

# Leicester Middle School Student Handbook



***2025-2026***

## *Letter From the Principal*

*Dear Students and Parents/Guardians,*

*On behalf of the faculty and staff, I would like to welcome the Classes of 2030, 2031, 2032, and 2033 to Leicester Middle School! We look forward to continued support from our students, parents/guardians and the community for the 2025 - 2026 school year.*

*We are going to work hard to create an inclusive environment in which we incorporate our Core Values of Collaborative Relationships, High Expectations, Inclusiveness, Perseverance, and Self-Reliance along with our Wolverine Attributes that are stated below. We expect our students to set high goals for themselves as we implement a curriculum infused with 21st Century Learning Skills which involves problem solving, creative thinking, collaboration, writing, and speaking. We will continually encourage our students to work hard to achieve their goals and expectations. We will foster an environment in which failure provides an opportunity to learn and grow rather than seen as a negative.*

*Our focus is to make Leicester Middle School a safe learning environment that promotes academics, community, and social growth and independence. We will use our Wolverine Attributes to build community and foster a positive and healthy climate in school. We want to create positive memories here at LMS, uphold current traditions and look to instill new traditions and to make LMS the best middle school we can be.*

*The Leicester Middle School Student Handbook contains information that you will find helpful; we hope you refer to it many times during the school year. It identifies the people who can help you, and explains rules, regulations and daily procedures. We hope that you will find it helpful, and that it will encourage you to model the good behavior expected of all of us.*

*We are here to help you, to motivate you, and to support you. Best wishes for a productive school year. May you set high goals for yourselves and may you have great success in reaching them.*

*Sincerely,*

*Douglas A. Daponte Jr.  
Principal*

*Christine Barbato  
Assistant Principal*

---

### ***WE ARE WOLVERINES!***

#### ***Wolverines are relentless!***

*Towards achievement, standing up for fellow students, and making the right choice.*

#### ***Wolverines are distinctive!***

*In our attitudes, actions, expectations, understanding, and empathy.*

#### ***Wolverines protect their habitat!***

*Create an environment where all feel safe and comfortable in the hallways, restrooms, cafeteria, auditorium, and recess.*

#### ***Wolverines need help!***

*Seek out teachers, counselors, nurses, paraprofessionals, secretaries, custodians, and administrators for help.*

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This Handbook is available on the School District's website at <http://www.leicester.k12.ma.us>.  
Hard copies are also available upon request at the Leicester Middle School Main office.



## Welcome Wolverines

Whether you are an incoming 5<sup>th</sup> grader, or a returning 6<sup>th</sup>, 7<sup>th</sup>, or 8<sup>th</sup> grader, we know that you will be encouraged to achieve each and every day. Your LMS experience is the time to explore and try new ideas and activities. Every member of your school community, including the administration, faculty, parents, and students, will help you achieve your goals. This handbook serves to guide you through your LMS experience by providing basic information you may need during the school year. This handbook can also be found on our website at [www.lpsma.net](http://www.lpsma.net). Please read each and every section carefully with your parent/guardian. Have a great year and we look forward to meeting and working with you!

In addition to the policies set forth in this handbook, students and families are expected to follow the procedures outlined in the District's Health and Safety Document, [a link to which is provided here](#).



## School Contact Information

### *Administration*

LMS Principal, Douglas A. Daponde, Jr.	508-892-7030 x1271
LMS Assistant Principal, Christine Barbato	508-892-7030 x1002

### *Main Office*

LMS Main Office, Madison Paquette	508-892-7030 x1200
LMS Main Office, Samantha Church	508-892-7030 x1270

### *Key Personnel*

LMS School Counselor, Michael Vaughan	508-892-7030 x1254
LMS School Adjustment Counselor, Erin Pelletier	508-892-7030 x1250
LMS School Psychologist, Jennifer Richard	508-892-7030 x1201
LMS School Nurse, Sheri Bullock	508-892-7030 x1265
LMS Team Chair- Melissa McCormick	508-892-7030 x1202



## Right to Equal Education

Every person shall have a right to attend the public schools of the town where she/he actually resides, subject to the following section. No school committee is required to enroll a person who does not actually reside in the town unless said enrollment is authorized by law or by the school

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committee. Any person who violates or assists in the violation of this provision may be required to remit full restitution to the town of the improperly-attended public schools. No person shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex, gender identity, religion, national origin or sexual orientation.

M. G. L. c. 76, § 5.

## Attendance

### Attendance Expectations

Leicester Middle School has adopted project-based learning as its mode of teaching and learning. The school and parents share a responsibility for promoting positive habits regarding punctuality and attendance. It is imperative that all children attend school regularly. When attendance is poor, the student is at risk for retention.

Every child between the ages of six (6) and sixteen (16) is required to attend a public school in the town where the student resides, or another day school approved by the school committee. See M. G. L. c. 76, § 1; 603 C.M.R. 8.02; and Chapter 741 of the Acts of 1965. The Superintendent, or designee, may excuse necessary absences totaling no more than seven (7) days or fourteen (14) half days in a six (6) month period. Excused absences may include: illness (accompanied by doctor's note), bereavement, religious holiday, or medical appointment (accompanied by doctor's note). Unexcused absences refer to instances when the student is not in class or school and does not have proper authorization from the school to be absent. The school makes the final determination as to whether or not an absence is deemed excused.

Students who miss ten percent (10%) or more of their school days (e.g., 18 days absent if enrolled for 180 days) regardless of whether the absences are considered excused or unexcused, may be considered chronically absent. Being chronically absent can have a significant impact on a student's ability to read at grade level, perform academically, and graduate on time. Chronically absent students and their parents/guardians shall meet with the School Administrators, including members of the Leicester Middle School Student Support Team (SST), in an attempt to improve attendance. A student who willfully fails to attend school for more than eight (8) school days in a quarter, and is not excused from attendance, may be considered habitually truant.

Under M. G. L. c. 119, § 21, a child may be eligible for "Child Requiring Assistance" services through the juvenile court system if the child: repeatedly runs away from the home of a parent or legal guardian; repeatedly fails to obey the lawful and reasonable commands of a parent or

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legal guardian, thereby interfering with the parent's/guardian's ability to adequately care for and protect the child; is sexually exploited; repeatedly fails to obey lawful and reasonable school regulations; or is "habitually truant." The school can assist parents with pursuing "CRA" services and supports.

Under M. G. L. c. 119, § 51A, a report can be filed on behalf of a child under the age of eighteen for educational neglect if a child is not attending school on a regular basis. This report of suspected Child Abuse or Neglect, commonly referred to as a 51A, is filed with the Department of Children and Family Services (DCF). By law, school personnel are mandated reporters.

Parents are strongly encouraged to schedule vacations according to the school calendar, as time lost from school can never truly be regained. It is difficult to duplicate the classroom experience; therefore, alternative assignments may be required for time missed. Cumulative attendance figures appear now through PowerSchool along with your child's current grades and report cards.

## Absences

If a student is ill or needs to miss school for another compelling reason, parents/guardians must call the school before 7:30 a.m. at (508) 892-7030 x 1265 each day the student is absent in order to inform the school of the absence, and reason for the absence, of their child. If a student is absent and the school has not heard from a parent/guardian by 7:30 a.m., the school nurse will contact the parent/guardian to inquire about the student's absence. Students may not participate in after-school activities including sports, clubs, performances, or dances on the day of an absence. If the absence is deemed excused by the school administration, students may be allowed to participate based on the decision of the school administration.

Where a student is absent without valid excuse for five consecutive or cumulative school days, or misses two or more classes due to unexcused tardies on five (5) or more school days in the school year, the parents/guardians will be notified and invited to attend a meeting with the Principal or the Principal's designee to develop an action plan to address the student's attendance. The action plan shall be developed jointly and agreed upon by the Principal, or a designee, the student and the student's parents/guardians and with input from other relevant school personnel and, where appropriate, officials from relevant public safety, health and human service, housing, and nonprofit agencies.

School Committee Policy [Student Absences and Excuses](#) [Exclusion and Exemptions from School Attendance](#)

## Notification Procedures

To ensure transparency and prompt communication, attendance notifications are sent daily via phone call and email from our school nurse. After a student accrues five (5) absences, a letter

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will be sent to the family outlining our concern. At the ten (10) day mark of absences, the school will send a letter and may require a meeting with the family to discuss potential support. Our Student Success Team (SST) actively identifies and intervenes with students showing concerning attendance patterns, offering tailored support to promote regular attendance.

## Intervention Process

Initial Identification: Once a student is identified as having excessive absenteeism, the Student Success Team (SST) will meet to review the student's attendance record.

Meeting with the student: The student will be invited to a meeting to discuss their absenteeism. The goal is to identify any barriers to attendance and to offer support. Parents or guardians may also be invited to participate in this meeting.

Development of an Action Plan: An individualized action plan will be developed to address the identified barriers. This may include counseling, academic support, or other interventions.

## Excused Absences

Medical appointments such as annual or routine checkups, visits to the emergency department/urgent care, dental appointments, orthodontic appointments, physical therapy, a death in the family, religious holidays related to the student's creed or beliefs, required and documented court appearances, etc., may be acceptable reasons for absence from school. In order for the medical appointments to be excused, a doctor's note stating that the student was seen, including the date and reason for the appointment, must be submitted to the school nurse.

School Committee Policy [Student Absences and Excuses](#) [Exclusion and Exemptions from School Attendance](#)

## Unexcused Absences

The following are considered unacceptable reasons for absence from school:

1. Truancy: Truancy results when the student is absent from school or leaves school grounds without permission.
2. Vacations: It should be specifically noted that personal and family vacations are not to be considered an acceptable reason for absence from school.
3. Non-school related activities: Participation in non-school related activities such as beauty pageants, dance competitions, athletic tournaments and private lessons.

School Committee Policy [Student Absences and Excuses](#) [Exclusion and Exemptions from School Attendance](#)

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## Tardiness and Early Dismissals

We seek parental support to foster a culture of punctuality within our school community. Students arriving after 7:40 AM at Leicester Middle School must promptly visit the main office to obtain a tardy slip. Tardiness will generally be considered unexcused unless an administrator approves the exception within the student attendance system.

