining student athletes:

First Violation: Students participating in school athletics who violate the school policy will be immediately suspended from the team. Within (5) school days of the Athletic Director being notified of the violation, the athlete may request a hearing with their coach and the Athletic Director (if the athlete does not request a hearing within this time frame, they will be automatically dismissed from the team). After hearing the athlete's case and reviewing the particular situation, the Athletic Director, in consultation with the principal and the coach, will determine whether the athlete should be dismissed or reinstated as a team member.

Minimally, an athlete who is reinstated will be subject to a suspension for a quarter of the games in a full sports season (from the time of the hearing), in accordance with MIAA policy. Depending upon the severity of the offense and the attitude of the athlete, they may be allowed to practice with the team and attend games (but cannot dress in a game uniform).

At the end of the suspension period, the coach and Athletic Director will review the athlete's conduct. If the athlete's conduct has not been exemplary during this time, the coach and the Athletic Director can extend the suspension or dismiss the athlete from the team.

A captain who violates the substance rule, whether in season or out of season, will be removed from their captaincy for the next full calendar year. A student may be considered for captaincy in a future season if selected by the team and approved by the coach.

Second and Subsequent Violations: When the principal confirms, following an opportunity for the student to be heard according to the hearing procedures outlined above, that a second or subsequent violations have occurred, the student shall lose eligibility for the next consecutive interscholastic events totaling 60% of all interscholastic contests in that sport.

If after the second or subsequent violations the student of his or her own volition becomes a participant in an approved chemical dependency or treatment program, the student may be certified

for reinstatement in MIAA activities after a minimum of 40% of events. Such certification must be issued by the director or a counselor of a chemical dependency/treatment center.

Penalties shall be cumulative each academic year. If the penalty period is not completed during the season of violation, the penalty shall carry over to the student's next season of actual participation, which may affect the eligibility status of the student during the next academic year.

Assault on a Faculty or Staff Member

Any student, who assaults a principal, assistant principal, teacher, teacher's aide or other educational staff on school premises or at school-sponsored or school-related events, including athletic games, is subject to expulsion from the school or school district by the principal (MGL Chapter 71 Section 37H).

Assault on a Student

Any student, who assaults another student on school grounds or a school sponsored event is subject to disciplinary consequences up to and including Suspension from school.

Bicycles, Unicycles, Skateboards, Scooter, Wheeled Sneakers, and Other Transportation Devices

The use of bicycles, unicycles, skateboard, scooters, wheeled sneakers and/or any other motorized or wheeled transportation devices in the school building before, during, or after school is strictly prohibited for safety reasons.

Bullying

The Hamilton-Wenham Regional School District is committed to providing a safe, positive and productive educational environment where students can achieve the highest academic standards. No student shall be subjected to harassment, intimidation, bullying, or cyber-bullying.

Bullying is defined as the repeated use by one or more students or staff 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. Cyber-bullying 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.

All incidents of bullying should be referred to the principal and/or assistant principal for investigation. The principal or assistant principal shall promptly and reasonably investigate all allegations of bullying. Bullying incidents may be reported anonymously; however, no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report.

Acts of bullying, which include cyber-bullying, are prohibited:

- on school grounds and property immediately adjacent to school grounds, at a school-sponsored or school related activity, function, or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased, or used by a school district or school; or through the use of technology or an electronic device owned, leased, or used by a school district or school, and
- at a location, activity, function, or program that is not school-related through the use of technology or an electronic device that is not owned, leased, or used by a school district or

school, if the acts create a hostile environment at school for the target or witnesses, infringe on their rights at school, or materially and substantially disrupt the education process or the orderly operation of a school.

Bullying in the school building, on school grounds, on the bus or school-sanctioned transportation, or at school-sponsored functions will be grounds for disciplinary action up to and including suspension and expulsion. Retaliation in any form against a student who has made a bullying complaint (or has had one made on their behalf) is strictly prohibited and will result in disciplinary consequences.

A detailed description of the district's bullying intervention plan is available in Appendix E.

Bus Conduct

Students who ride the school bus will be expected to adhere to the following code of conduct:

1. Each student shall be seated immediately upon entering the bus in the place assigned by the driver or monitor if such assignments have been made.
2. Students should remain seated during the trips.
3. Loud, boisterous, or profane language and/or indecent conduct shall not be tolerated.
4. No windows or doors will be opened or closed except by permission of the driver or monitor.
5. No student shall enter or leave the bus until it has come to a full stop, and the door has been opened by the driver.
6. Students are to obey the directions of the bus driver or monitor, and will identify themselves correctly when requested to do so by the monitor or the driver.
7. There is to be no lighting of matches or smoking at the bus stop or on the bus.
8. Students are not to throw objects at or on the bus or out of the windows.
9. Students shall not put their hands or their heads out of the windows.
10. Students are responsible to arrive at the bus stop on time.
11. Students must help to keep the bus clean.
12. Students will pay for any damage done to the bus.
13. Students are not to stand in the stairwell of the bus.

A student's first incident of disruptive behavior will result in a suspension of bus privileges for two weeks, and may call for additional school disciplinary consequences. A second incident will result in at least an extended suspension of bus privileges and school disciplinary consequences.

Cafeteria and Lunch Decorum

All students may be in the cafeteria, courtyard (weather permitting), or lobby area during the lunch period. Because classes are running during each of the lunch periods, it is imperative that no students be in the classroom corridors during their assigned lunch block. Students may enter the classroom corridors only with permission from an adult staff member. Students will not be allowed to go to their lockers during lunch. Students may be granted access to the Library during lunch only after receiving permission from the library staff.

Students will only eat in the cafeteria, courtyard, or lobby area. Food is not to be taken anywhere else in the building, including the halls, library, classrooms, the music room or the auditorium, during lunchtime. Any student who fails to pick up their trash OR does not assist in cleaning up as requested will receive disciplinary consequences, up to and including suspension. Throwing food or objects in the cafeteria will result in disciplinary consequences, up to and including suspension from school.

Cigarettes/Vapes/Tobacco Products

Use of any tobacco products, including, but not limited to: cigarettes, cigars, little cigars, chewing

tobacco, pipe tobacco and snuff and electronic cigarettes, electronic cigars, electronic pipes or other similar products that rely on vaporization or aerosolization, within the school buildings, school facilities, on school grounds or school buses, or at school sponsored events by any individual, including school personnel and students, is prohibited at all times.

A staff member determined to be in violation of this policy shall be subject to disciplinary action.

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

This policy shall be promulgated to all staff and students in appropriate handbook(s) and publications.

Signs shall be posted in all school buildings informing the general public of the District policy and requirements of state law. Visitors who violate this policy will be asked to abide by the policy or leave the premises.

Consequences for student use or possession of tobacco products is as follows:

First Offense: four days of detention; mandatory attendance at, and successful completion of tobacco education classes, including a smoking cessation program, or a fine* of \$100, as determined by the principal or assistant principal.

Second Offense: eight days of detention; a fine* of \$200.

Third and each succeeding offense: 12 hours of community service; a fine* of \$300.

In addition, any offense involving tobacco products is subject to the chemical health policy, as outlined in the athletics handbook. The chemical health policy shall apply to *all* extracurricular activities.

*The authority to issue fines is derived from Board of Health regulations in Hamilton and Wenham.

Conduct at Athletic and Extracurricular Events

Athletic and extracurricular events provide students with an opportunity to showcase their talents in a public setting. All participants—including those from other schools and the officials overseeing these events—have dedicated significant time and effort in preparation. As such, they deserve the respect and support of the Hamilton-Wenham community.

Hamilton-Wenham Regional High School students are expected to support and cheer for their classmates in a positive manner. Additionally, students must refrain from targeting participants, officials, or fans from other schools during competitions or events.

Violations of the Student Handbook, including inappropriate behavior directed at officials, guest participants, or fans, may result in ejection from the event.

Any student ejected from an event will be required to miss the next scheduled event, subject to the approval of the Principal or designee.

A student who is ejected from two events in a single school year will be prohibited from attending any athletic events or school performances for one calendar year from the date of the second ejection.

Depending on the severity of the violation, students may also face additional disciplinary consequences beyond ejection from events, in accordance with the Student Handbook.

Descriptions of positive and negative fan behavior are provided [here](#). Students who engage in the negative behaviors outlined may be subject to the consequences described in this section of the Student Handbook.

Dance Rules and Policies

Students are expected to adhere to the following rules in organizing and attending school dances:

1. No school dance may be held without proper authorization from the faculty advisor and administration. Two forms must be filled out prior to an event, a building use form and an activity form. Both are available in the front office.
2. Students must be present in school by 10:00 a.m. on the day of the event. No student dismissed from school on the day of the dance will be allowed to participate without permission of the principal or their designee. Any student who attends a dance on the day of an absence or unapproved dismissal will be removed from the dance and face disciplinary consequences.
3. Each student is allowed to bring one enrolled high school age guest to the dance if they follow pre-approval procedures by signing the guest list no later than Friday at 2:30pm on the week of the dance. Guest forms for the Junior and Senior Proms must be submitted to the assistant principal no later than one week before the event. No guests will be admitted to the dance unless accompanied by the host. Guests are responsible for adhering to all Hamilton-Wenham Regional High School rules. Non-high school age guests may be allowed for Proms only at the sole discretion of the building principal.
4. Once a student has entered the dance, he or she will not be readmitted if he or she leaves.
5. All school rules and policies are in effect at school dances and proms.
6. No student or guest may have on his or her person alcohol, tobacco, or other illegal drugs nor will persons "under the influence" be allowed to enter the dance. **All students entering school dances or proms will take an alcohol screening test administered by the principal, assistant principal, or other school official.** If a student receives a positive reading, the test will be repeated in a private setting after fifteen minutes to exclude the possibility of residual mouth alcohol from cough syrup or mouthwash. If a student tests positive after a second screening, their parents will be contacted and they will be released directly to his parents. If school officials believe there is a need for possible medical services, they will also contact medical emergency services.
7. If a student arrives at a school dance or prom and refuses the alcohol screening test, their parents will be notified and asked to transport the student from the dance. If evidence suggests that the student is under the influence of alcohol, the student will be interviewed by school administrators and, if it is determined that they have consumed alcohol, disciplinary procedures will be followed.
8. Disciplinary consequences for alcohol and other illegal drug use will be assigned as detailed in the Alcohol and Other Drug Policy of the student handbook. Any student who is determined to be in possession or under the influence of alcohol or other illegal drugs at a school dance or prom will be prohibited from attending school dances or proms for one calendar year. Any senior who tests positive or brings drugs or alcohol to the Senior Prom will not be permitted to attend graduation. Diplomas will be withheld for presentation at a later date.
9. At 8:00 p.m. the doors will be closed and no students will be admitted without prior approval from the principal or assistant principal.
10. A student who is suspended will not be allowed to attend a school activity until they are readmitted to school.

11. School dances will end no later than 10:00 p.m. Students are expected to arrange for pick-up in advance and leave school promptly at 10:00 p.m. Junior Prom and Senior Prom may end at 11:00 pm.