When a student is tardy to class or dismissed from class there is an inevitable disruption to class proceedings. It interrupts the teaching-learning procedures that are already in progress. This is not fair to the other students who are in class on time. If a student is tardy, a note from the parent/guardian is required explaining the reason for tardiness. If a student is tardy because of a medical appointment, a doctor's note is required. Tardiness to class may result in consequences in the classroom. Sufficient passing time has been established for all students throughout the school day.

At LMS, students accumulating five (5) tardies per quarter to school will be subject to an after-school detention. Every additional five (5) tardies will result in a subsequent detentions as per the discretion of the building Principal after other supportive options have been exhausted.

Office detention: where students are required to spend one hour in a designated space, focusing solely on completing school-related assignments. This enforced study period aims to encourage academic responsibility while serving as a consequence or excessive tardies each quarter.

It is contrary to the Attendance Policy of the Leicester Public Schools to allow students to be dismissed prior to the end of the school day. Should a parent/guardian insist upon the early dismissal of his/her child they must follow the following procedure:

- On the day of the dismissal, a note should be sent to school with your child stating the reason for the dismissal and a phone number where the parent can be reached for confirmation. The note is due in the office prior to the beginning of the school day. Before the child is released from school, a dismissal form must be completed. These forms will become part of the student's file. Frequent dismissals, including dismissals at the end of the day, will result in the same consequences as frequent tardiness.
- Tardiness and dismissals should not be confused with half-day absences. Students who are tardy or dismissed for more than one-half the school day are considered absent for the whole day.

## Consequences for Excessive Absences

Students exhibiting chronic absenteeism, regardless of the cause, will face a series of escalating responses designed to address and mitigate this issue. In Massachusetts, chronic absenteeism is defined as missing at least 10 percent of the days for which a student is enrolled in a school year, regardless of the reason for the absence. For instance, if a student is enrolled

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for a typical school year of 180 days, being absent for 18 days would classify them as chronically absent. These steps include:

- A mandatory conference with the parent or guardian.
- A requirement that all future absences be substantiated with a physician's verification.
- Potential restrictions or prohibitions on involvement in extracurricular activities, field trips, and similar events.
- School-based disciplinary measures, which may include detention, social probation, etc.
- Legal actions such as "Failure to send your child to school" Filings or "Child Requiring Assistance" (CRA) petition with the courts.
- Notifications to the Department of Children and Families (DCF) if an when necessary.
- Excessive absenteeism can impede a student's ability to progress or transition to the next grade level, as consistent attendance is crucial for academic success and mastery of the curriculum.

## Make-Up Work

Tests, quizzes, classwork, and home assignments may be made up when the student is absent from school for acceptable reasons. It is the responsibility of the student to approach their teacher for the missed work. Failure to complete make-up work within established time limits may result in a failing grade or loss of credit for the assignment. A student who is on an authorized leave may make up all work missed for the learning experience but will not be penalized with their grade for missing work. Students will have the number of school days they were absent to make up any work missed from an absence.

## Administrative Withdrawal

In the event that a student is absent without valid excuse in excess of ten (10) consecutive school days, the student will be subject to unenrollment from the District. Prior to a student's unenrollment under such circumstances, an Exit Interview Meeting will be conducted with the student and parents/guardians in accordance with the requirements of Massachusetts law. M.G.L. c. 76, § 18.

## School Day

### Student Arrival

- |           |                                                                                                                                                                                         |
|-----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7:20 a.m. | Students may arrive at school. Students eating school breakfast may enter the building and proceed to the cafeteria. All other students will remain outside (or on the bus) until 7:30. |
| 7:30 a.m. | All students may enter the building and proceed to their first period class which begins at 7:40.                                                                                       |

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## Class Sessions / Lunch

1st Period	7:40 - 8:31
2nd Period	8:33 - 9:24
3rd Period	9:26 - 10:18
Advisory/WIN	10:20 - 10:50
4th Period	10:52 - 12:22 (Lunches included)
5th Period	12:24 - 1:16
6th Period	1:18 - 2:10

*1st Lunch 10:52 - 11:22 2nd Lunch 11:22 - 11:52 3rd Lunch 11:52 - 12:22*

## Dismissal

- 2:10 p.m. Students begin to dismiss from Last Period
- Students called for Parent Pick Up
  - Students called to their buses as they arrive
  - Once all buses have left, students who walk or stay after for sports/clubs will be dismissed

## Daily Rotating Schedule

# 2025-2026 Rotating Schedule

	A Day	B Day	C Day	D Day	E Day	F Day
7:30 - 7:40	Transition to 1st Block					
7:40 - 8:31	A	B	C	D	E	F
8:33 - 9:24	B	C	D	E	F	A
9:26 - 10:18	C	D	E	F	A	B
10:20 - 10:50	Advisory/WIN - Rotates Weekly Wolverine Wednesdays					
10:52 - 12:22	D	E	F	A	B	C
12:24 - 1:16	E	F	A	B	C	D
1:18 - 2:10	F	A	B	C	D	E

School Committee Policy: [School Day](#)

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## Academic Information

The staff of the Leicester Middle School recognize our responsibility to provide a safe and caring environment, which will enable all students to achieve their full academic, physical and social development. Our ultimate goal is to create an experience that will encourage our students to continue their education and become useful and productive members of the community.

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

## Academic Expectations

As students transition from elementary to middle school, we want to foster their independence. By fifth grade, students should understand the importance of academics and begin to see how education will create the pathway for accomplishing their goals in life. **Students, as middle schoolers, must advocate for your own success!** This means that students should take the responsibility to hand in assignments, ask for extra help, and keep track of due dates. Students are not alone - remember, their teachers want them to succeed and are willing to meet with them and assist them. But now that students are in middle school, they are capable of finding a solution to their challenges, and asking for help if they need it. Seek out teachers, friends, classmates, counselors, school administrators. Every challenge has a solution and they will find that solution if they advocate for themselves. Everyone at LMS is here to support them on their journey.

**Redo Assignments:** Students who earn a failing grade on a Tier 3 or Tier 4 assessment (below 60) may, at the discretion of the teacher, be allowed to redo the assessment, if they complete the following steps.

1. The student must complete a Redo Form (which includes a parent signature, reflection on the assessment, and questions about how they will do better next time).
2. The student's grade will be an average of the new grade earned and the previous grade.

**Late Work:** It is at the teacher's discretion to accept late assignments. Students who turn in assignments past their due date will only have 5 school days to turn in their assignments for full credit. When students do not complete their schoolwork, they will be referred to the School Guidance Counselor by the teacher or Student Support Team.

School Committee Policy [Academic Freedom](#)

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## Advanced Classes

Beginning in Grade 7, students may be placed in advanced Math and ELA classes as determined by a set of criteria. Students are recommended for advanced classes using a formula of STAR scores, grades and teacher recommendations.

## Grading

Student grades are available to parents through the PowerSchool portal. Grades are updated regularly in order to track student performance in class. Report card grades are posted four times a year. Report cards are available through PowerSchool, however if you prefer a paper copy, you can notify the school and one will be printed for you.

Grades are designed as a reporting tool for parents to show student progress towards the mastery of the state standards. Students who are receiving grades of 90 and above are showing that they are mastering and/or exceeding expectations of the standards. Students who are receiving grades of 80 and above are showing they are meeting some of the grade level standards and working towards mastery in others. Students who are receiving a 70 and above are showing that they are partially meeting the standards and students who are receiving below a 70 are showing that they are not meeting the expectations of the standards being taught.

Grades at LMS are reported in Numerical Form or in the form of Pass/Fail. Students who are receiving a grade lower than a 60 are considered to be failing the class. Students who are receiving a grade lower than a 70 are considered in danger of failing. Parents of students who are receiving a grade lower than a 70, should be in contact with the school guidance counselor and teacher.

Students receive grades in four different categories with the following percentage weights.

- Tier 1 - 10% of the final grade
- Tier 2 - 20% of the final grade
- Tier 3 - 30% of the final grade
- Tier 4 - 40% of the final grade

School Committee Policy [Academic Achievement](#)

## Honor Roll

- High Honors - 90 and above in all subjects
- Honors - 80 and above in all subjects

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## Promotion with Honors

- High Honors - 90 or higher in all end of year courses each year of Middle School
- Honors - 80 or higher in all end of year courses each year of Middle School

## President's Award

An 8th Grader who has earned a 90 or higher in each of the terms for each year in Middle School.

## Homework Policy

Homework is an integral part of the instructional program and learning process. Any work assigned by the teacher to be done outside of the classroom is intended to reinforce concepts taught, prepare students for future assignments, assist in the integration of knowledge and skills learned, and provide an opportunity to work creatively.

Students are required to check their Google Classrooms every day and complete their homework before the due date. Some students may also benefit from writing down their assignments/learning plan on paper each day, so that they have a visual roadmap of how they will complete their work. Additionally, it is the responsibility of the student to ask the teacher for assistance if they do not clearly understand the assignment. The student must complete their homework assignment in a neat and timely fashion. Remember that homework is important and is not optional; putting it off does not make it go away!

School Committee Policy [Homework](#)

## Requirements for Academic Eligibility and Promotion

Students who are failing two or more classes at the end of a marking term are not eligible to participate in extracurricular activities, including, but not limited to, clubs, activities, and sports. These students will be placed on probation for five weeks, at which point their academic eligibility will be reviewed and, if eligible, reinstated.

In order to earn promotion to the next grade level, students must pass 3 out of the 4 core subjects that meet for the entirety of the school year (English Language Arts, Mathematics, Social Studies and Science) and not fail more than a total of 2 courses for the year. Students who are not meeting these expectations at the end of the school year may be required to attend Summer School, which is a program that is paid for by the family.

If a student attends summer school due to failing classes during the year, they must attend 95% of the summer school days and earn a grade of 70 or above in order to be promoted to the next grade/school. Failure to meet these requirements may result in retention of the student.