Dress Code

Hamilton-Wenham Regional High school is committed to creating a safe and secure environment for students and teachers to learn and interact with each other. In order to make this happen, everyone must dress in a way appropriate for a learning environment or a school-sponsored event. The responsibility for a student's attire resides with the student and their parent/guardian. At the same time, it is the job of the school administration and faculty to make sure what a student is wearing does not impact the learning environment. In addition, it is our goal that the dress code enforcement will not contribute to discrimination on the grounds of gender, sexuality, race, religion, ethnicity, body type, or economic status. Any dress code enforcement must be enacted with the intent to create a safe learning environment.

Students' clothing must cover their genitals, nipples, buttocks, and breasts with a non-transparent fabric. Per Massachusetts state laws, shoes must be worn at all times for health and safety reasons.

Acceptable Items:

- Hats and head coverings that do not obscure your face or eyes (save for religious garments)
- Undergarment straps
- Midriff

Unacceptable Items:

- Sunglasses
- Bathing suits
- Clothing that displays or alludes to hate speech, profanity, pornography, weapons, violence, drugs, or alcohol
- Visible undergarments except for straps

Dress that is clearly disruptive of the school environment will not be allowed. This may include but is not limited to apparel that advocates or displays illegal or inappropriate items or activities as well as apparel that displays messages images that harass, demean, or intimidate an individual or groups of individuals based on race, color, sex, religion, national origin, sexual orientation, gender, gender identity, disability, or homelessness.

Dress Code Enforcement

1. First Offense: A student receives a warning documented in Aspen and changes their attire to fit the dress code.
2. Second Offense: A student receives a second warning documented in Aspen, changes their attire to fit the dress code, and a parent/guardian is notified.
3. Third Offense: A student changes their attire to fit the dress code, a parent/guardian is notified, and receives one detention.

Additional dress code infractions will result in parent/guardian conferences, continued change of attire, and additional detention, and possible loss of extracurricular privileges

Electronic Devices

Hamilton-Wenham Regional High School is a cell phone-free environment during the school day, designed to foster a more focused, engaged, and connected community. By removing the distraction of cell phones, we aim to support students' mental well-being and strengthen our school culture. This approach encourages meaningful in-person interactions, deeper engagement in learning, and a more inclusive and respectful school environment.

Students will be required to store their cell phones in a designated phone locker for the duration of the academic day, defined as homeroom through the final class period. Students who choose not to bring a cell phone to school must have a parent complete an opt-out form confirming this decision. With our one-to-one device program, students will have access to the technology they need for learning.

Students with medical needs requiring access to and use of a cell phone during the school day must provide medical documentation to the school nurse.

To support a focused learning environment, parents should not call or message students through their cell phone during school hours. Instead, they may email their child or contact the school office at (978) 468-0400, which will relay messages as needed. In emergencies, students will have the opportunity to return phone calls through the main office.

Procedure:

- Students will turn off their cell phones and place them in phone lockers at the start of homeroom.
- Students with a planned dismissal will leave their cell phone in the main office.
- Any student who chooses not to bring a cell phone to school must have a parent complete the opt-out form stating that a cell phone will not be brought to school. If a student is caught with a cell phone after the opt-out e-mail is submitted, they will need to turn in their cell phone during homeroom for the remainder of the year.
- Any student who refuses to turn in their cell phone during homeroom will be sent to the main office.
- If students arrive at school after homeroom (7:40 AM), they will place their cell phone in the phone locker in the main office.
- If a student gets dismissed, the principal, assistant principal or designee will retrieve the cell phone.
- Students will return to homeroom to retrieve their cell phone during the last 3 minutes of the school day.
- **Senior Privilege**
Starting Q2, seniors will not need to turn in their cell phones, but cell phones must be kept out of sight and in their backpacks at all times. If a senior on privilege is caught using their cell phone during the school day, they will lose the senior privilege for two weeks. If there is a

second offense, students will need to turn their cell phone in during homeroom for the remainder of the year. Seniors on Senior privilege are not required to return to homeroom at the end of the day.

Consequences for violations of this policy:

	1st Infraction	2nd Infraction	Repeated offenses
Misuse of Cell Phone	The cell phone stays in the main office until the end of the day, and a parent is notified.	The cell phone stays in the main office, and a parent is notified and required to pick up the phone. The student serves an office detention.	The cell phone will be required to be turned in and kept in the main office. Disciplinary consequences, including, but not limited to: detentions, suspensions (ISS & loss of privileges, extracurricular programs, events, or athletics)

Earbuds or headphones may only be used in the classroom at the teacher's discretion

All students must abide by the district acceptable use policy as outlined in Appendix E.

Fighting/Physical Intimidation

Any student who is involved in fighting or physical intimidation may be suspended for up to five days. This consequence will be imposed on all students involved in these behaviors, regardless of which student initiated the confrontation.

Fireworks

The possession or use of fireworks of any kind, smoke bombs, or "stink bombs" will result in suspension for up to five days and the police will be involved.

Food Delivery to Campus

Food deliveries are not permitted to students during school hours. Food delivered to school will be confiscated and disposed of.

Disciplinary consequences will be assigned to repeat offenders.

Gambling

Student gambling of any type, including sports betting and card playing, is prohibited in the HWRSD. Depending on the severity of the incident, any student who gambles on school grounds will receive disciplinary consequences up to and including suspension from school.

Gymnasium, Fitness Room, and Locker Room Areas

Students may access the gymnasium, fitness room, and locker rooms only during the assigned health and wellness class or during powerblock when opened and supervised by Health and Wellness teachers.

Any student found in these areas when they are not in class or properly supervised by teachers during powerblock will receive disciplinary consequences as follows:

First Offense: Two administrative detentions

Second Offense: Four administrative detentions and loss of pass privileges

Subsequent Offenses: Suspension from school

Harassment

The Hamilton-Wenham Regional School District School Committee is committed to the prevention of harassment based upon race, color, sex, religion, national origin, sexual orientation, gender, gender identity, disability, or homelessness. These protected classes shall have equal access to the general education program and the full range of any occupational/vocational education programs offered by the district.

The policy as outlined in appendix B has been developed to ensure that the educational opportunities of all students, and the employment conditions of all employees, are not threatened or limited by such harassment, and to ensure that individuals are free to work, learn, and develop relationships without fear of intimidation, humiliation or degradation. See Appendix B for more details.

Those found to be in violation of the harassment policy will be subject to disciplinary consequences, up to and including suspension from school.

Hazing

Any student or organization participating in hazing as defined by the state statute shall be disciplined appropriately and reported immediately to the local police department for action. See Appendix A.

Insubordination

Students are expected to contribute to a mutually respectful, supportive, and safe school environment by cooperating with directions given by administrators, teachers and staff members. When asked to provide their name, every student will be expected to provide this information in a respectful manner.

Any student who refuses to provide their name and/or fails to follow directions or directives given by any administrator, faculty or staff member, custodian, cafeteria staff, secretary, or teacher aide will be subject to disciplinary consequences, up to and including suspension from school.

Internet and E-Mail Privileges

It is our expectation that student, staff, and faculty use of electronic mail will conform to the district's general standards and rules for behavior as outlined in the internet and electronic communication policies included in Appendix C of this handbook. Individuals must be responsible for their own actions in using Electronic Mail communications over the Internet, and must realize that their access to this resource may be revoked, with due process, for violation of the Acceptable Use Policy.

Any use of electronic communication or web sites to demean, embarrass, bully, or harass students or staff will result in disciplinary consequences up to and including suspension regardless of whether communication is initiated on or off school grounds.

Leaving the Building Without Permission

Students must remain in the school building throughout the school day unless they are under teacher supervision. This includes the parking lot and school grounds, including the athletic fields. Any student who leaves the building without permission will receive the appropriate disciplinary consequences for the time spent out of the building, up to and including suspension.

Leaving Campus Without Permission

Students who leave campus during the school day without permission will receive disciplinary consequences, up to and including suspension from school.

Musical Instruments

At times, students may bring musical instruments to school for approved use in the classroom or extracurricular activities. Any other use of musical instruments during the school day must be confined to the practice rooms unless the student has prior permission from the administration.

Pass Privileges

Every student who leaves their classroom must have permission from the teacher and sign out from the room. Any student who leaves the room without permission, fails to report to the proper location, and/or is gone for a period of time longer than reasonably expected by the classroom teacher will be subject to disciplinary action, up to and including suspension from school and revocation of pass privileges.

Theft

Theft of school property or another person's possessions will carry up to a three day suspension, restitution, and may be reported to the police.

Throwing Food or Objects

Throwing food or any object on school property will result in disciplinary consequences, up to and including suspension.

Unauthorized Area

Students are permitted to be only in designated areas of the building and campus during the school day. **Under no circumstances should a high school student enter the middle school at any time during the school day without administrative approval.** Students who are found to be in "unauthorized areas" will receive disciplinary consequences, up to and including suspension.

Vandalism

Any student who willfully defaces or destroys school property, or intentionally misuses school equipment (technology, science room showers, fire alarms and extinguishers, etc.), will be suspended for up to five days and be reported to the police.

Violent Images

Students are to refrain from creating violent images. These images will be interpreted as intimidation, bullying, harassment, or a threat to public safety.

Weapons

Any student found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, an explosive, gun, or knife may be subject to expulsion from the school or school district by the principal, pursuant to MGL 37H.

DISCIPLINARY PROCEDURES

The Principal, Assistant Principal or designee reserve the right to ultimately decide the disciplinary action when an infraction occurs. The decision can include loss of privileges including extra-curricular events, proms, clubs, and athletic teams.

Administrative Detention Procedures

1. Students must report to detention by 2:30 p.m. with all of their materials; no passes to lockers or classrooms will be allowed.
2. If a detention is missed, one additional detention will be assigned.
3. If a student accumulates more than 5 detentions, he or she is subject to suspension from school. The student still must serve the detentions after the suspension is completed.
4. Students may be withheld from extracurricular activities if they owe detention time. These activities include, but are not limited to, athletics, drama, band, chorus, and Senior Week activities.
5. Detention will be held from 2:30 - 3:15 p.m. If a student is more than 5 minutes late, they will not be admitted. If a student is less than 5 minutes late, they must serve the additional time at the end of the detention period.
6. Students should work on school related assignments during the detentions. Students will not be permitted to play games, talk, sleep or "do nothing". If students do not use the entire time appropriately, the detention monitor will ask them to leave and the detention will be repeated.

Suspension

The Principal and Assistant Principal of the school are empowered to suspend any student under their jurisdiction for disruptive behavior or other cause.

Any student who has been suspended from school is not allowed to be on school property unless they have requested and obtained prior permission from the Principal's Office. These students are also not allowed to participate in any class or school related functions held off school property.

Any infraction of a school rule at a dance, which results in a suspension, may result in the forfeiture of dance and prom privileges for one calendar year.

In School Suspension

The principal or assistant principal 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 or assistant principal determines that the student committed the disciplinary offense, the principal or assistant principal shall inform the student of the length of the student's in-school suspension, which shall not exceed ten days, cumulatively or consecutively, in a school year.