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A student who fails to achieve the requirements for promotion may be retained. The principal will meet with teachers, the student, and parents/guardians to determine what is in the best educational, emotional, and/or social interests of the student. The Principal shall exercise final decision-making authority with regard to the retention or promotion of students.

## Academic Dishonesty

Cheating, plagiarism, and forgery are considered to be academic dishonesty. Students must properly cite any work or information that is not their own. Students are prohibited from submitting work that contains information that is not properly cited and/or from submitting work that is not their own (examples include, but are not limited to: submitting a paper written by ChatGPT (or equivalent); copying and pasting information from the internet, and submitting it without citation; submitting a peer's answers). If a student engages in academic dishonesty, the student may receive consequences, including, but not limited to, failing grade, having to redo the assignment for credit and/or potential discipline for repeat offenders..

## Transfer from School

Students wishing to transfer from school must use the following procedure:

1. All parent(s) and/or guardian(s) will contact the main office for complete instructions and required forms.
2. Obtain appropriate forms from the Guidance Office.
3. Have the forms filled out by teachers, return student Chromebook, case and charger, return all books and school property, and make sure all fees are paid.
4. Submit completed forms to the Guidance Office for exit clearance.
5. Meet with the Guidance Counselor.

Upon request of a public school or public school district to which a student intends to transfer, the Leicester Public Schools will forward the complete student record of the student to the receiving school or school district. The consent of the parents/guardian or eligible student shall not be required prior to releasing the student's record to a receiving school district.

School Committee Policy [School Admissions](#) [Admissions of Transfer Students](#)

## Physical Education

All students must participate in physical education classes in each year of middle school. In cases of illness for a day or two, a written note from parents will excuse participation. This note should be brought to the school nurse. A long-term request to excuse participation requires a written medical excuse from a physician and permission of the school administration.

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## Learning Experiences on Field Trips

LMS recognizes that firsthand learning experiences provided by field trips are an effective and worthwhile means of learning. It is the desire of the district to encourage field trips as part of, and directly related to, the total school program and curriculum.

Field trips are an important and enriching component of our academic curriculum, however, participation in a field trip also results in absences from other academic classes. For this reason, students who exceed 10 unexcused absences in a semester and/or are failing two or more classes will need administrative approval to attend the field trip.

School-sponsored field trips are considered an extension of the school day, with students, teachers, and chaperones serving as ambassadors for their school and the District. As such, students, teachers, and chaperones are expected to conduct themselves according to the standards of behavior that comply with all school and District rules, contribute to individual and group safety, secure maximum educational benefits, and maintain positive public relations among LMS students, schools, and District.

Leicester Middle School students may participate in our annual fundraiser. Students may earn credit based on the total sales made for the school. This credit may be applied to the cost of the field trip. If the cost of the trip exceeds the fundraising efforts, students will be responsible for paying the difference. Earning credit for the fundraiser will not negatively impact any request for or receipt of financial assistance.

## Parent Volunteers

Per M. G. L. C. 71, sec. 38R - Volunteers shall be CORI checked at least every three years and the school may issue fingerprint background checks.

## Observations of Student's Programs

Observations of a student's current and/or proposed special education program may be conducted by a parent/guardian or their designee in accordance with M.G.L. c. 71B § 3. Parents/guardians must request an observation in advance and can submit the request to their Student's Team Chairperson, the Special Education Coordinator or the Principal. Observers may be required to sign a non-disclosure form to protect student. Observers shall be accompanied at all times by a school staff member.

## School Committee Policies: Academics

Please follow these links to view other [School Committee Policies](#) on:

- [Support Services Programs](#)
- [Basic Instructional Program](#)
- [Promotion and Retention of Students](#)
- [Programs for Students with Disabilities](#)
- [Title I Program](#)
- [English Language Learners](#)
- [Summer Schools](#)



## Student Information and Guidance

### Use of Alcohol, Drugs or Tobacco Products by Students

Possession, use, or distribution of, or being under the influence of, alcohol, drugs (including marijuana, non-prescribed medication, and prescribed medication not in compliance with this handbook), drug paraphernalia, tobacco/nicotine, or tobacco products or paraphernalia, including e-cigarettes and vaporizers (vaping devices and/or vape pens) on school grounds, within school buildings or facilities, at school-sponsored events, or on a school bus is prohibited. Intentionally smelling or inhaling the fumes of any substance having the property of releasing toxic vapors in order to cause intoxication, euphoria, excitement, exhilaration, stupefaction, or dulled senses or nervous system is prohibited. Violations may result in discipline including possible long-term suspension or expulsion, as permitted under applicable state laws and regulations.

The Leicester Public Schools is a member of the MIAA, and will adhere to the athletic eligibility rules set forth by the MIAA. All MIAA rules, regulations and expectations can be found on the MIAA website [www.miaa.net](http://www.miaa.net) and are available in the Athletic Director's Office. The Leicester Public Schools rules and policies regarding chemical health supersede MIAA rules.

A student shall not, regardless of the quantity, use or consume, possess, buy or sell, or give away:

- Any beverage containing alcohol
- Any tobacco product, including vapor/e-cigarettes
- Marijuana
- Steroids
- Any controlled substance

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The School Committee prohibits the use or consumption by students of alcohol, tobacco products, or drugs on school property or at any school function or school-sponsored event.

Any student in violation of this section may subject to disciplinary action, including but not limited to being barred from participating in a school-sponsored activity and long-term suspension or expulsion from school.

This policy shall be posted on the District's website and notice of this policy shall be provided to all students and parents in accordance with state law.

School Committee Policy [Teaching about Drugs, Alcohol and Tobacco](#) [Drug, Alcohol and Tobacco Use by Students](#)

M. G. L. c. 71, § 2A; M. G. L. c. 270, § 18; M. G. L. c. 71, § 37H; M. G. L. c. 71, § 37H<sup>3/4</sup>

## Student Code of Acceptable Dress

The following guidelines are designed to promote and to support a professional and, productive educational environment at Leicester Middle School. These standards are set forth in the best interest of the students' health and safety. Students, staff, and parents have indicated their interest in providing Standards of Dress at Leicester Middle School. Students maintain the right to personal dress and appearance, unless a school official determines that such personal dress and appearance violates reasonable standards of health, safety, and cleanliness. Students also have the right to freedom of expression. However, the District has the right to limit such expression, including that which is expressed via clothing, if it causes disruption or disorder. See M. G. L. c. 71, § 82. The District will not adopt or implement any policy that prohibits or impairs any hairstyle historically associated with race, including, but not limited to, protective hairstyles (braids, hair coverings, Bantu knots, locks, twists, and other formations), hair length, hair type, and hair textures. See M. G. L. c. 71, §1D; See M. G. L. c. 4, §7.

All students are expected to adhere to the following guidelines:

- ✓ Any clothing, jewelry, or accessories that violate the reasonable standards of health, safety, and cleanliness or cause disruption or disorder are prohibited. Dress that hides the identity of the student (including hats and hoods) is prohibited as it violates the reasonable standards of safety and may cause disruption or disorder. At all times, staff must be able to identify who is in a school building or at a school-sponsored event.
- ✓ Shoes must be worn at all times for health and safety reasons.
- ✓ Individual classes, such as physical education, labs, vocation technical, etc., may institute certain safety regulations regarding clothing, and these requirements must be followed.

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If a teacher has a concern regarding a violation of the above standards of dress, he/she will ask the student to report to the office. Students may be sent home and/or asked to change. Repeated and/or flagrant violations of the standards of dress may be viewed as insubordination and may be processed through the disciplinary code.

School Committee Policy [Student Dress Code](#)

## Electronic Devices

Electronic devices such as cellular phones, smart watches, cameras, video games, earbuds, headphones and other miscellaneous electronic devices to be determined by administration, must be kept in your backpack and phones will be stored in phone storage containers within the classroom, as designated by the teacher. Bringing any of these types of items to school is discouraged because if they get lost or stolen it is entirely the responsibility of the student. Electronic devices are not to be used during a safety drill.

The LMS Electronic Device Policy is known as “Off and Away.” Electronic devices cannot be used in classrooms, hallways, cafeteria, bathrooms or at recess. This policy is designed to maximize student engagement with the curriculum, teachers, and peer to peer. The parameters of the policy are as follows:

- Students must turn in their cellular devices in each class. All other devices should be kept in the students backpack upon arrival, and the device remains there throughout the school day. Keeping cellular devices on their person at any time is prohibited.
- Wearable technology will be allowed (i.e. watch), however, will be subject to our electronics device policy. If wearable technology is being used as a cellphone (in class use for texting, phone calls, etc.), students will be asked to put them away for the remainder of the day.
- Earbuds and headphones should only be used at times required in the classroom. Like the cellphone, they should be away for the day unless directed otherwise by a teacher or staff member. If they are permitted by a teacher, students may only have one in for safety reasons.
- Students are not permitted to utilize devices until they are out of the building for the day.

Consequences for violating “Off and Away” are as follows:

- 1st offense: Item is confiscated, student picks up the device from the classroom teacher at the end of the day.
- 2nd offense: Item is confiscated and sent to the office, the student picks it up at the end of the day and a parent is notified via email.
- 3rd offense: Item is confiscated, sent to the office and a parent is called and permission for student to pick up is needed for the phone to be returned.
- 4th offense: Item is confiscated, parent/guardian is required to pick it up. Student is assigned one day of detention.

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- 5th offense: Item is confiscated, parent/guardian and student are required to attend a conference with administrator and a plan is created. Device is returned at the end of the conference.
- 6th offense: Cell phone is banned at school. In cases that student needs a cell phone before or after school the cell phone will be kept in Assistant Principals office during the school day.

### Consequences for Non-Compliance

If a student refuses to comply with administrator's request to surrender an electronic device, parent contact is made by administrator and the student is immediately assigned In-School Suspension for the remainder of the school day, or until the parent/guardian can come in to meet with administration.

This policy has been adopted in many school districts nationwide with positive results. The policy principles are as follows:

1. The negative aspects of cell phone use during school hours outweigh academic benefits.
2. Face-to-Face contact and in-person interactions are encouraged.
3. Office phone can be utilized in case of an emergency.