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

suspension. The principal or assistant 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 meetings shall be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the principal or assistant principal is unable to reach the parent after making and documenting at least two attempts to do so, such attempts shall constitute reasonable efforts for purposes of orally informing the parent of the in-school suspension.

The principal or assistant 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 or assistant principal if such meeting has not already occurred. The principal or assistant 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 other method of delivery agreed to by the principal or assistant principal and the parent.

Removal from Extracurricular Activities and Attendance at School Sponsored Events

The principal may remove a student from privileges, such as extracurricular activities and attendance at school-sponsored events, based on the student's misconduct. Such a removal is not subject to the procedures in M.G.L. c. 71, § 37H³/₄ or 603 CMR 53.00.

Opportunity for Academic Progress During Suspension/Expulsion

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

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

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

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

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

Student 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 ½).

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 they 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 ½, 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 ½.

2. DUE PROCESS RIGHTS FOR STUDENTS CHARGED WITH OTHER VIOLATIONS (M.G.L. c. 71, §37H ¾)

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.

It should be noted that alternative remedies including mediation, conflict resolution, restorative justice and collaborative problem solving must be implemented and documented prior to imposing a suspension. If the alternative methods are seen as unsuitable or counter-productive, and are documented as such, a suspension can be imposed. In addition, if the student's presence poses a specific, documentable concern regarding the infliction of serious bodily injury or other serious harm upon another person while in school, a suspension can be imposed without the use of alternative remedies.

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 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.

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.

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, that 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 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.

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 of 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-term 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.

Discipline and Students with Disabilities

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

1. The IEP for every student eligible for special education or related services shall indicate whether the student can be expected to meet the regular discipline code of the school or whether the code should be modified to address the student's individual needs.
2. Students with disabilities may be excluded from their programs for up to ten (10) school days to the extent that such sanctions would be applied to all students. Before a student with a disability can be excluded from their program for more than ten (10) consecutive school days in a given school year or ten (10) cumulative school days in a given school year, building administrators, the parents/guardians and relevant members of the student's IEP or 504 team will meet to determine the relationship between the student's disability and behavior (Manifestation Determination). During disciplinary exclusions exceeding ten (10) school days in a single school year, the student shall have the right to receive services identified as necessary to provide him/her with a free appropriate public education during the period of exclusion.
3. If building administrators, the parents/guardians and relevant members of the student's IEP or 504 Team determine that the student's conduct was not a manifestation of the student's disability, the school may discipline the student in accordance with the procedures and penalties applicable to all students but will continue to provide a free appropriate public education to those students with IEPs. The student's IEP team or 504 Team will identify the services necessary to provide a free appropriate public education during the period of exclusion, review any existing behavior intervention plan or where appropriate, conduct a functional behavioral assessment.
4. If building administrators, the parents/guardians, and relevant members of the student's IEP or 504 Team determine that the conduct giving rise to disciplinary action was a manifestation of the student's disability, the student will not be subjected to further removal or exclusion from the student's current educational program based on that conduct (except for conduct involving weapons, drugs or resulting in serious bodily injury to others) until the IEP or 504 Team develops, and the parent/guardians consent to, a new placement, or unless the District obtains an order from a court or from the Bureau of Special Education Appeals (BSEA) authorizing a change in the student's

placement. The Student's Team shall also review the student's IEP, and modify as appropriate, any existing behavioral intervention plan or arrange for a functional behavioral assessment.

If a student with a disability possesses or uses illegal drugs, sells or solicits a controlled substance, possesses a weapon, or causes serious bodily injury to another on school grounds or at a school function, the District may place the student in an interim alternative educational placement (IAES) for up to forty-five (45) school days. A court or BSEA hearing officer may also order the placement of a student who presents a substantial likelihood of injury to self or others in an appropriate interim setting for up to forty-five (45) school days.

School Committee Power of Expulsion

Except for the provision of Chapter 71, Section 37H and 37H1/2, in which case the Principal may make a decision regarding expulsion, only the School Committee may exclude a student for other infractions (MGL Chapter 76, Section 17). The School Committee must provide a hearing for a student and his or her parents before the student is excluded for the alleged misconduct. At such a hearing, the student is entitled to the following procedural rights:

- Written notice of the charges (in the student's primary language);
- The right to be represented by a lawyer or advocate (at the student's expense);
- Adequate time to prepare for the hearing;
- Access to documented evidence before the hearing;
- The right to request that witnesses attend the hearing, and to question witnesses;
- A reasonably prompt, written decision including specific grounds for the decision

APPENDIX A: PROHIBITION OF HAZING (POLICY JICFA)

PROHIBITION OF HAZING

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 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 Principal, 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.

LEGAL REFS.:

M.G.L. 269:17

M.G.L. 269:18

M.G.L. 269:19

Adopted: 12/1/2022

APPENDIX B: NONDISCRIMINATION POLICY INCLUDING HARASSMENT and RETALIATION (POLICY AC-R)

NONDISCRIMINATION POLICY INCLUDING HARASSMENT AND RETALIATION

Hamilton-Wenham Regional School District will respond promptly to any reports or complaints of discrimination, including harassment and retaliation, or other violations of civil rights, pursuant to our detailed response protocol. Where it is determined that discrimination or harassment has occurred, Hamilton-Wenham Regional School District, will act promptly to eliminate the conduct and will impose developmentally- appropriate disciplinary, restorative, and/or corrective action.

Any member of the school community who is found, after investigation, to have engaged in any form of discrimination, including harassment or retaliation, against another member of the school community, will be subject to consequences determined appropriate by the administration. Such consequences may include restorative measures and corrective action, and/or student discipline or staff disciplinary action, up to and including termination of employment.

Definitions

"Discrimination" and "Harassment" are defined as unwelcome conduct, whether verbal or physical, that is based on any individual's actual or perceived race*, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy or pregnancy-related conditions, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law, Discrimination and/or harassment includes, but is not limited to:

Display or circulation of written materials or pictures that are degrading to a person or group described above.

Verbal abuse or insults about, directed at, or made in the presence of, an individual or group described above.

Any action or speech that contributes to, promotes or results in a hostile or discriminatory environment to an individual or group described above

Any action or speech that is sufficiently severe, pervasive or persistent that it either (i) interferes with or limits the ability of an individual or group described above to participate in or benefit from employment or a program or activity of Hamilton-Wenham Regional School District; or (ii) creates an intimidating, threatening or abusive educational or working environment.

Harassment may include, but is not limited to, any unwelcome, inappropriate, or illegal physical, written, verbal, graphic, or electronic conduct, and that has the intent or effect of creating a hostile education or work environment by limiting the ability of an individual to participate in or benefit from the district's programs and activities or by unreasonably interfering with that individual's education or work environment or, if the conduct were to persist, would likely create a hostile educational or work environment.

"Title IX Sexual Harassment" (effective August 14, 2020) means verbal, physical or other conduct that targets a person based on their sex, and that satisfies one or more of the following:

A school employee conditioning educational benefits or services on participation in unwelcome sexual conduct (i.e., quid pro quo);

Any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's educational program or activity;

Any instance of "sexual assault", "dating violence", "domestic violence", or "stalking", as those terms are defined by the Clery Act (20 U.S.C. 1092(f)(6)(A)(v)) and the Violence Against Women Act (34 U.S.C. 12291(a)(8), (10) & (30)).

Allegations of Title IX Sexual Harassment shall be reported and investigated pursuant to the Hamilton-Wenham Regional School District Protocol for Investigating Sexual Harassment and Retaliation Pursuant to Title IX.

Resources

The following individual is designated as the District ADA, Title VI, Title IX, and Sexual Harassment Coordinator, and Grievance Officer for the School Committee, administration, faculty, staff, volunteers in the schools, and for parties who are contracted to perform work for the Hamilton-Wenham Regional School District, and can be reached at:

Vincent Leone, Assistant Superintendent and Title IX Coordinator for Staff and Third Parties
5 School Street
Wenham, MA 01984
978-468-5301
v.leone@hwschools.net

The following individual is designated as the District ADA, Title VI, Title IX, and Sexual Harassment and Civil Rights Coordinator for students in the Hamilton-Wenham Regional School District. In addition, the Director of Student Services is the District's 504 Coordinator, and can be reached at:

Stacy Bucyk, Director of Student Services and Title IX Coordinator for Students
5 School Street
Wenham, MA 01984
978-468-5303
s.bucyk@hwschools.net

Inquiries concerning the Hamilton-Wenham Regional School District's policies and protocols, compliance with applicable laws, statutes, and regulations, and complaints may also be directed to the Director of Human Resources. Inquiries about laws, statutes, regulations and compliance may also be directed to the Massachusetts Department of Elementary and Secondary Education or the Office for Civil Rights, U.S. Department of Education, 5 Post Office Square, 8th Floor, Suite 900, Boston, MA 02109; (617) 289-0111; Email: OCR.Boston@ed.gov; Website: www.ed.gov/ocr

*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.

LEGAL REFS.:

Title VI, Civil Rights Act of 1964

Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972

Executive Order 11246, as amended by E.O. 11375

Equal Pay Act, as amended by the Education Amendments of 1972 Title IX, Education Amendments of 1972

Rehabilitation Act of 1973

Education for All Handicapped Children Act of 1975

No Child Left Behind Act of 2001, 20 U.S.C. § 7905 (The Boy Scouts of America Equal Access Act)

M.G.L. 71B:1 et seq. (Chapter 766 of the Acts of 1972)

Acts of 2022, Chapter 117 - <https://malegislature.gov/Laws/SessionLaws/Acts/2022/Chapter117>

CROSS REFS.:

ACE Nondiscrimination on the Basis of Disability
ACAB Harassment
GBA Equal Employment Opportunity
IJ Instructional Materials
JB Equal Educational Opportunities
Title IX Sexual Harassment Grievance Procedure
Civil Rights Grievance Procedure

Adopted: 10/06/2022

APPENDIX C: DISCRIMINATION/HARASSMENT COMPLAINT PROCEDURES

I. WHERE TO FILE A COMPLAINT

Any Hamilton-Wenham Regional School District student, employee, or third party who believes that a Hamilton-Wenham Regional School District student, employee, or third party has discriminated against or harassed them because of their race, color, national origin, sex, disability, or age in admission to, access to, treatment in, or employment in its services, programs, or activities may file a complaint with:

Superintendent
5 School Street
Wenham, MA 01984
978-468-5310

Stacy Bucyk
Director of Student Services and Title IX Coordinator
5 School Street
Wenham, MA 01984
978-468-5303
s.bucyk@hwschools.net

The Superintendent, Superintendent's designee, Title IX Coordinator or 504 Coordinator will serve as the grievance officer in such matters as appropriate.