## CIPA (Children's Internet Protection Act)

Both on premises and at home when using school-issued devices / accounts, content is filtered and monitored as required by the Children's Internet Protection Act (CIPA). The District is required by CIPA to block access to inappropriate content and monitor internet use by minors. The District's Technology Department is responsible for managing the school's internet filter and will work with staff to ensure the filter meets the academic and operational needs of the school, while protecting minors from exposure to inappropriate content. There should be no expectation of privacy related to information stored or transmitted using District devices, systems, or networks.

Users will inform teachers or administrators of any inadvertent access to inappropriate material, in order that there is appropriate modification of the filtering profile. The District educates students about appropriate online behavior, including interacting with other individuals on social networking web sites as well as cyberbullying awareness and response.

## Fighting

Fighting will not be tolerated or condoned in the building or on school grounds. Students involved in fighting, regardless of who initiates the altercation, may be suspended from school.

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## Explosive Devices/Materials

Any student using or found in possession of smoke bombs, "stink" bombs, fireworks, or other explosive devices/materials of any kind will have them confiscated and may be subject to suspension and/or expulsion (as permitted under M.G.L. c. 71, § 37H). Referral will also be made to appropriate law enforcement authorities.

## Gambling Devices

Gambling devices such as cards, dice or games associated with gambling are not allowed. Gambling is not allowed on school property. Students found with such devices or involved in gambling while on school property may face disciplinary action, including possible suspension.

## Vandalism

Malicious damage to school property, books or equipment will be paid for by the student or students responsible. Assessment of any damage done will be based on replacement costs, including materials and labor. Serious offenders will be disciplined accordingly. Students and parents may be taken to Small Claims Court if there is a failure to make restitution for damages.

School Committee Policy [Vandalism](#)

## Vulgar, Racial and Abusive Language

Vulgar, racial and abusive language and expressions are not permitted in the school building or on school property. Violators may be disciplined, including, but not limited to, assigned detentions or a suspension.

## Weapons/Controlled Substances

Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or a knife; or a controlled substance as defined in M.G.L. c. 94C, including, but not limited to, marijuana, cocaine, and heroin, may be subject to long-term suspension or expulsion from the school or school district by the Principal. M.G.L. c.71, §37H.

Any person found in violation of this policy may also be referred to law enforcement authorities for appropriate action.

## Reports of Fires

The Principal is responsible for immediately reporting any incident involving the unauthorized

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ignition of any fire within the school building or on school grounds to the fire department. The report shall be filed without regard to the extent of the fire or whether there was a response by the fire department.

## Reports of Dangerous Weapons

All staff shall report in writing to their immediate supervisor an incident involving a student's possession or use of a dangerous weapon on school premises at any time. Supervisors in turn shall file such weapon report with the Superintendent, who in turn shall file such report with the chief of police, DCF, the District's Office of Student Services, and the School Committee. The Superintendent, Chief of Police, DCF, and Office of Student Services, shall arrange an assessment of the student involved in said weapon report. The student shall be referred to a counseling program in accordance with acceptable standards as set forth by the board of education. Upon completion of the program, a follow-up assessment shall be completed of the student by the Superintendent, Chief of Police, DCF, and Office of Student Services.

## Searches

The Leicester Public Schools has the right to inspect school property at its discretion, including a student's locker or desk, a school-issued laptop, school-issued email, and/or the student's use of the school's network.

## Lockers/Desks

If a locker or desk is issued to students by the Leicester Public Schools, such lockers and desks are school property, and the school reserves the right to search them at any time. Students have no expectation of privacy in the contents of their lockers or desks.

1. Lockers and desks are the property of Leicester Public Schools. The Leicester Public Schools maintains control of all locks affixed to lockers. No other locks are permitted and such locks will be removed by school officials.
2. Students shall not have any expectation of privacy in school lockers and desks and should be aware that school lockers and desks may be searched at any time by school officials.
3. It is prohibited to store any items/substances in violation of any school rule or Federal, State, or Local law in a locker or desk.
4. Items/substances prohibited from being in school, including in lockers and desks, include but are not limited to: guns/knives/weapons (real or fake), drugs and/or alcohol, fireworks/explosives, fire/smoke/odor producing products, and any other item or material which may disrupt the educational environment or other evidence of a school rule or legal violation.

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## Electronic Devices

School-issued laptops, as well as any other device issued by the Leicester Public Schools, and the Leicester Public Schools' network (including email), are the property of Leicester Public Schools, and students do not have an expectation of privacy as to their use of the school-issued devices laptop and/or network, including but not limited to, any information accessed, stored, or transmitted on, with, or during use of the school issued device or network.

## Search of Students and Their Belongings

1. A search of a student's person, personal possessions, automobile on school property, and/or internet sites will only be performed by school administrators, and seizure of a student's belongings, including a student's vehicle, will be conducted by the school administration, where there exists reasonable suspicion of evidence that the student has violated or is violating either the law or the rules of the school. The search will be conducted in a manner reasonably related to its objectives, and will not be excessively intrusive in light of the age and sex of the student and the nature of the infraction. Whenever a personal search is deemed necessary, the student shall be advised of the reason for the impending search prior to its implementation. A search of a student may extend to, but is not limited to: articles of clothing such as pockets; removal and search of outer garments such as hats/caps/head-gear, jackets, coats, sweaters, sweatshirts, or shoes; and to items such as pocketbooks, lunch bags, book bags, athletic bags, or backpacks. The consent of the student or a parent/guardian shall not be required prior to conducting a search of a student or the student's belongings. Students found in possession of prohibited items or materials may be subject to disciplinary action and/or criminal prosecution.
2. If the student fails to comply with a search, the student may be detained until the student's parents, and, if necessary, the police, can arrive at the school. Student's who impede or refuse to comply with a search may be subject to disciplinary consequences, including a short or long-term suspension from school.
3. In the event of a search of a student, or their belongings, parents will be notified of the search and the results thereof as soon as practicable.
4. Except under exigent circumstances, the school administration will conduct searches in the presence of another adult. Any object or substance found which may be evidence of a crime will be given to the police. Objects or substances which may be evidence of a school rule violation, but not a crime, will be held by Leicester Public Schools administrators, and, if appropriate, may be returned to the student's parents.

## Police

Police may be on duty for dances, games and any other activity open to the public, at the discretion of the Administration.

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## Locker Rooms

Students are not to enter the locker room that is not supervised by an adult, unless they have permission from a coach or staff member. While in the locker rooms, students are expected to follow all of the school rules and expectations, including the prohibitions against bullying and hazing.



## Student Code of Conduct/Discipline

### LMS Student Rights and Responsibilities

The First Amendment to the Constitution guarantees the right to freedom of speech, but some restrictions also accompany this basic right. Forms of expression may be limited to the extent that they disrupt the work and discipline of the school in a material or substantial way, incite other people to disrupt the work or discipline of the school or disobey the law, are obscene, are defamatory, that is, they are untruthful and damage a person's reputation. If the statement is known to be false, it can be considered slander or libel.

Within LMS, all students have the responsibility to:

- ✓ Take ownership of their learning, working to their full potential
- ✓ Take ownership of their actions understanding that violations of the Code of Conduct will result in consequences, including possible suspension or expulsion from school
- ✓ Help maintain a safe, orderly environment
- ✓ Listen politely while others are talking and wait one's turn
- ✓ Respect school property and the property of others
- ✓ Be inclusive and welcoming to peers
- ✓ Keep hands, feet and objects to oneself at all times
- ✓ Be kind and respectful to all members of the Leicester community.

Teachers have the right and responsibility to teach; students have the right and responsibility to learn.

## LMS Code of Conduct

The School Committee believes that all students deserve every opportunity to achieve academic success in a safe, secure learning environment. Good citizenship in schools is based

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on respect and consideration for others. Students will be expected to conduct themselves in a way that the rights and privileges of others are not violated. They will be required to respect authority and comply with school rules, District policies, and applicable laws and regulations.

Students and staff are expected to work to make sure that LMS is a safe and respectful learning environment. Behaviors that put safety at risk may result in disciplinary action, including possible suspension or expulsion. In regard to sanctions imposed, the recommendations below are merely guidelines. The Principal and their designees may exercise their discretion to impose disciplinary consequences that are more or less severe than the recommendations below, based on the individual circumstances of the school rule violation.

Disciplinary action, including but not limited to confiscation of prohibited items and paraphernalia, counseling, community service, information about cessation programs, detention, suspension in or out of school, or expulsion (where permitted under state law) may occur for the following non-exhaustive list of school rules violations: Fighting; possession or use of a weapon; possession or use of fireworks; the use (including being under the influence of), possession, or distribution of alcohol, drugs (including marijuana, non-prescribed medication, and prescribed medication not in compliance with this handbook), drug paraphernalia, tobacco/nicotine, and tobacco products or paraphernalia, including e-cigarettes and vaporizers (vaping devices and/or vape pens); bullying; harassment; discrimination; hazing; insubordination; disrupting the school environment; vandalism; cheating; threats; lewd behavior or language; theft; assault; inappropriate touching; or leaving the school building without authorization; the possession of other prohibited items, or violating the District's acceptable use of technology policy.

Research indicates that adolescents thrive on boundaries and respect limits when communicated with clarity and consistency. LMS is founded on the principles of positive expectations for student behavior. The LMS Code of Conduct supports positive expectancy for all students, clearly articulated rules and regulations, formative strategies which offer redemption and view of an infraction as a "teachable-moment" and an opportunity for reflection.

Discipline at LMS is a collaborative process involving:

- ✓ Students sharing information and adults listening
- ✓ Thorough investigation of an incident which may include interviews with students, faculty, staff, administration and a review of recorded video.
- ✓ Prompt communication with parents/guardians
- ✓ Adherence to due-process
- ✓ Adherence to violations/responses as listed in the Code of Conduct
- ✓ Connecting students/parents with appropriate resources including: teachers, school counselors, school psychologist, assistant principal, principal, athletic director, etc.
- ✓ Post-discipline follow-up to check-in on student progress.

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In compliance with 603 CMR 53.14, the Leicester Public Schools will collect and annually report data to DESE regarding suspensions, expulsions, and emergency removals, access to education services, and other information deemed necessary by DESE in the form and manner determined by DESE. The Principal will periodically review discipline data by selected student populations, including but not limited to race and ethnicity, English language learner status, disability status, gender, and socioeconomic status, and assess the extent of removal, its impact on such selected student populations, and whether to modify disciplinary practices.

School Committee Policy [Student Discipline](#)

## Student Due Process Procedures

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

Suspensions and expulsions of students shall be imposed in compliance with constitutional, statutory, and regulatory requirements, including M. G. L. c. 76, §17; M. G. L. c. 76, §21; M. G. L. c. 71, §37H; M. G. L. c. 71, §37H½; and M. G. L. c. 71, §37H¾. The Principal, and/or a designee, may exercise their discretion to impose suspensions and expulsions for school rules violations within the limitations and the due process provisions sets forth.

1. DUE-PROCESS RIGHTS FOR STUDENTS CHARGED WITH POSSESSION OF A DANGEROUS WEAPON, POSSESSION OF A CONTROLLED SUBSTANCE, OR ASSAULT OF SCHOOL STAFF AND/OR FOR 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 - also referred to as “statutory offenses.”).
  - *Interim Short Term Disciplinary Removal:* In limited situations where a student is charged with a violation of M.G.L. c. 71, § 37H, or is subject to suspension in accordance with M.G.L. c. 71, § 37H½, and is determined by the principal to present an immediate threat to persons, property, or the orderly educational environment of the school, the student may be suspended from school by the principal on an interim short term basis of ten (10) school days or less pending a formal hearing to consider the student’s long-term suspension or expulsion. Prior to the imposition of any disciplinary sanction that might result in a student’s interim suspension from school for ten (10) consecutive school days or less pending a long-term suspension/expulsion hearing, the student will be given oral notice of the offense with which he/she is charged and an opportunity to respond. In the event that the Principal determines that the student will be suspended from school on an interim, short-term basis pending a formal hearing to consider the student’s possible long-term suspension or expulsion, the student and the student’s parent(s)/guardian(s) will be notified by telephone and in writing. Such interim, short-term removals shall not be subject to appeal.
  - *Disciplinary Sanctions and Appeals:* Prior to the imposition of any disciplinary sanction that might result in the student’s suspension or expulsion from school for possession of a dangerous weapon, possession of a controlled substance, or assault on school staff

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and/or due to a felony charge for more than ten (10) consecutive school days or expulsion, the student and the parents/guardians will be given written notice in English and in the primary language of the student's home of a principal's hearing at which the student and parent/guardian have the right to be represented by an attorney (at private expense), to examine the evidence against the student, and to present witnesses and documentary evidence in the student's defense. Following this hearing, a written decision will be issued. The student and 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 suspended on a long-term basis or expelled in accordance with M.G.L. c. 71, § 37H, the student shall have ten (10) calendar days from the effective date of the exclusion to file a written appeal with the Superintendent. For exclusions imposed pursuant to M.G.L. c. 71, § 37H ½, the student shall have five (5) calendar days from the effective date of the exclusion to file a written appeal with the superintendent. Pending the outcome of any such appeal, the disciplinary sanction imposed by the principal shall remain in effect. M.G.L. c. 71, § 37H, M.G.L. c. 71, § 37H ½.

NOTE: All proceedings conducted in accordance with M.G.L. c. 71, §§ 37H and 37H ½ shall be conducted by the Principal and may not be delegated to a designee. All appeals of suspensions or expulsions imposed by the Principal in accordance with M.G.L. c. 71, §§ 37H and 37H ½ shall be conducted by the Superintendent and may not be delegated to a designee.

## 2. DUE-PROCESS RIGHTS FOR STUDENTS CHARGED WITH OTHER VIOLATIONS (Non-Statutory Offenses - M.G.L. c. 71, § 37H ¾ and 603 CMR 53.00)

### Applicable Definitions:

**Expulsion:** The removal of a student from the school premises, regular classroom activities, and school activities for more than ninety (90) school days, indefinitely, or permanently, as permitted under M.G.L. c. 71, § 37H or 37H½ for:

- (a) possession of a dangerous weapon;
- (b) possession of a controlled substance;
- (c) assault on a member of the educational staff; or
- (d) a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school, as provided in M.G.L. c. 71, § 37H or 37H½.

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

than ten (10) days, consecutively or cumulatively during a school year, such suspension shall be deemed a long-term suspension for due process, appeal, and reporting purposes.

**Long-term Suspension:** The removal of a student from the school premises and regular classroom activities for more than ten (10) consecutive school days, or for more than ten (10) school days cumulatively for multiple disciplinary offenses in any school year. A principal may, in their discretion, allow a student to serve a long-term suspension in school. Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days. Except for students who are charged with a disciplinary offense set forth in M.G.L. c. 71, § 37H(a) or (b), or M.G.L. c. 71, § 37H ½, no student may be placed on long-term suspension for one or more disciplinary offenses for more than ninety (90) school days in a school year beginning with the first day that the student is removed from school. No long-term suspension shall extend beyond the end of the school year in which such suspension is imposed.

**Parent:** A student's father, mother, legal guardian, person or agency legally authorized to act on behalf of the student in place of or in conjunction with the father, mother, or legal guardian.

**Principal :** The instructional administrative leader of the school or their designee for purposes of school disciplinary matters.

**School-wide Education Service Plan:** The document developed by a school or the District, in accordance with M.G.L. c. 76, §21, which includes a list of education services available to students who are expelled or suspended from school for more than ten (10) consecutive days.

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

**Superintendent:** The Superintendent of the Leicester Public Schools or their designees for purposes of a disciplinary appeal hearing conducted in accordance 603 CMR 53.00.

**Suspension** means short-term suspension and long-term suspension unless otherwise stated.

Applicable Procedures:

## In-School Suspension

The Principal may use in-school suspension as an alternative to short-term suspension for disciplinary offenses. Prior to imposing an in-school suspension, the Principal shall inform the student of the disciplinary offense(s) of which the student is accused and provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident. If the Principal determines that the student committed the disciplinary offense, the principal shall inform the student of the length of the student's in-school

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suspension, which shall not exceed ten (10) school days cumulatively or consecutively in the school year.

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

The Principal shall further send written notice to the student and parent about the in-school suspension, including the reason and the length of the in-school suspension, and inviting the parent to a meeting with the principal for the purpose set forth in 603 CMR 53.10 (4), if such meeting has not already occurred. The principal shall deliver such notice on the day on which the suspension is to be served by hand-delivery, first-class mail, email to an address provided by the parent for school communications, or other method of delivery agreed to by the principal and the parent.

## Out-of-School Suspension

- Notice and Principal's Hearing (603 CMR 53.08):  
Prior to the imposition of a short-term out-of-school suspension or a long-term suspension under this section, the Principal shall provide oral and written notice of the charges and potential disciplinary sanction and of the student's and parent's/guardian's right to participate in a hearing with the Principal, to contest the charges against the student and to provide evidence, including mitigating facts, and witnesses in the student's defense. If the student may be subject to long-term suspension for school rules violations, the Notice shall further inform the parent/guardian and student of the following additional rights:
  - in advance of the hearing, the opportunity to review the student's record and the documents upon which the principal may rely in making a determination to suspend the student or not;
  - the right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense;
  - the right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so;
  - the right to cross-examine witnesses presented by the school;
  - the right to request that the hearing be recorded by the principal, and to receive a copy of the audio recording provided to the student or parent/guardian upon request. If the student or parent/guardian 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.

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The hearing may take place without the student's parent(s)/guardian(s) only if the Principal has sent written notice and has documented at least two (2) attempts to contact the parent/guardian 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, to provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, to determine if the student committed the disciplinary offense, and if so, the consequences for the infraction.

In every case of student misconduct for which suspension may be imposed under this section, the Principal will exercise discretion in deciding the consequence for the offense and, where appropriate, shall avoid using long-term suspension from school as a consequence until alternatives have been tried. Alternatives may include, but are not limited to, the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and/or positive interventions and supports.

### Short-term Suspension Hearing

The Principal shall discuss the disciplinary offense, the basis for the charge, and any other pertinent information. The student and the parents/guardians shall have an opportunity to present information, including mitigating facts, that the Principal or the Principal's designee should consider in determining whether other remedies and consequences may be appropriate. The Principal designee shall provide the parents/guardians, 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. Students and parents do not have the right under applicable policies and regulations to be represented by an attorney at a short-term suspension hearing.

Based on the preponderance of the evidence and available information, including mitigating circumstances, the Principal shall determine whether there is a preponderance of evidence to support a determination that the student committed the disciplinary offense, and, if so, the remedy or consequence to be imposed. In accordance with the requirements of M.G.L. c. 71, § 37H<sup>3/4</sup>, as amended through Chapter 177 of the Acts of 2022, and 603 CMR 53.05, the Principal or Principal's designee shall, when acting as the decision-maker at a disciplinary hearing to consider a student's possible short-term or long-term out-of-school suspension for violations of school rules other than offenses involving drugs, weapons, assaults on school staff, and/or felony offenses, first consider ways to re-engage the student in the learning process. The Principal or designee shall not suspend the student from school on a short-term or long-term basis under such circumstances until alternative remedies have been employed and their use and results documented unless specific reasons are documented as to why such alternative remedies would be unsuitable or counter-productive, or unless the student's continued presence in school would pose a specific, documentable concern about the infliction of serious bodily

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injury or other serious harm (physical and/or psychological) upon another person while in school. Alternative remedies for the purposes of these requirements may include but shall not be limited to: (i) mediation; (ii) conflict resolution; (iii) restorative justice; and (iv) collaborative problem solving.

The Principal shall provide written notice to the student and parents/guardians of the Principal's findings and determination and the reasons for it, and, if the student is suspended, the type and duration of the suspension and the opportunity to make up assignments and such other schoolwork 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 of hearing.