II. CONTENTS OF COMPLAINTS AND TIMELINES FOR FILING

Complaints under this procedure must be filed within twenty (20) days of the alleged discrimination or harassment. Complaints filed after this 20 day period will be accepted, however, the investigation may be impacted due to the passage of time. Complaints may be submitted orally or in writing. The complainant may select another person to help with the filing of the complaint. Any responsible employee who receives an oral complaint will memorialize the allegations in writing and forward the written allegations to the Office of the Superintendent or the Superintendent's designee by the following school day. The written complaint should include the following information:

1. The name and grade level (or address and telephone number if not a student or employee) of the complainant;
2. The name (and address and telephone number if not a student or employee) of the complainant's representative, if any;
3. The name(s) of the person(s) alleged to have committed or caused the discriminatory or harassing action, or event (respondent);
4. A description, in as much detail as possible, of the alleged discrimination or harassment;
5. The date(s), time(s), and location(s) of the alleged discrimination or harassment;
6. The names of all persons who have knowledge about the alleged discrimination or harassment (witnesses) as can be reasonably determined; and
7. A description, in as much detail as possible, of how the complainant wishes to see the matter resolved.

III. INVESTIGATIONS AND RESOLUTION OF THE COMPLAINT

Complaints will be investigated promptly and resolved as quickly as possible.

Due process procedures apply to issues of identification, evaluation, and placement under Section 504. Any person who alleges discrimination on the basis of a disability relative to the identification, evaluation, or educational placement of a person, who because of a disability is believed to need regular or special instruction and related aids or services, pursuant to Section 504 of the Rehabilitation Act of 1973, Massachusetts General Law chapter 71B, and/or the Individuals with Disabilities Education Act, may use the procedure outlined in the Massachusetts Department of Elementary and Secondary Education's Parents' Rights Brochure, rather than this procedure. Information on this alternative process may be obtained from the Director of Student Services for the Hamilton-Wenham Regional School District.

The Discrimination/Harassment Complaint Procedure applies to issues of disability discrimination and harassment. Respondents will be informed of the charges as soon as the grievance officer deems appropriate based upon the nature of the allegations, the investigation required, and the action contemplated, and in no case later than fifteen (15) school days following receipt of the complaint. The grievance officer will interview witnesses who are deemed to be necessary and appropriate to determine the facts relevant to the complaint, and will gather other pertinent information. Interviews of students will be conducted in such a way as to reflect the age and emotional condition of the student. The complainant(s) and respondent(s) shall have an equal opportunity to present witnesses and other evidence. Such interviews and gathering of information will be completed within fifteen (15) school days of the receipt of the complaint.

Within twenty (20) school days of receiving the complaint, the grievance officer will meet with the complainant and/or their representative and the respondent and/or their representative to review information gathered and, if appropriate, to propose a resolution designed to stop the discrimination or harassment, prevent its recurrence and to correct its effect.

Within ten (10) school days of meeting with the complainant and/or their representative and the respondent and/or their representative, the grievance officer will provide written disposition of the complaint to the complainant and/or their representative and to the respondent(s) and/or their representative, including a statement regarding whether the complaint was found to be credible and whether discrimination was found to have occurred. Where the grievance officer finds that discrimination has occurred, Hamilton-Wenham Regional School District will take steps that are reasonably calculated to end discrimination that has been found; prevent recurrence of any discrimination, and correct its discriminatory effects on the complainant and others, if appropriate. The grievance officer will contact the complainant within 10 school days following conclusion of the investigation to assess whether there has been on-going discrimination or retaliation, and to determine whether additional supportive measures are needed. If the grievance officer determines that additional supportive measures are needed, he or she shall offer such measures to the complainant within fifteen school days following conclusion of the investigation.

Notwithstanding the above, it is understood that in the event a resolution contemplated by the grievance officer involves disciplinary action against an individual, the complainant will not be informed of such disciplinary action, unless it directly involves the complainant (e.g., a directive to "stay away" from the complainant, as might occur as a result of a complaint of harassment). Any disciplinary action imposed upon an individual will be subject to applicable procedural requirements. All the timelines indicated above will be implemented as specified, unless the nature of the investigation or exigent circumstances prevent such implementation in which case the matter will be completed as quickly as practicable. If the timelines specified above are not met, the reason(s) for not meeting them must be clearly documented.

Confidentiality of complainants/respondents and witnesses will be maintained, to the extent consistent with the obligations of the Hamilton-Wenham Regional School District relating to the investigation of complaints and the due process rights of individuals affected.

IV. RETALIATION PROHIBITED

Retaliation against someone because they have filed a complaint under this procedure is strictly forbidden. Retaliation against someone who has participated in an investigation is strictly prohibited. Hamilton-Wenham Regional School District will take appropriate steps as necessary to prevent retaliation. Acts of retaliation may result in disciplinary action, up to and including suspension or expulsion/discharge.

Upon request, the grievance officer will provide the complainant with the names and addresses of those state and federal agencies which handle discrimination and harassment matters.

APPENDIX D: ACCESS TO DIGITAL RESOURCES (POLICY IJND)

ACCESS TO DIGITAL RESOURCES

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

Safety Procedures and Guidelines

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

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

Controlling access by minors to inappropriate matter on the Internet as defined by the Children's Internet Protection Act (CIPA) and the Children's Online Privacy Protection Act (COPPA);
Safety and security of minors when they are using e-mail, instant messaging applications, and other forms of direct electronic communications;
Preventing unauthorized access, including hacking, viruses, and other unlawful activities by minors online;
Unauthorized disclosure, use and dissemination of personal information regarding minors.
The School District shall provide reasonable public notice to address and communicate its internet safety measures.

Empowered Digital Use

All students and faculty must agree to and sign an Empowered Digital Use form prior to the student or staff member being granted independent access to digital resources and district networks. The required form, which specifies guidelines for using digital resources and district networks, must be signed by the parent or legal guardian of minor students (those under 18 years of age) and also by the student. This document shall be kept on file as a legal, binding document. In order to modify or rescind the agreement, the student's parent/guardian (or the student who is at least 18 years old) must provide the Director of Technology with a written request.

Employee Use

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

Community Use

On recommendation of the Superintendent in conjunction with the Director of Technology, the district shall determine when and which computer equipment, software, and information access

systems will be available to the community. All guests will be prompted to, and must accept the district's Access to Digital Resources Policy before accessing the district network.

Disregard of Rules and Responsibility for Damages

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

Individuals, at the discretion of the administration, shall reimburse the district for repair or replacement of district property lost, stolen, damaged, or vandalized while under their care.

LEGAL REFS:

47 USC § 254

Adopted: 1/5/2023

APPENDIX E: EMPOWERED DIGITAL USE (POLICY IJNDB)

EMPOWERED DIGITAL USE POLICY

Purpose

The School Committee recognizes the need for students to be prepared to contribute to and excel in a connected, global community. To that end, the district provides ongoing student instruction that develops digital citizenship skill sets for using technology as a tool. Information and communication technology are an integrated part of our curriculum across subjects and grades in developmentally appropriate ways and are aligned with the Massachusetts Curriculum Frameworks and standards, including seeking knowledge and understanding; thinking critically and solving problems; listening, communicating, and interacting effectively; and engaging and competing in a global environment.

Availability

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

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

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

Digital devices, software, and networks shall be used in school for educational purposes and activities.

An individual's personal information (including home/mobile phone numbers, mailing addresses, and passwords) and that of others shall be kept private.

Individuals will show respect for themselves and others when using technology including social media and video/audio conferencing.

Users shall give acknowledgement to others for their ideas and work

Users shall report inappropriate use of technology immediately

These procedures shall be reviewed by district administration on a regular basis.

Adopted: 1/5/2023

APPENDIX F: BULLYING PREVENTION (POLICY JICFB)

BULLYING PREVENTION

The School Committee is committed to providing a safe, positive and productive educational environment where students can achieve the highest academic standards. No student shall be subjected to harassment, intimidation, bullying, or cyber-bullying.

“Bullying” is the repeated (more than once) use by one or more students or school staff members of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, directed at a target that:

- causes physical or emotional harm to the target or damage to the target’s property;
- places the target in reasonable fear of harm to themselves, or of damage to their property;
- creates a hostile environment at school for the target;
- infringes on the rights of the target at school; or
- materially and substantially disrupts the education process or the orderly operation of a school.

“Cyber-bullying” means bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature.

Cyber-bullying shall also include the creation of an electronic medium in which the creator assumes the identity of another person or knowingly impersonates another person as author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying.

Cyber-bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

Bullying and cyber-bullying may occur in and out of school, during and after school hours, at home and in locations outside of the home. When bullying and cyber-bullying are alleged, the full cooperation and assistance of parents/guardians and families are expected.

For the purpose of this policy, whenever the term bullying is used it is to denote either bullying, or cyber-bullying.

Bullying is prohibited:

- On school grounds;
- On property immediately adjacent to school grounds;
- At school-sponsored or school-related activities;
- At functions or programs whether on or off school grounds
- At school bus stops;
- On school buses or other vehicles owned, leased or used by the school district; or,
- Through the use of technology or an electronic device owned, leased or used by the school district;

Bullying and cyber-bullying are prohibited at a location, activity, function or program that is not school-related or through the use of technology or an electronic device that is not owned, leased or used by the school district if the act or acts in question:

- create a hostile environment at school for the target;
- infringe on the rights of the target at school; and/or
- materially and substantially disrupt the education process or the orderly operation of a school.

Prevention and Intervention Plan

The Superintendent and/or their designee shall oversee the development of a prevention and intervention plan, in consultation with all district stakeholders, which may include teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents and guardians, consistent with the requirements of this policy, as well as state and federal laws. The bullying prevention and intervention plan shall be reviewed and updated at least biennially.

The Principal is responsible for the implementation and oversight of the bullying prevention and implementation plan within his or her school.

Reporting

Students, who believe that they are a target of bullying, observe an act of bullying, or who have reasonable grounds to believe that these behaviors are taking place, are obligated to report incidents to a member of the school staff. The target shall, however, not be subject to discipline for failing to report bullying.

Each school shall have a means for anonymous reporting by students of incidents of bullying. No formal disciplinary action shall be taken solely on the basis of an anonymous report.

Any student who knowingly makes a false accusation of bullying shall be subject to disciplinary action.

Parents or guardians, or members of the community, are encouraged to report an incident of bullying as soon as possible.

A member of a school staff shall immediately report any instance of bullying the staff member has witnessed or become aware of to the school principal or their designee.

Investigation Procedures

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

The school Principal or a designee shall promptly investigate the report of bullying, using a Bullying/Cyber-bullying Report Form which may include interviewing the alleged target, alleged perpetrator, staff members, students and/or witnesses.

Support staff shall assess an alleged target's needs for protection and create and implement a safety plan that shall restore a sense of safety for that student.

Confidentiality shall be used to protect a person who reports bullying, provides information during an investigation of bullying, or is witness to or has reliable information about an act of bullying.

If the school Principal or a designee determines that bullying has occurred they shall take appropriate disciplinary action and if it is believed that criminal charges may be pursued against the perpetrator, the principal shall consult with the school's resource officer and the Superintendent to

determine if criminal charges are warranted. If it is determined that criminal charges are warranted, the local law enforcement agency shall be notified.

The investigation shall be completed within fourteen school days from the date of the report. The parents or guardians shall be contacted upon completion of the investigation and informed of the results, including whether the allegations were found to be factual, whether a violation of this policy was found, and whether disciplinary action has or shall be taken. At a minimum the Principal or their designee shall contact the parents or guardians as to the status of the investigation on a weekly basis.

Disciplinary actions for students who have committed an act of bullying or retaliation shall be in accordance with district disciplinary policies.

Each school shall document any incident of bullying that is reported per this policy and a file shall be maintained by the Principal or designee. A monthly report shall be provided to the Superintendent.

Confidentiality shall be maintained to the extent consistent with the school's obligations under law.

Retaliation

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

Target Assistance

The school district shall provide counseling or referral to appropriate services, including guidance, academic intervention, and protection to students, both targets and perpetrators, affected by bullying, as necessary.

Training and Assessment

Annual training shall be provided for school employees and volunteers who have significant contact with students in preventing, identifying, responding to, and reporting incidents of bullying.

Age-appropriate, evidence-based instruction on bullying prevention shall be incorporated into the curriculum for all K to 12 students.

Publication and Notice

Annual written notice of the relevant sections of the bullying prevention and intervention plan shall be provided to students and their parents or guardians, in age-appropriate terms.

Annual written notice of the bullying prevention and intervention plan shall be provided to all school staff. The faculty and staff at each school shall be trained annually on the bullying prevention and intervention plan applicable to the school.

Relevant sections of the bullying prevention and intervention plan relating to the duties of faculty and staff shall be included in the school employee handbook.

The bullying prevention and intervention plan shall be posted on the school district website.

LEGAL REFS.:

Title VII, Section 703, Civil Rights Act of 1964 as amended
Federal Regulation 74676 issued by EEO Commission
Title IX of the Education Amendments of 1972
603 CMR 26.00

M.G.L. 71:37O
M.G.L. 265:43
M.G.L. 43A
M.G.L. 268:13B
M.G.L. 269:14A

REFERENCES:

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

CROSS REFS.:

AC Nondiscrimination
ACAB Sexual Harassment
JIC Student Discipline
JICFA Prohibition of Hazing

Adopted: 12/1/2022

APPENDIX G: ANTI-BULLYING PREVENTION AND INTERVENTION PLAN

HWRSD Anti-Bullying and Prevention Plan
Rev. January 8, 2015
Hamilton-Wenham Regional School District
Anti-Bullying Prevention and Intervention Plan

I. LEADERSHIP

Statement of Purpose

The Hamilton-Wenham Regional School District (the "District") expects that all members of the school community will treat each other in a civil manner and with respect for differences.

The District is committed to providing all students with a safe learning environment that is free from bullying and cyber-bullying. This commitment is an integral part of our comprehensive efforts to promote learning, and to prevent and eliminate all forms of bullying and other harmful and disruptive behavior that can impede the learning process.

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

We recognize that certain students may be more vulnerable to become targets of bullying, harassment, or teasing based on actual or perceived characteristics, including *race, color, sex, religion, national origin, sexual orientation, gender, gender identity, disability, or homelessness*. The District will identify specific steps it will take to create a safe, supportive environment for vulnerable populations in the school community, and provide all students with the skills, knowledge, and strategies to prevent or respond to bullying, harassment, or teasing.

The District will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyber-bullying, or retaliation, in our school buildings, on school grounds, or in school-related activities. We will promptly investigate all reports and complaints of bullying, cyber-bullying, and retaliation, and take prompt action to end that behavior and restore the target's sense of safety. We will support this commitment in all aspects of our school community, including curricula, instructional programs, Staff development, extracurricular activities, and parent or guardian involvement.

The Bullying Prevention and Intervention Plan (the "Plan") is a comprehensive approach to addressing bullying and cyber-bullying, and the district is committed to working with students, staff, families, law enforcement agencies, and the community to prevent issues of violence. In consultation with these constituencies, we have established this Plan for preventing, intervening, and responding to incidents of bullying, cyber-bullying, and retaliation. The Principal or their designees are responsible for the implementation and oversight of the Plan at their respective buildings.

A. Public Involvement in Developing the Plan,

As required by M.G.L. c. 71, § 370, the Plan will be developed with various constituencies. This involvement will include:

- District/School administrators, faculty and Staff;
- school volunteers;

- interested community representatives, students, parents, and guardians; and
- the District School Committee.

Consultation will include, at a minimum, notice and a public comment period before the District School Committee adopts the Plan.

B. Assessing Needs and Resources

The Superintendent, along with the Superintendent's designees, with input from administrators, faculty, and families, will assess the adequacy of current programs, policies and procedures.

This task will include:

- review of current policies and procedures;
- review of available data on the prevalence and characteristics of bullying and behavioral incidents;
- assessment of available resources including curricula, training programs, and behavioral health Services; for designing ongoing professional development
- review of current and relevant articles and research on best methodology to prevent, intervene and address bullying and cyber-bullying;
- research and review of field tested and research-based anti-bullying curricula and instructional guides;
- development of a resource bank of relevant materials for both parents and students;
- Review of the Massachusetts comprehensive Health and Wellness Curriculum frameworks to provide a working curriculum context for anti-bullying curriculum; and
- at least once every four years beginning with the 2015/16 school year, the district will administer a Department of Elementary and Secondary-developed student survey to assess school climate and the prevalence, nature, and severity of bullying in our schools.
- the district will annually report bullying incident data to the DESE.
- assessments of initial and periodic needs, by surveying students, faculty, staff, parents, guardians on school climate and school safety needs.

C. Planning and Oversight

The building Principal or their designees will be responsible for the following tasks under the Plan:

- receiving reports on bullying;
- collecting and analyzing school-wide data on bullying to assess the present level of need and to measure improved outcomes;
- creating a process for recording and tracking incident reports, and for accessing information related to targets and aggressors;
- implementing the ongoing professional development that is required by the law;
- identifying supports that respond to the needs of targets and aggressors;
- choosing and implementing, in partnership with central office administrators, the curricula that the school or district will use;
- amending student and Staff handbooks and codes of conduct; and
- leading the parent or family engagement efforts and drafting parent information materials.

The Director of Technology will be responsible for updating the Acceptable Use Policy. The Superintendent, in partnership with the Anti-bullying Subcommittee, will be responsible for reviewing and updating the Bullying Prevention Policy biennially or more frequently if needed.

II. PROHIBITION AGAINST BULLYING AND RETALIATION

Acts of bullying, which include cyberbullying, are prohibited:

- on school grounds and property immediately adjacent to school grounds, at a school sponsored or school related activity, function, or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a school district or school; or through the use of technology or an electronic device owned, leased, or used by a school district or school, and
- at a location, activity, function, or program that is not school-related through the use of technology or an electronic device that is not owned, leased, or used by a school district or school, if the acts create a hostile environment at school for the target or witnesses, infringe on their rights at school, or materially and substantially disrupt the education process or the orderly operation of a school.

Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying is also prohibited. As stated in M.G.L. c. 71, § 370, nothing in this Plan requires the District or school to staff any non-school related activities, functions, or programs.

III. DEFINITIONS

In order to work as collaboratively and as efficacious as possible, to prevent and intervene on all acts of bullying, it is essential for administrators, faculty, Staff, students, parents, guardians, law enforcement agencies, and other interested parties to use common language. The following definitions are provided to facilitate this goal.

Aggressor is a student or a member of a school staff who engages in bullying, cyber-bullying, or retaliation.

Bullying, as defined in M.G.L. c. 71, § 370, is the repeated use by one or more students or school staff members, of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:

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

Cyber-bullying 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, § 370 for the legal definition of cyberbullying.

Hostile environment as defined in M.G.L. c. 71, § 370, is a situation in which bullying causes the school environment to be permeated with intimidation, ridicule, or insult that is sufficiently severe or pervasive to alter the conditions of a student's education.

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

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

Target is a student against whom bullying, cyber-bullying, or retaliation has been perpetrated.

IV. RELATIONSHIP TO OTHER LAWS

Consistent with state and federal laws, and the policies of the school or district, no person shall be discriminated against in admission to a public school of any town or in obtaining the advantages, privilege and courses of study of such public school on account of race, color, sex, religion, national origin, sexual orientation, gender, gender identity, disability, or homelessness, have equal access to the general education program and the full range of any occupational/vocational education programs offered by the district.

Nothing in the Plan prevents the school or district from taking action to remediate discrimination or harassment based on a person's membership in a legally protected category under local, state, or federal law, or school or district policies.

In addition, nothing in the Plan is designed or intended to limit the authority of the school or district to take disciplinary action or other action under M.G.L. c. 71, §§37H or 37H72, other applicable laws, or local school or district policies in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.

V. TRAINING AND PROFESSIONAL DEVELOPMENT

A. Annual Staff Training on the Plan.

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

B. Ongoing Professional Development.

The Superintendent, in collaboration with the Anti-bullying Subcommittee will be responsible for oversight and implementation of the training used throughout the system. The goal of professional development is to establish a common understanding of tools necessary for Staff to create a school climate that promotes safety, civil communication, and respect for differences.

Professional development will build the skills of Staff members to prevent, identify, and respond to bullying. As required by M.G.L. c. 71, § 370, the content of school- wide and district-wide professional development will be informed by research and will include:

- developmentally appropriate strategies to prevent bullying;
- developmentally appropriate strategies for immediate, effective interventions to stop bullying incidents;
- information regarding the complex interaction and power differential that can take place between and among an aggressor, target, and witnesses to the bullying;
- research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment;
- information on the incidence and nature of cyber-bullying;
- internet safety issues as they relate to cyber-bullying;
- promoting and modeling the use of respectful language;
- fostering an understanding of and respect for diversity and difference;
- building relationships and communicating with families;
- constructively managing classroom behaviors;

- using positive behavioral intervention strategies;
- applying constructive disciplinary practices;
- teaching students skills including positive communication, anger management, and empathy for others;
- engaging students in school or classroom planning and decision-making; and
- maintaining a safe and caring classroom for all students.

Professional development will also address ways to prevent and respond to bullying or retaliation for students with disabilities that must be considered when developing students' Individualized Education Programs (IEPs). This will include a particular focus on the needs of students with autism or students whose disability affects social skills development.

C. Written Notice to Staff.

The District will provide all staff with an annual written notice of the Plan by publishing information about it, including sections related to staff duties, in the school or District employee handbook and the code of conduct.

VI. ACCESS TO RESOURCES AND SERVICES

The Superintendent, in collaboration with the Anti-bullying Subcommittee will be responsible for researching, reviewing and adopting appropriate curriculum and instructional materials for use in the schools. This work will require consultation with other appropriate district and town resources. The curriculum must be:

- Developmentally appropriate
- Evidence based - based on research, or field tested
- Evaluated for effectiveness

The resources will be evaluated on documented success rate, design that is engaging to students and in keeping with our core values and philosophies of pedagogy. Curriculum should have creative presentation and should encourage students to find solutions and use critical thinking skills.

A. Identifying Resources.

Resources for targets, aggressors, and their families may include, but are not limited to: adopting new curricula, establishing safety planning teams, and identifying other agencies that can provide services.