In the event of a short-term or long-term out-of-school suspension of a student in grades K-8, the Principal shall also send a copy of the written determination to the Superintendent and explain the reasons for imposing an out-of-school suspension, before the suspension takes effect.

### Long-term Suspension Hearing

In addition to the rights afforded a student in a short-term suspension hearing, the student and parents/guardians shall also have the opportunity to review the student's record and the documents upon which the school may rely at the disciplinary hearing; the right to be represented by an attorney or a lay person of the student's choice (at the student's/parent's/guardian's expense); the right to produce witnesses on the student's behalf and to present the student's explanation of the alleged incident and any mitigating evidence (although the student may not be compelled to do so); the right to cross-examine witnesses presented by the school; and the right to request that the hearing be recorded 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 recording will be made and a copy will be provided to the student and parent upon request.

Based on the preponderance of evidence presented at the hearing, the Principal shall determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension, the remedy or consequence to be imposed. The Principal shall send the written determination in English and the primary language spoken in the student's home to the student and parent/guardian by, first-class mail and by email to an address provided by the parent for school communications, or by any other method of delivery agreed to by the principal and the parent/guardian.

If the student is suspended for more than ten (10) school days for a single infraction or for more than ten (10) school days cumulatively for multiple non-statutory offenses in any school year, the notice will include written notification of the right to appeal to the Superintendent.

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## Emergency Removal for Non-Statutory Offenses (603 CMR 53.07)

The Principal may remove a student from school temporarily when a student is charged with a violation of school rules in accordance with M.G.L. c. 71, § 37H<sup>3/4</sup>, 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 presented. The emergency removal shall not exceed two (2) school days following the day of the emergency removal. 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.

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/guardian of the emergency removal and the reason(s) therefor. The Principal or designee shall also provide written notice to the student and parents/guardians and provide the student an opportunity for a disciplinary hearing with the Principal, and the parent/guardian an opportunity to attend the hearing, to be conducted before the expiration of the two (2) school days following the Student's emergency removal, unless an extension of time for hearing is otherwise agreed to by the Principal, student, and parent/guardian.

The Principal shall render a decision orally on the same day as the disciplinary hearing, and in writing no later than the following school day, which meets the requirements of 603 CMR 53.08.

## Appeals (M.G.L. c. 71, § 37H<sup>3/4</sup>)

Students do not have the right to appeal an in-school or short-term out-of-school suspension imposed pursuant to M.G.L. c. 71, § 37H<sup>3/4</sup>. Students and parents/guardians do, however, have the right to appeal a long-term suspension imposed by the Principal to the Superintendent. The student and/or the parent/guardian shall have five (5) calendar days following the effective date of the suspension to submit a written request for an appeal to the Superintendent but may be granted an extension of time of up to seven (7) calendar days upon written request. If the appeal is not timely filed, the superintendent may deny the appeal.

The Superintendent or a Superintendent's designee will hold a hearing with the student and the parent(s)/guardian(s) within three (3) school days of the student's request for an appeal. The time may be extended by up to seven (7) calendar days if requested by the parent(s)/guardian(s). The Superintendent's hearing may proceed without the parent(s)/guardian(s) only 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 the superintendent 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/guardian of the date, time, and location of the hearing in both English and in the primary language of the student's home.

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At the appeal hearing, the Superintendent shall determine whether the student committed the disciplinary offense of which the student is accused, and if so, the appropriate consequence.. The student shall have all of the rights afforded to students at the Principal's hearing for long-term suspension, including the right to be represented by an attorney at private expense. The Superintendent will issue a written decision within five (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 may not impose a suspension greater than that imposed by the Principal's decision.

In considering the student's appeal and the sanctions for the violation(s) of school rules found to have occurred, the Superintendent/designee shall not impose/uphold a suspension from school as a consequence until alternative remedies have been tried, except:

(1) where the Superintendent or designee documents specific reasons why alternative remedies are unsuitable or counterproductive; or

(2) where the Superintendent or designee determines that the student's continued presence in school would pose a specific, documented concern about the infliction of serious bodily injury or other serious harm to another person while in school.

The Superintendent's appeal decision shall constitute the final decision of the Leicester Public Schools.

*\*For additional information regarding applicable laws and regulations, please see Appendix A.*

## Educational Services During Removals and School-Wide Education Service Plan – M.G.L. c. 76, § 21

Students who are suspended from school for ten (10) or fewer consecutive school days, whether in or out of school, have the opportunity to make academic progress during the period of suspension; make up assignments; and earn credits missed including, but not limited to, homework, quizzes, tests, and projects missed.

Students who are expelled or suspended from school in excess of ten (10) consecutive school days shall have the right to access services through the District to ensure their continued academic progress and earning of credits toward the student's promotion or graduation. The Leicester Public Schools has developed a school-wide Education Service Plan for all students who are expelled or suspended from school for more than ten (10) consecutive school days. Upon selection of an available alternative educational service by the student and the student's parents/guardians, the school shall facilitate and verify the student's enrollment in the service.

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In addition to the above educational services provisions, students who have been found eligible for special education services, must be provided with a free appropriate public education as of the 11<sup>th</sup> cumulative day of disciplinary removal in a school year.

## Student 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 (IDEA) and Section 504 of the Rehabilitation Act of 1973 require that additional provisions be made for:

- Students who have been found eligible for special education services under the IDEA.
- A Student who the school district knows or has reason to know might be eligible for special education services.
- The school is deemed to have knowledge that a student is a student with a disability if before the behavior that precipitated the disciplinary action occurred: (1) the student's parent/guardian expressed concern in writing to supervisory or administrative personnel, or the student's teacher, that the student is in need of special education and related services; (2) the student's parent/guardian requested an evaluation of the child; or (3) the student's teacher, or other school personnel, expressed specific concerns directly to the director of special education or to other supervisory personnel about a pattern of behavior demonstrated by the student.
- The school is not deemed to have knowledge of a disability if (1) the parent/guardian has not allowed an evaluation or has refused special education and related services, or (2) the child has been evaluated and determined not to be a child with a disability.
- Students who have been found to have a mental or physical impairment that substantially limits a major life activity, as defined under §504 of the Rehabilitation Act.

These students are generally 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 that exceed ten (10) school days in a given year.

If a request is made for an evaluation of a student's eligibility for special education services during the time period in which the student is subjected to disciplinary measures, the evaluation shall be conducted in an expedited manner. Until the evaluation is completed, the student shall remain in the educational placement determined by school authorities, which can include suspension or expulsion without educational services beyond those to which the student may be entitled to under M.G.L. c. 76, §21.

The following additional requirements apply to the discipline of students with disabilities:

- Students with disabilities may be excluded from their programs for ten (10) school days or less in the school year to the extent that such disciplinary sanctions would be applied to all students. Within ten (10) school days of any decision to exclude a student with a disability from their program for more than ten (10) consecutive days in a given

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school year or to impose a disciplinary sanction that would result in a disciplinary change in placement for a student with a disability, 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).

- 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 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. Eligible Section 504 students shall be entitled to receive alternative education services in accordance with the school's Education Services Plan during any suspension or expulsion in excess of ten (10) consecutive days.
- 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 education program for the incident of misconduct (except for conduct involving weapons, drugs, or resulting in serious bodily injury to others) until the IEP or 504 Team develops, and the parents/guardians consent to, a new placement, or unless the school obtains an order from a court or from the Bureau of Special Education Appeals (BSEA) or a court authorizing a change in the student's placement. The student's Team shall also review, and modify as appropriate, any existing behavior 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 on school grounds, or causes serious bodily injury to another on school grounds or at a school function, the school may place the student in an interim alternative educational setting (IAES) for up to forty-five (45) school days regardless of whether the conduct was a manifestation of the student's disability. 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.

## Academic Probation Procedure

Students failing two or more classes at the end of a marking term will be placed on academic probation. They will not be eligible to participate in any activities other than classes. This includes but is not limited to field trips, field days, sports activities, and club activities. At the end of the five-week probationary period, their academic eligibility will be reviewed and, if eligible, reinstated.



# Harassment/Bullying Prevention

## Anti-Bullying General Statement of Policy

The Leicester Public School District is committed to providing all students with a safe learning environment that is free from bullying and cyberbullying. This commitment is an integral part of the School District's 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 School District will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyberbullying, or retaliation in our school buildings, on school grounds, or in school-related activities. We will promptly investigate all reports and complaints of bullying, cyberbullying, and retaliation, and take prompt action to end that behavior and restore the target's sense of safety.

A copy of the School's Anti-Bullying Policy is attached and also available on the School District's website.

## Bullying Prevention and Intervention Plan

The Leicester Public Schools' Bullying Prevention and Intervention Plan is a comprehensive approach to addressing bullying, cyberbullying and retaliation. The District is committed to working with students, staff, families, law enforcement agencies, and the community to address and prevent bullying and harassment within our schools. In consultation with these constituencies, we have established a Bullying Prevention and Intervention Plan for preventing, intervening, and responding to incidents of bullying, cyberbullying, and retaliation. (A copy of the School's Bullying Prevention and Intervention Plan is attached and is also available on the School District's website, together with the Bullying Prevention and Intervention Incident Reporting Form.)

The Leicester Public Schools is committed to providing all students with a safe learning environment that is free from bullying, cyberbullying, and retaliation. This commitment is an integral part of our comprehensive efforts to promote learning, and to prevent and eliminate harmful and disruptive behaviors that can impede the educational process in our schools. While any student could be subject to bullying and harassment, the District recognizes that certain students may be more vulnerable to becoming a target of bullying or harassment based on actual or perceived differentiating characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical, developmental or sensory disability or by association with a person who has or is perceived to have 1 or more of these characteristics. The Leicester Public Schools will take specific steps to create a safe, supportive environment for vulnerable populations in the school

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community, and to provide all students with the skills, knowledge, and strategies to avoid and respond to bullying.

The Leicester Public Schools will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyberbullying, or retaliation in our school buildings, on school grounds, in school-related activities, or that occurs outside of school and creates a hostile school environment for the targeted student. We will investigate promptly all reports and complaints of bullying, cyberbullying, and retaliation, and take prompt action to restore a safe learning environment for students who are bullied and to prevent further bullying or harassment by students who are identified as perpetrators of bullying.