The Anti-bullying Subcommittee will be responsible for creating and posting a bibliography of anti-bullying resources including, but not limited to:

- the District Bullying Prevention Policy;
- the District Anti-Bullying Prevention and Instructional guides and materials;
- research articles and materials on the prevalence and characteristics of bullying;
- relevant and useful websites; and
- community resources and related services.

B. Counseling and Other Services.

The District has a variety of appropriate resources within the district. The District utilizes adjustment counselors and school psychologists who assist in developing safety plans for students who have been targets of bullying or retaliation, providing social skills programs to prevent bullying, and offering education and/or intervention services for students exhibiting bullying behaviors. The

District utilizes a variety of tools including, but not limited to, behavioral intervention plans, social skills groups, and individually focused curricula. Translators are provided as are translations of materials for Hamilton-Wenham families as needed.

C. Students with Disabilities.

As required by M.G.L. c. 7 IB, § 3, as amended by Chapter 92 of the Acts of 2010, when the IEP Team determines the student has a disability that affects social skills development or the student may participate in or is vulnerable to bullying, harassment, or teasing because of their 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. All special education Administrators and faculty members were trained on this requirement in September 2010.

D. Referral to Outside Services.

The District has a referral protocol for referring students and families to access appropriate services. Referrals comply with relevant laws and policies. Current local referral protocols will be evaluated to assess their relevance to the Plan, and revised as needed.

VII. ACADEMIC AND NON-ACADEMIC ACTIVITIES

A. Specific Bullying Prevention Approaches.

Bullying prevention curricula will be informed by current research which, among other things, emphasizes the following approaches:

- using scripts and role plays to develop skills;
- empowering students to take action by knowing what to do when they witness other students engaged in acts of bullying or retaliation, including seeking adult assistance;
- helping students understand the dynamics of bullying and cyber-bullying, including the underlying power imbalance;
- emphasizing cyber-safety, including safe and appropriate use of electronic communication technologies;
- enhancing students' skills for engaging in healthy relationships and respectful communications; and
- engaging students in a safe, supportive school environment that is respectful of diversity and difference.

Initiatives will also teach students about the student-related sections of the Plan. The District will review the Plan with students by October 1st of each school year.

B. General Teaching Approaches that Support Bullying Prevention Efforts.

The following approaches are integral to establishing a safe and supportive school environment. These underscore the importance of the District bullying intervention and prevention initiatives:

- setting clear expectations for students and establishing school and classroom routines;
- creating safe school and classroom environments for all students, including for students with disabilities, lesbian, gay, bisexual, transgender students, and homeless students;
- using appropriate and positive responses and reinforcement, even when students require discipline;
- using positive behavioral supports;
- encouraging adults to develop positive relationships with students;
- modeling, teaching, and rewarding pro-social, healthy, and respectful behaviors;

- using positive approaches to behavioral health, including collaborative problem-solving, conflict resolution training, teamwork, and positive behavioral supports that aid in social and emotional development;
- using the internet safely; and
- supporting students' interest and participation in non-academic and extracurricular activities, particularly in their areas of strength.

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

A. Reporting Potential Bullying or Retaliation.

Reports of potential bullying or retaliation may be made by Staff, students, parents or guardians, or others, and may be oral or written. Oral reports made by or to a Staff member shall be documented in an age appropriate manner by the Principal or their designee.

A school district Staff member is required to report promptly to the Principal or their designee any instance of bullying or retaliation the Staff member becomes aware of or witnesses.

Reports made by students, parents or guardian, or other individuals who are not school or district Staff members, may be made anonymously. The District will make a variety of reporting resources available to the school community including an anonymous electronic option.

Use of a written form is not required as a condition of making a report.

The District will:

- 1) take all reported incidents either verbal or written and will record necessary information to document the information as reported,
- 2) provide information on how to report incidents on both the website for each school, as well as in the handbook.

At the beginning of each school year, the Superintendent will provide the school community, including administrators, Staff, students, and parents or guardians, with written notice of its policies for reporting acts of bullying and retaliation.

A description of the reporting procedures and resources, including the name and contact information of the Principal or their designee, will be incorporated in student and Staff handbooks, on the school or District website, and in information about the Plan that is made available to parents or guardians.

1. Reporting by Faculty and Staff

Faculty or Staff member will report immediately to the Principal or their designee when they witnesses or becomes aware of conduct that may be bullying or retaliation. The requirement to report to the Principal or their designee does not limit the authority of the Staff member to respond to behavioral or disciplinary incidents consistent with school or District policies and procedures for behavior management and discipline.

B. Responding to a Report of Bullying or Retaliation.

1. Safety

Before fully investigating the allegations of bullying or retaliation, the Principal or their designee will take steps to assess the need to restore a sense of safety to the alleged target and/or to protect the alleged target from possible further incidents.

Responses to promote safety may include, but not be limited to, creating a personal safety plan; pre-determining seating arrangements for the target and/or the aggressor in the classroom, at lunch, or on the bus; identifying a Staff member who will act as a "safe person" for the target; and altering the aggressor's schedule and access to the target.

The Principal or their designee will take additional steps to promote safety during the course of and after the investigation, as necessary for all parties involved.

The Principal or their designee will implement appropriate strategies for protecting from bullying or retaliation a student who has reported bullying or retaliation, a student who has witnessed bullying or retaliation, a student who provides information during an investigation, or a student who has reliable information about a reported act of bullying or retaliation.

2. Obligations to Notify Others

a. Notice to Parents or Guardians

Upon, determining that bullying or retaliation has occurred, the Principal or their designee will promptly notify the parents or guardians of the target and the aggressor of this, and of the procedures for responding to it. There may be circumstances in which the Principal or their designee contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.

b. Notice to Another School or District

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

c. Notice to Law Enforcement

At any point after receiving a report of bullying or retaliation, including after an investigation, if the Principal or their designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the Principal or their designee will notify the local law enforcement agency. Notice will be consistent with the requirements of 603 CMR 49.00. Also, if an incident occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in school, the Principal or their designee shall contact the local law enforcement agency if he or she has a reasonable basis to believe that criminal charges may be pursued against the aggressor. In making this determination, the Principal or their designee will, consistent with the Plan and with applicable District policies and procedures, consult with the school resource officer, if any, and the Superintendent.

C. Investigation.

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

During the investigation, the Principal or their designee will, among other things, interview students, Staff, witnesses, parents or guardians, and others as necessary. The Principal or their designee (or whoever is conducting the investigation) will remind the alleged aggressor, target, and witnesses that retaliation is strictly prohibited and will result in disciplinary action.

The Principal or their designee, other Staff members as determined by the Principal or their designee, and in consultation with the school counselor, may conduct interviews. To the extent practicable, and given their obligation to investigate and address the matter, the Principal or their designee will maintain confidentiality during the investigative process.

The Principal or their designee will maintain a written record of the investigation, including the preservation of all email and text communications.

Procedures for investigating reports of bullying and retaliation will be consistent with the District policies and procedures for investigations. If necessary, the Principal or their designee and the Superintendent will consult with legal counsel about the investigation.

D. Determinations

The Principal or their designee will make a determination based upon all of the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the Principal or their designee will take reasonable steps to prevent recurrence and to ensure that the target is not restricted in participating in school or in benefiting from school activities.

The Principal or their designee will 1) determine what remedial action is required, if any, and 2) determine what responsive actions and/or disciplinary action is necessary.

Depending upon the circumstances, the Principal or their designee may choose to consult with the students' teachers and/or counselors, and the targets or aggressor's parents or guardians, to identify any underlying social or emotional issue(s) that may have contributed to the bullying behavior and to assess the level of need for additional social skills development.

The Principal or their designee will promptly notify the parents or guardians of the target and the aggressor about the results of the investigation and, if bullying or retaliation is found, what action is being taken to prevent further acts of bullying or retaliation.

All notice to parents must comply with applicable state and federal privacy laws and regulations. Because of the legal requirements regarding the confidentiality of student records, the Principal or their designee cannot report specific information to the target's parent or guardian about the disciplinary action taken unless it involves a "stay away" order or other directive that the target must be aware of in order to report violations.

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

E. Responses to Bullying

1. Teaching Appropriate Behavior Through Skills-Building

Upon the Principal or their designee determining that bullying or retaliation has occurred, the law requires that the school or district use a range of responses that balance the need for accountability with the need to teach appropriate behavior. M.G.L. C.71, § 370(d) (v).

Skillbuilding approaches that the Principal or their designee may consider include:

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

2. Taking Disciplinary Action

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

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

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

3. Promoting Safety for the Target and Others

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

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

F. COLLABORATION WITH FAMILIES

A. Parent Education and Resources.

The District in collaboration with parent associations will offer education programs for parents and guardians that are focused on the parental components of the anti-bullying curricula and any social competency curricula used by the District or school.

B. Notification Requirements.

Each year the District will inform parents or guardians of enrolled students about the antibullying curricula that are being used. This notice will include information about the dynamics of bullying, including cyber-bullying and online safety.

The school or District will send parents written notice each year about the student-related sections of the Plan and the school's or district's Internet Safety Policy. All notices and information made available to parents or guardians will be in hard copy and electronic formats, and will be available in the language(s) most prevalent among parents or guardians. The District will post the Plan and related information on its website.

C. Problem Resolution System.

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

APPENDIX H: EDUCATION OF PREGNANT AND/OR PARENTING STUDENTS (POLICY JIE)

EDUCATION OF PREGNANT AND/OR PARENTING STUDENTS

The School Committee wishes to preserve educational opportunities for those students who may become pregnant and/or take on parenting responsibilities.

Pregnant students are permitted to remain in regular classes and participate in extracurricular activities with non-pregnant students throughout their pregnancy, and after giving birth are permitted to return to the same academic and extracurricular program as before the leave.

The school district does not require a pregnant student to obtain the certification of a physician that the student is physically and emotionally able to continue in school.

Every effort will be made to see that the educational program of the student is disrupted as little as possible; that health counseling services, as well as instruction, are offered; that return to school after leave is encouraged; and that every opportunity to complete high school is provided.

LEGAL REFS.:

M.G.L. 71:84

Title IX: 20 U.S.C. § 1681

34 CFR § 106.40(b)

Adopted: 12/1/2022

APPENDIX I - NONDISCRIMINATION ON THE BASIS OF SEX (POLICY ACA)

NONDISCRIMINATION ON THE BASIS OF SEX

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

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

The Committee will designate an individual to act as the school district's Title IX compliance officer. All students and employees will be notified of the name and office address and telephone number of the compliance officer.

LEGAL REFS.:

Title IX of the Education Amendments of 1972

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

M.G.L. 76:5

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

BESE 603 CMR 26:00

CROSS REF.:

AC Nondiscrimination

Adopted: 5/19/2021

APPENDIX J - HARASSMENT (POLICY ACAB)

SEXUAL HARASSMENT

The Hamilton-Wenham Regional School Committee and Hamilton-Wenham Regional School District are committed to maintaining an education and work environment for all school community members. that is free from all forms of harassment, including sexual harassment. The members of the school community include the School Committee, employees, administration, faculty, staff, students, volunteers in the schools, and parties contracted to perform work for the Hamilton-Wenham Regional School District.

Sexual harassment is unwelcome conduct of a sexual nature. The definition includes unwelcome conduct on the basis of sex that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity it also, includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment includes conduct by an employee conditioning an educational benefit or service upon a person's participation in unwelcome sexual conduct, often called quid pro quo harassment and, sexual assault as the Federal Clery Act defines that crime. Sexual violence is a form of sexual harassment. Sexual violence, as the Office of Civil Rights (OCR) uses the term, refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse and sexual coercion. Massachusetts General Laws Ch. 119, Section 51 A, requires that public schools report cases of suspected child abuse, immediately orally and file a report within 48 hours detailing the suspected abuse to the Department of Children and Families. For the category of sexual violence, in addition to Section 51A referrals these offences and any other serious matters shall be referred to local law enforcement. Schools must treat seriously all reports of sexual harassment that meet the definition of sexual harassment and the conditions of actual notice and jurisdiction as noted above. Holding a school liable under Title IX can occur only when the school knows of sexual harassment allegations and responds in a way that is deliberately indifferent (clearly unreasonable in light of known circumstance).

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct, which if unwelcome, may constitute sexual harassment, depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances—whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences; and,
- Discussion of one's sexual activities.

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating an environment that is hostile, offensive, intimidating, to male, female, or gender non-conforming students or employees may also constitute sexual harassment.

Because the District takes allegations of harassment, including sexual harassment, seriously, we will respond promptly to complaints of harassment including sexual harassment, and following an investigation where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose corrective action as is necessary, including disciplinary action where appropriate.

Please note that while this policy sets forth our goals of promoting an environment that is free of harassment including sexual harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of harassment or sexual harassment.

Retaliation against a complainant, because they have filed a harassment or sexual harassment complaint or assisted or participated in a harassment or sexual harassment investigation or proceeding, is also prohibited. A student or employee who is found to have retaliated against another in violation of this policy will be subject to disciplinary action up to and including student suspension and expulsion or employee termination.

The complainant does not have to be the person at whom the unwelcome sexual conduct is directed. The complainant, regardless of gender, may be a witness to and personally offended by such conduct.

NOTICE OF SEXUAL HARASSMENT

The regulations require a school district to respond when the district has actual notice of sexual harassment. School districts have actual notice when an allegation is made known to any school employee. Schools must treat seriously all reports of sexual harassment that meet the definition of harassment and the conditions of actual notice and jurisdiction as noted whether or not the complainant files a formal complaint. Holding a school liable under Title IX can occur only when the school knows of sexual harassment allegations and responds in a way that is deliberately indifferent (clearly unreasonable in light of known circumstances). Schools are required to investigate every formal complaint and respond meaningfully to every known report of sexual harassment.

The regulation highlights the importance of supportive measures designed to preserve or restore access to the school's education program or activity, with or without a formal complaint. Where there has been a finding of responsibility, the regulation would require remedies designed to restore or preserve access to the school's education program or activity.

DUE PROCESS PROTECTIONS

Due process protections include the following:

- A presumption of innocence throughout the grievance process, with the burden of proof on the school;

- A prohibition of the single investigator model, instead requiring a decision-maker separate from the Title IX Coordinator or investigator;

- The clear and convincing evidence or preponderance of the evidence, subject to limitations;

- The opportunity to test the credibility of parties and witnesses through cross examination, subject to "rape shield" protections;

- Written notice of allegations and an equal opportunity to review the evidence;

- Title IX Coordinators, investigators, and decision-makers must be free from bias or conflict of interest;

- Equal opportunity for parties to appeal, where schools offer appeals;

- Upon filing a formal complaint the school must give written notice to the parties containing sufficient details to permit a party to prepare for any initial interview and proceed with a factual investigation. For K-12 schools a hearing is optional but the parties must be allowed to submit written questions to challenge each other's credibility before the decision-maker makes a determination. After the

investigation, a written determination must be sent to both parties explaining each allegation, whether the respondent is responsible or not responsible, including the facts and evidence on which the conclusion was based by applying either the preponderance of the evidence or the clear and convincing standard; however, a school can use the lower preponderance standards only if it uses that standard for conduct code violations that do not involve sexual harassment but carry the same maximum disciplinary sanction. As long as the process is voluntary for all parties, after being fully informed and written consent is provided by both parties, a school may facilitate informal resolution of a sexual complaint.

A district may establish an informal investigation process that may, upon the request of the complainant be followed by a formal process.

The Superintendent in consultation with the Title IX Coordinator shall designate the principal of each school in the district, or their designee (or some other appropriate employee(s)) as the initial entity to receive the sexual harassment complaint. Also, in a matter of sexual harassment, the district shall require that the Title IX Coordinator be informed, as soon as possible, of the filing of the complaint. Nothing in this policy shall prevent any person from reporting the prohibited conduct to someone other than those above designated complaint recipients. The investigating officer may receive the complaint orally or in writing, and the investigation shall be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances and in compliance with applicable law. The investigation will be prompt, thorough, and impartial, and will include, at least, a private interview with the person filing the complaint and with witnesses. Also, the alleged harasser will be interviewed. When the investigation is completed, the complaint recipient will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

RECORD KEEPING REQUIREMENTS

Schools must create and maintain records documenting every Title IX sexual harassment complaint. This could include mediation, restorative justice, or other models of alternative dispute resolution. Schools must keep records regarding the school's response to every report of sexual harassment of which it becomes aware even if no formal complaint was filed, including documentation of supportive matters offered and implemented for the complainant.

This policy, or a summary thereof that contain the essential policy elements shall be distributed by the Hamilton-Wenham Regional School District to its students and employees and each parent or guardian shall sign that they have received and understand the policy.

List the name and phone number of the District's Title IX Coordinator.

List the appropriate party by name and phone number to receive a complaint in each District School.

Stacy Bucyk

Director of Student Services and Title IX Coordinator for Students Hamilton-Wenham Regional School District

5 School Street

Wenham, MA 01984

978-468-5303

s.bucyk@hwschools.net

Vincent Leone

Assistant Superintendent and Title IX Coordinator for Staff and Third Parties Hamilton-Wenham Regional School District

5 School Street

Wenham, MA 01984

978-468-5301

v.leone@hwschools.net

Please note that the following entities have specified time limits for filing a claim. The Complainant may also file a complaint with:

The Mass. Commission Against Discrimination
1 Ashburton Place, Room 601
Boston, MA 02108
Phone: 617-994-6000

Office for Civil Rights (U.S. Department of Education)
5 Post Office Square, 8th Floor
Boston, MA 02109.
Phone: 617-289-0111

The United States Equal Employment Opportunity Commission, John F. Kennedy Bldg.
475 Government Center
Boston, MA 02203

LEGAL REFS.:

M.G.L. 151B:3A

Title IX of the Education Amendments of 1972 BESE 603 CMR 26:00

34 CFR 106.44 (a), (a)-(b)

34 CFR 106.45 (a)-(b) (1)

34 CFR 106.45 (b)(2)-(b)(3,4,5,6,7) as revised through June 2020

Note: A summary of the attached Policy, as adopted, must be sent to parents/guardians, students, employees, unions, and prospective employees of the school district including Title IX Coordinator(s), investigator(s) and the decision-maker. The above referenced employees must attend training sessions on the implementation of the Policy.

Adopted: 5/19/2022

Updated & Adopted: 10/06/2022

APPENDIX K: TITLE IX NOTICE AND PROCEDURES

Title IX of the Education Amendments of 1972 states:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance. 20 USC §1681.

Sexual harassment, including sexual violence, is unlawful sex discrimination. As required by Title IX and in compliance with Title IX, the Hamilton-Wenham Regional School District does not discriminate on the basis of sex in its education programs or activities including in its admission or employment practices. Inquiries regarding the application of Title IX to the Hamilton-Wenham Regional School District's education program and activities are directed to the Title IX Coordinator.

The following conduct constitutes sexual harassment:

- A school employee conditioning an educational benefit or service upon a person's participation in unwelcome sexual conduct (often called "quid pro quo" harassment);
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity; or
- Sexual assault, dating violence, domestic violence, or stalking (as those offenses are defined in the Clery Act, 20 U.S.C. § 1092(f), and the Violence Against Women Act, 34 U.S.C. § 12291(a)).

How to Report Sex Discrimination, including Sexual Harassment

Any person may report sex discrimination, including sexual harassment in person, by mail, by telephone, or by electronic mail, to the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Reports may be made at any time by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator.

Stacy Bucyk
Director of Student Services and Title IX Coordinator for Students
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How to File a Formal Complaint of Sexual Harassment

A complainant may file a formal complaint with the Title IX Coordinator by mail, email, telephone or in person. The Title IX Coordinator may also initiate a formal complaint.

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

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

Formal complaint means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that Hamilton-Wenham Regional School District investigate the allegation.

How HWRSD will respond:

The Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures.

Supportive measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent. Supportive measures are offered whether or not the complainant files a formal complaint and are designed to restore or preserve equal access to the education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the educational environment, or deter sexual harassment. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

The Title IX Coordinator will consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint. The Title IX Coordinator must treat complainants and respondents equitably and offer supportive measures to the complainant and respondent.

The Hamilton-Wenham Regional School District may remove a respondent from school or an activity on an emergency basis, provided that the individualized safety and risk analysis determines that there is an immediate threat to the physical health or safety of any student or other individual. Respondents removed on an emergency basis will receive notice and an opportunity to challenge the decision immediately following the removal. This provision may not modify any rights for students with disabilities.

Grievance Process

In response to a formal complaint, Hamilton-Wenham Regional School District will adhere to the following grievance process.

Written Notice:

Upon receipt of a formal complaint, the Title IX Coordinator will provide written notice to the parties who are known. The written notice shall include:

- Notice of the grievance process, including notice of informal resolution process;

- Notice of the allegations that includes sufficient details known at the time and with sufficient time to prepare a response before any initial interview;
- Notice that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
- Notice that the parties may have an advisor of their choice and may inspect and review evidence; and
- Notice that the Hamilton-Wenham Regional School District code of conduct prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If any new allegations arise during the grievance process, the Title IX Coordinator will provide written notice of the additional allegations to the parties whose identities are known.

Investigation:

The Hamilton-Wenham Regional School District will investigate the allegations in the formal complaint. HWRSD will use trained personnel to objectively evaluate all relevant evidence without prejudgment of the facts at issue and free from conflicts of interest or bias for or against either party.

The HWRSD may dismiss the formal complaint if:

- The conduct alleged would not constitute sexual harassment even if proved, did not occur in a Hamilton-Wenham Regional School District' education program or activity, or did not occur in the United States.
- The complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint of any of the allegations in the formal complaint, or if the respondent is no longer enrolled or employed by the HWRSD; or specific circumstances prevent the recipient from gathering evidence sufficient to reach a determination as to the formal complaint.

Upon a dismissal, the Title IX Coordinator will promptly send written notice for the dismissal and reason(s) therefore simultaneously to the parties.