Bullying is prohibited:

- 1) on school grounds, property immediately adjacent to school grounds, at a school sponsored or school-related activity, function, or program (whether on or off school grounds,) at a school bus stop, on a school bus or other vehicle owned, leased or used by a school district or school, or through the use of technology or an electronic device owned, leased or used by a school district or school; and
- 2) at a location, activity, function, or program that is not school related or through the use of technology or an electronic device that is not owned, leased or used by a school district or school, if the bullying creates a hostile environment at school for the victim, infringes on the rights of the victim at school or materially and substantially disrupts the education process or the orderly operation of a school. This prohibition shall not be construed, however, as requiring the District to staff or supervise any non-school related activities, functions, or programs.

Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying is also strictly prohibited and may result in long-term suspension from school or, in the case of school staff members, termination of employment.

The prohibition against bullying applies to all District students and members of the District's staff, including, but not limited to: educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity and paraprofessionals.

## **DEFINITIONS**

"Aggressor," perpetrator of bullying or retaliation as defined in M.G.L. c. 71, §370.

"Bullying", the repeated use by one or more students or by a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus

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driver, athletic coach, advisor to an extracurricular activity or paraprofessional of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a victim that: (i) causes physical or emotional harm to the victim or damage to the victim's property; (ii) places the victim in reasonable fear of harm to himself or of damage to his property; (iii) creates a hostile environment at school for the victim; (iv) infringes on the rights of the victim at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school. For the purposes of this section, bullying shall include cyber-bullying.

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

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

"Perpetrator", a student or a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional who engages in bullying or retaliation.

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

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

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

"School grounds", property on which a school building or facility is located or property that is owned, leased or used by a school district, charter school, non-public school, approved private

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day or residential school, or collaborative school for a school-sponsored activity, function, program, instruction or training.

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

### **Complaint and Investigation Procedures**

#### **Reporting bullying or retaliation:**

Reports of bullying or retaliation may be made by staff, students, parents or guardians, or others, and may be oral or written. All oral reports and complaints of bullying shall be recorded in writing on an Incident Reporting Form .

Reports made by students, parents, guardians, or other individuals who are not school or school district staff members, may also be made anonymously, although no student shall be subject to discipline solely on the basis of an anonymous complaint.

The Leicester Public Schools will make a variety of reporting resources available to the school community including, but not limited to, an Incident Reporting Form, a voicemail box, a dedicated mailing address, and an email address. Use of an Incident Reporting Form is not required as a condition of making a report.

Each school within the District will include a copy of the Incident Reporting Form in the beginning of the year packets for students and parents and will post a copy of the Incident Reporting Form on the school's website. Incident Reporting Forms will also be available in each school's main office, counseling office, school nurse's office, and other locations determined to be appropriate by the school principal or designee. The Incident Reporting Form will be made available in English and in the primary language of the student's household.

#### **Reporting by Students, Parents or Guardians, and Others**

The Leicester Public Schools expects students, parents, guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the principal. Any individual who wishes to file such a complaint may request, and shall be provided with, assistance from a school staff member to complete a written report. Students will be provided practical, safe, private and age-appropriate ways to report and discuss an incident of bullying with a staff member, or with the principal. The filing of a knowingly false or fabricated complaint of bullying, cyberbullying, or retaliation is, however, strictly prohibited and shall result in disciplinary action.

#### **Procedures for Responding to a Report of Bullying or Retaliation.**

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### **Preliminary Determinations**

Upon receiving a complaint, the principal or principal's designee will confer with the complainant to obtain an understanding and statement of the alleged facts. If, based on the facts alleged, the principal determines that the conduct complained of, even if proven, would not constitute bullying as defined by M.G.L. c. 71, § 370 and District policies, the principal shall document that determination on the Incident Reporting Form and shall take no further action with regard to the complaint.

If the principal determines that the conduct complained of would, if proven, constitute bullying or cyberbullying, as defined in M.G.L. c. 71, § 370 and the District's Bullying Prevention and Intervention Plan, the principal/designee will promptly commence an investigation of the complaint. Upon commencing an investigation, the principal/designee will make a preliminary determination as to the need for immediate interventions to protect the safety of the alleged target. Such interventions may include, but are not limited to, creating a personal safety plan for the target; pre-determining seating arrangements for the target and/or the aggressor in the classroom, at lunch, or on the school 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 may take additional steps deemed necessary by the school administration to protect the safety of the target and any witnesses while the investigation is ongoing.

### **Investigation Procedures**

#### **Investigation**

Upon receipt of a report or complaint that would, if proven by a preponderance of evidence, constitute bullying, cyberbullying or retaliation, the principal will promptly commence an investigation. In investigating any such complaint, the principal will interview students, staff, and any witnesses to the alleged conduct, and shall identify any relevant physical evidence. While prior notice to the alleged aggressor or the parents/guardians of the alleged target or aggressor of an investigation shall not be required, the principal shall not be precluded from notifying the parents of an alleged target or an alleged student aggressor prior to completion of the principal's investigation.

To the extent practicable and consistent with the principal's obligation to promptly and thoroughly investigate and address the matter, the principal or designee will maintain confidentiality during the investigative process and shall not disclose unnecessary or confidential information to interview subjects. During any such interviews, the principal will inform the target, aggressor, and all witnesses that retaliatory treatment of any individual for reporting or cooperate with an investigation of bullying will result in disciplinary action that may include suspension from school or, in the case of staff members, termination of employment.

#### **Determinations**

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Within fifteen (15) school days of the principal's receipt of the complaint of bullying, cyberbullying, or retaliation, the principal will make a determination based upon all of the facts and circumstances and the preponderance of evidence obtained through the principal's investigation. If, after investigation, bullying or retaliation is substantiated, the principal will determine what remedial action may be required, if any, and determine what responsive actions and/or disciplinary action is necessary.

Students or staff members found to have engaged in bullying, cyberbullying or retaliation shall be provided the due process in accordance with applicable statutes and regulations prior to the imposition of disciplinary sanctions.

### **Notice of Investigative Findings**

Upon completion of an investigation, and regardless of the outcome, the principal's findings and determinations shall be documented in writing on the Incident Reporting Form or comparable document and shall be provided to the alleged target, the alleged aggressor and, in the case of students, to their parents/guardians in both English and the primary language of the student's home.

In notifying the parents/guardians of a target or aggressor of an investigation or the principal's findings thereon, the principal shall maintain the privacy and confidentiality of any individual or child who is not the child of the parents/guardians to whom the notice is provided. The principal shall ensure that any notice to the parents complies with applicable state regulations including, but not limited to, 603 CMR 49.00, and shall not report specific information to the target's parent(s) about the disciplinary action taken against an aggressor unless it involves a "stay away" order or other directive that the target must be aware of in order to report violations.

Where bullying, cyberbullying or retaliation based upon a student's sexual orientation or gender identity is found to have occurred, the principal shall confer with the target and a designated school staff member proficient with addressing the needs of vulnerable students and in ensuring a safe and supportive school environment.

In notifying the target or aggressor as to the principal's findings and determinations, the principal shall notify the target and aggressor as to their ability to access the Department of Elementary and Secondary Education's Problem Resolution Systems Office if the target or aggressor believe that the principal's investigation failed to comply with M.G.L. c. 71, § 37O, Leicester Public Schools' policies, and/or this Plan.

### **Requests for Reconsideration**

If either the alleged target or alleged aggressor are dissatisfied with the outcome of the investigation, either party may request, in writing, a reopening of the investigation or reconsideration of the investigative findings. The written request shall state the reasons for said request and shall be delivered to the Superintendent of the Leicester Public Schools within five

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(5) school days of the party's receipt of the principal's written notice of the investigative findings. Within five (5) school days of receipt of any such request, the superintendent shall decide whether or not to reopen the investigation and shall provide written notification of that determination to the appealing party and to the other party involved. The filing of a request for reconsideration or a reopening of the investigation shall not stay the imposition of disciplinary sanctions or the implementation of any safety interventions determined to be appropriate by the principal.

### **Responses to Bullying**

In determining the appropriate response to an incident of bullying, cyberbullying, or retaliation, the principal shall consider 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). Skill-building approaches that the principal or designee may consider include, but are not limited to:

- offering individualized skill-building sessions based on the school's/district's anti-bullying curricula;
- providing relevant educational activities in consultation with guidance counselors and other appropriate school personnel;
- implementing a range of academic and nonacademic positive behavioral supports to help individuals identified as aggressors to understand pro-social ways to achieve their goals;
- the implementation of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and collaborative problem solving.
- meeting with parents and guardians to engage parental support and to reinforce the anti-bullying curricula and social skills building activities at home.

### **Disciplinary Action**

If the principal determines that disciplinary action is warranted, the disciplinary sanction will be determined on the basis of facts found by the principal, including the nature of the conduct, the age of student(s) involved, and the need to balance accountability with the teaching of appropriate behavior. Individuals found to have engaged in bullying, cyberbullying, or retaliation may be subject to a range of disciplinary consequences including, but not limited to, reprimand, detention, termination, suspension, expulsion or other sanctions as determined by the principal. Any such disciplinary sanctions shall be imposed in accordance with the due process requirements of applicable laws, regulations, collective bargaining agreements, and District policies.

### **Promoting Safety for the Target and Others**

Upon determining that bullying, cyberbullying, or retaliation has occurred, the principal shall, in conjunction with relevant school personnel, consider what adjustments or interventions, if any, are needed in the school environment to enhance the target's sense of safety and that of any

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witnesses. Any such adjustments or interventions to be provided for the target shall be documented in writing in an Individual Support Plan.

### **Monitoring of Interventions**

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the principal will contact the target to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are needed. If so, the principal or designee will work with appropriate school staff to implement them immediately. The principal shall further conduct regular check-ins with the target to ensure the ongoing effectiveness of the individual supports being provided to the Student.