When investigating a formal complaint and throughout the grievance process, the HWRSD will:

- Apply a presumption of innocence, and ensure that the burden of proof and the burden of gathering evidence rests on the HWRSD and not on the parties;
- Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
- Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
- Protect parties' privacy by requiring a party's written consent before using the party's medical, psychological or similar treatment records during the grievance process;
- Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney;
- Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative

interviews, or other meetings, with sufficient time for the party to prepare to participate;

- Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint;
- Prior to the completion of an investigative report, send to each party and the party's advisor the evidence subject to inspection and review and provide the parties at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report.
- Create an investigative report that fairly summarizes relevant evidence for their review and written response.

Determination regarding responsibility:

The decision-maker, who shall not be the investigator or the Title IX Coordinator, will provide each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Complainants may not be asked inappropriate questions about prior sexual history. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

- The decision-maker must issue a written determination regarding responsibility. To reach this determination, the decision maker shall apply a preponderance of the evidence standard. Preponderance of the evidence means that it is more likely than not that the alleged conduct occurred.
- The decision maker shall review all of the evidence and issue a written determination within fifteen (15) school days of receipt of the matter from the investigator, absent extenuating circumstances.
- The Title IX Coordinator is responsible for effective implementation of any remedies.

Appeals:

Either party may appeal the determination regarding responsibility (or from a dismissal) on the following grounds:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against the complainant or respondents generally or the individual that affected the outcome of the matter.

Appeals must be submitted to the Title IX Coordinator within five (5) school days of receipt of the written determination and contain a written statement in support or challenge of the outcome. In the event of an appeal, the Title IX Coordinator will notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties.

Informal resolution:

An informal resolution process is available when a formal complaint is filed. Informal resolution process is available without a full investigation and nothing in the informal process shall preclude the parties from resuming a formal complaint process. Participation is voluntary and written consent is required. An informal resolution process is not permitted to resolve allegations that an employee sexually harassed a student.

Record Keeping

The Hamilton-Wenham Regional School District will maintain records regarding sexual harassment reports and complaints for a period of seven years.

Retaliation Prohibited

Retaliation is prohibited against any individual, including complainants, respondents, and witnesses for reporting sexual harassment, participating (or refusing to participate) in any investigation/grievance process. Individuals may report retaliation to the Title IX Coordinator who will investigate and take measures to protect individuals from retaliation.

Complaints of Discrimination and/or Harassment on the basis of sex may also be reported to:

The Office for Civil Rights, US Department of Education
5 Post Office Square, 8th Floor
Boston, MA 02109-3921
Telephone: 617-289-0111, FAX: 617-289-0150
Electronic Mail: OCR.Boston@ed.gov

APPENDIX L: THE SEAL OF BILITERACY

The Seal of Biliteracy recognizes students who, by the end of high school, have attained proficiency in reading, writing, listening and speaking in two or more languages. Students must demonstrate proficiency in English (proficient or advanced MCAS scores) and proficiency in a second language as demonstrated with approved standardized assessments. The Seal of Biliteracy is a national movement with 33 states currently offering this endorsement. In November of 2017, Governor Baker signed it into law.

Approved standardized assessments include AP exams and the STAMP proficiency test. The STAMP is a Standards-Based Measure of Proficiency and is an adaptive web-based test that assesses language proficiency based on what students can do. The STAMP is available in a multitude of languages and is available to any student who wants to document their proficiency. There is a cost associated with both the AP and the STAMP assessments.

The Seal is awarded at three different levels of proficiency. The Silver Seal is given to students who demonstrate proficiency at an intermediate-mid level. The Gold Seal is given to students who demonstrate an intermediate-high level and the Platinum Seal is given to students who demonstrate advanced-low proficiency. Bilingualism is a critical 21st century skill and the Seal of Biliteracy acknowledges the hard work, perseverance and commitment required to communicate in a second language.

APPENDIX M: MEAL CHARGE (POLICY EFD)

MEAL CHARGE POLICY

The School Committee is committed to providing students with healthy, nutritious meals each day so they can focus on school work, while also maintaining the financial integrity of meal programs and minimizing any impact on students with meal charges. However, unpaid meal charges place a large financial burden on the school district, as food services is a self-supporting entity within the district. The purpose of this policy is to ensure compliance with federal reporting requirements of the USDA Child Nutrition Program, as well as provide oversight and accountability for the collection of outstanding student meal balances.

The provisions of this policy pertain to regular priced school meals only. The School Committee will provide a regular meal to students who forget or lose their lunch money.

Meal Charges and Balances

Students will pay for meals at the regular rate approved by the School Committee and for their meal status (regular, reduced-price, or free) each day. Payment options will be delineated in student handbooks and provided to parents/guardians of incoming students. After the balance reaches zero and enters the negative, students will not be allowed to purchase a la carte items including but not limited to a second entrée, snack, ice cream, or an additional beverage. The student will still be allowed to take a meal, and that meal will continue to be charged to the account at the standard lunch rate based on their meal status. The parent/guardian is responsible for any meal charges incurred. If there is a financial hardship, a parent/guardian should contact food services directly to discuss payment options such as an individualized repayment plan.

Payments

Parents/Guardians are responsible for all meal payments to the food service program. Notices of low or deficit balances will be sent directly to parent/guardians via email or regular postal mail at regular intervals during the school year. At no time shall any staff member give payment notices to students unless that student is known to be an emancipated minor who is fully responsible for themselves or over the age of 18. If parents/guardians have issues with student purchases they should contact food services for assistance.

Parents/Guardians may pay for meals in advance. Further details are available on the school district webpage and in student handbooks. Funds should be maintained in accounts to minimize the possibility that a child may be without meal money on any given day. Any remaining funds for a particular student, whether positive or negative, will be carried over to the next school year.

All school cafeterias possess computerized point of sale/cash register systems that maintain records of all monies deposited and spent for each student and those records are available to parents/guardians by setting up an online account (see student handbooks for more details) or by speaking with the school's food service manager. The point of sale system is designed to prevent direct identification of a student's meal status. Parents/guardians will receive automated low-balance emails or mailed notices weekly, if applicable. If notices do not result in payment, parents/guardians will receive a phone call from food services. If the phone call does not result in payment the food service manager shall turn the account over to the business office.

Refunds

Refunds for withdrawn and/or graduating students require a written request (email, postal, or in person) for a refund of any money remaining in their account to be submitted. Graduating students also have the option to transfer funds to a sibling's account or to donate to a student in need with a written request.

Delinquent Accounts/Collections

Failure of a parent or guardian to maintain reasonably current accounts may result in a referral to the Superintendent for their review. The Superintendent shall ensure that there are appropriate and effective collection procedures and internal controls within the school district's business office that meet the requirements of law.

If a student is without meal money on a consistent basis, the administration may investigate the situation more closely and take further action as needed. If financial hardship exists, parents/guardians and families are encouraged to apply for free or reduced price lunches for their child. Each school handbook shall contain detailed instructions for family assistance.

Policy Communications

This policy shall be communicated to all staff and families at the beginning of each school year and to families transferring to the district during the year.

LEGAL REFS.:

MGL 71:72; USDA School Meal Program Guidelines May 2017

CROSS REFS.:

JQ Student Fees, Fines & Charges

Adopted: 5/19/2021

APPENDIX N: SECURITY CAMERAS IN SCHOOLS (POLICY ECAF)

The School Committee works to maintain a safe and secure environment for its students, staff, visitors, and facilities. Security means more than having locks and making certain that doors are locked at the proper times. Security also means minimizing fire hazards, reducing the possibility of faulty equipment, keeping records and valuables in a safe place, protection against vandalism and burglary, the prosecution of vandals, and developing crisis plans.

School facilities and their contents, constitute one of the greatest investments of the community. The School Committee believes it to be in the best interest of students and taxpayers for the district to exert every reasonable means to protect the investment adequately.

In pursuit of this objective, the School Committee authorizes the use of security cameras in school district buildings and on its property to ensure the health, welfare and safety of all students, staff and visitors, to deter theft, vandalism and other negative behavior, to safeguard district buildings, grounds and equipment, and to monitor unauthorized individuals in or on school property. Security cameras may be used in locations as deemed appropriate by the Superintendent of Schools in consultation with school officials as well as local law enforcement and emergency response agencies. They may be used in any area, inside or outside of school buildings where there is no reasonable expectation of privacy.

The district shall notify students and staff through student and employee handbooks and appropriate signage that security cameras have been installed and may be used at any time. Students or staff identified on security cameras in violation of School Committee policies will be subject to disciplinary action.

The Superintendent shall ensure that proper procedures are in place and are followed regarding use, viewing, disclosure, retention, disposal and security of video recordings or photographs from security cameras in accordance with applicable laws and regulations. A video recording used for security purposes in school district buildings and/or on school property shall be the sole property of the school district. All video recordings will be stored in their original format and secured to avoid tampering and to ensure confidentiality in accordance with applicable laws and regulations. Access to video recordings from security cameras shall be limited to school administrators (Superintendent/designee, School Principal/designee). Law enforcement and emergency response officials shall be granted access to video recordings or the security system after giving prior notice to the School Superintendent/designee.

The Superintendent may, from time to time, issue further guidance that is consistent with current laws and this policy.

Adopted: 5/19/2021

APPENDIX O: PROCEDURE FOR STUDENTS NOT YET DETERMINED ELIGIBLE FOR SPECIAL EDUCATION SERVICES - DISCIPLINE

34 CFR Section 300.534

(a) 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 violated a code of student conduct, may assert any of the protections provided for in this part if the public agency had knowledge (as determined in accordance with paragraph (b) of this section) that the child was a child with a disability before the behavior that precipitated the disciplinary action occurred.

(b) Basis of knowledge. A public agency must be deemed to have knowledge that a child is a child with a disability if before the behavior that precipitated the disciplinary action occurred—

(1) The parent of the child 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;

(2) The parent of the child requested an evaluation of the child pursuant to §§300.300 through 300.311; or

(3) The teacher of the child, or other personnel of the LEA, expressed specific concerns about a pattern of behavior demonstrated by the child directly to the director of special education of the agency or to other supervisory personnel of the agency.

(c) Exception. A public agency would not be deemed to have knowledge under paragraph (b) of this section if—

(1) The parent of the child—

(i) Has not allowed an evaluation of the child pursuant to §§300.300 through 300.311; or

(ii) Has refused services under this part; or

(2) The child has been evaluated in accordance with §§300.300 through 300.311 and determined to not be a child with a disability under this part.

(d) Conditions that apply if no basis of knowledge.

(1) If a public agency does not have knowledge that a child is a child with a disability (in accordance with paragraphs (b) and (c) of this section) prior to taking disciplinary measures against the child, the child may be subjected to the disciplinary measures applied to children without disabilities who engage in comparable behaviors consistent with paragraph (d)(2) of this section.

(2)

(i) 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 §300.530, the evaluation must be conducted in an expedited manner.

(ii) Until the evaluation is completed, the child remains in the educational placement determined by school authorities, which can include suspension or expulsion without educational services.

(iii) 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 must provide special education and related services in accordance with this part, including the requirements of §§300.530 through 300.536 and section 612(a)(1)(A) of the Act.