### **Notification of IEP or Section 504 Team**

If a complaint of bullying of or by a student with a disability is substantiated, the principal shall notify the appropriate coordinator in order for a meeting of the Student's Section 504 Team or IEP Team to be convened to review the conduct determined to have occurred and to identify any additional services or supports that may be required to prevent further bullying of or by the student.

School Committee Policy [Anti-Bullying Policy](#)  
[Bullying Prevention and Intervention Incident Reporting Form](#)

## **Discrimination/ Harassment**

### **Statement of Non-Discrimination and Harassment of Students**

The Leicester Public Schools does not tolerate discrimination against students, parents, employees or the general public on the basis of race, color, national origin, sex, sexual orientation, gender identity, pregnancy, pregnancy-related conditions, pregnancy status, parenting/marital status, disability, homelessness, religion, age or immigration status. The Leicester Public Schools is also committed to maintaining a school environment free of harassment based on race, color, religion, national origin, sex, gender, sexual orientation, gender identity, pregnancy, pregnancy-related conditions, pregnancy status, age, genetic information, ethnic background, ancestry, disability, or any category protected by State or Federal law. In addition, the District provides equal access to all designated youth groups. Consistent with the requirements of the McKinney-Vento Act, the District also does not discriminate against students on the basis of homelessness.

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

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The Leicester Public Schools' policy of non-discrimination will extend to students, staff, the general public, and individuals with whom it does business; no person shall be excluded from or discriminated against in employment, admission to a public school of the school district, or in obtaining the advantages, privileges, and courses of study of such public school on account of race, color, religion, national origin, sex, gender, sexual orientation, gender identity, pregnancy, pregnancy related conditions, pregnancy status, age, genetic information, ethnic background, ancestry, disability, or any category protected by state or federal law.

In addition to designating at least one administrator to address inquiries regarding the District's non-discrimination policies, the District has adopted grievance procedures for addressing reports of discrimination, harassment, and/or retaliation under the protected classes identified herein. If an individual is interested in filing a complaint that they have been discriminated against because of race, color, national origin, sex, sexual orientation, gender identity, pregnancy, pregnancy related conditions, pregnancy status, disability, homelessness, religion, age or immigration status, their complaint should be filed in accordance with the District's grievance procedures for discrimination, harassment, and retaliation.

### **Non-Discrimination on the Basis of Sex**

The Leicester Public Schools does not discriminate on the basis of sex and strictly prohibits sex discrimination, including sex-based harassment, in any education program or activity that it operates, including in admission and employment. The District does not discriminate on the basis of pregnancy or pregnancy-related conditions in its educational programs and employment activities. Title IX of the Education Amendments of 1972; M.G.L. c. 151B; M.G.L. c. 151C; M.G.L. c. 76, § 5. The District's policy of nondiscrimination extends to students, staff, the general public, and individuals with whom it does business; no person shall be excluded from or discriminated against in employment, admissions, or in obtaining the advantages, privileges, and courses of study of such public school on account of sex.

The District has adopted and implements a Title IX Grievance Procedure to ensure the prompt and equitable resolution of complaints of sex discrimination, including sex-based harassment. A copy of the Leicester Public Schools' Title IX Grievance Procedure may be accessed on the District website at the following link: <http://leicester.k12.ma.us/> under LPS School Committee Policy Book ACAB or through the office of the Title IX Coordinator.

For questions related to the District's non-discrimination policy or grievance procedure, to make a report or complaint of sex discrimination, including sex-based harassment, or for information relative to accommodations and services for individuals based on pregnancy and pregnancy-related conditions, please contact Kara Westerman, who serves as the Director of Student Services and Title IX Coordinator:

Kara Westerman, Title IX Coordinator  
Leicester Public Schools  
3 Washburn Square, 3rd Floor  
508-892-7040 x 9010  
[westermank@lpsma.net](mailto:westermank@lpsma.net)

Inquiries or complaints relative to sex discrimination, including sex-based harassment, may also be directed to the United States Department of Education's Office for Civil Rights:

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U.S. Department of Education  
8<sup>th</sup> Floor  
5 Post Office Square  
Boston, MA 02109-3921  
Telephone: (617) 289-0111  
Facsimile: (617) 289-0150  
[Email: OCR.Boston@ed.gov](mailto:OCR.Boston@ed.gov)

Any employee or student found to have engaged in sexual harassment will be subject to disciplinary action. Students found to have engaged in sexual harassment may be subject to disciplinary proceedings in accordance with procedures set forth in Student Discipline section of this handbook and applicable state and federal laws and regulations. Staff members determined to have engaged in sexual harassment shall be subject to professional discipline including possible termination of employment.

## Other Student Complaints and Grievances

The School Committee recognizes that there may be conditions in the school system that are in need of improvement and that students should have some means by which their concerns may be effectively expressed, considered, and dealt with fairly. Such means, if well-conceived and understood in advance, can do much to maintain harmonious relationships among the schools and the students and community.

Students--and their parents and/or guardians--who believe that a student has received unfair treatment may bring forward their grievance, first to the individual staff member directly involved with the issue and, if unresolved at that level, through the chain of command from staff member to Principal to Superintendent. Appeals of individual disciplinary cases will be required to follow the district's policy on student discipline. Any applicable provisions of the Massachusetts General Laws or federal law will be followed by school officials in conducting hearings and reviews of student grievances.

## Hazing

Hazing is prohibited and is a crime. Any student who violates the anti-hazing laws (M. G. L. c. 269, §§ 17-19) may be subject to discipline, including possible suspension. The following is a copy of M. G. L. c. 269, §§ 17-19.

Section 17. Whoever is a principal organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or both such fine and imprisonment.

The term "hazing" as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which wilfully or recklessly endangers the physical or mental health of any student or

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other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

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

Section 18. Whoever knows that another person is the victim of hazing as defined in section seventeen and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars.

Section 19. Each institution of secondary education and each public and private institution of post secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections seventeen and eighteen; provided, however, that an institution's compliance with this section's requirements that an institution issue copies of this section and sections seventeen and eighteen to unaffiliated student groups, teams or organizations shall not constitute evidence of the institution's recognition or endorsement of said unaffiliated student groups, teams or organizations.

Each such group, team or organization shall distribute a copy of this section and sections seventeen and eighteen to each of its members, plebes, pledges or applicants for membership. It shall be the duty of each such group, team or organization, acting through its designated officer, to deliver annually, to the institution an attested acknowledgement stating that such group, team or organization has received a copy of this section and said sections seventeen and eighteen, that each of its members, plebes, pledges, or applicants has received a copy of sections seventeen and eighteen, and that such group, team or organization understands and agrees to comply with the provisions of this section and sections seventeen and eighteen. Each institution of secondary education and each public or private institution of post secondary education shall, at least annually, before or at the start of enrollment, deliver to each person who enrolls as a full time student in such institution a copy of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post secondary education shall file, at least annually, a report with the board of higher education and in the case

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

The School Committee hereby deems that no student, employee or school organization under the control of the School Committee shall engage in the activity of hazing a student while on or off school property, or at a school sponsored event regardless of the location. No organization that uses the facilities or grounds under the control of the School Committee shall engage in the activity of hazing any person while on school property.

Any student who observes what appears to them to be the activity of hazing another student or person must 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 may result in a fine by the Commonwealth.

Any student who organizes or participates in the hazing of another student or other person may be disciplined, including but not limited to suspension or expulsion from school.

HAZING IS A CRIMINAL OFFENSE (See copies of statutes M.G.L. c. 269 §§17-19 attached).  
[HAZING LAW](#)

School Committee Policy [Prohibition of Hazing](#) [Hazing](#)



## Extra Curricular Activities

The School Committee believes that student activities are a vital part of the total educational program and should be used as a means for developing wholesome attitudes and good human relations and knowledge and skills.

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The District provides all students, including those with disabilities, an equal opportunity to participate in non-academic and extracurricular services and activities. In order to provide students with an equal opportunity to participate, the District will provide “reasonable modification” and any necessary aids and services. Although the District will ensure that students with disabilities have an equal opportunity to participate with non-disabled students to the maximum extent appropriate given their needs, the District is, however, generally permitted to establish and utilize skill-based eligibility criteria for participation in extracurricular programs and activities (e.g., school-sponsored athletics) so long as the criteria are rationally related to the purposes and goals of the specific program or activity. Students who are on academic and/or social probation will be ineligible throughout the duration of the probation. Determinations as to whether a reasonable modification is legally required will be done through an individual inquiry.

A student may be removed from participation in extracurricular activities at the discretion of the Principal or her/his designee for disciplinary reasons. Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating days of suspension.

The following will serve as guides in the organization of student activities:

1. The schools will work to establish a complementary relationship with the community, providing activities that are not available to students elsewhere in town.
2. The assistance of parents in planning activity programs will be encouraged.
3. The goal for each student will be a balanced program of appropriate academic studies and activities to be determined by the school, the parents, and the student. This should be a shared responsibility.
4. Guidance will be offered to encourage participation of all students in appropriate activities and to prevent over-emphasis on extracurricular activities at the cost of academic performance.
5. All activities will be supervised; all clubs and groups will have a faculty adviser.

All students who are eligible to participate in athletics and extracurricular activities will have the opportunity to participate. Some athletic teams will have a predetermined number of openings and therefore students may be asked to tryout with the understanding that they may be cut from the team.

Some extracurricular activities will also have a predetermined number of spots and therefore students will be accepted in on a first come, first serve basis. A waiting list may be generated if all of the spots are full.

## Activities

Leicester Middle School takes great pride in student achievement and student involvement in a wide range of extra-curricular & co-curricular activities. Activities are added each year, based on the interests of our students and staff, and may include (but are not limited to) the following:

Art Club	Drama	NJHS*
Multicultural Club	Student Council*	Ski Club
Yearbook*	Heart & Sole	Games Club

\*Requires application and/or teacher recommendation

\*\* Each club may only be open to certain grades and may charge a fee to participate

School Committee Policy [Co-Curricular and Extra-Curricular Activities](#)

## Athletics

Interscholastic athletics are governed by the rules and regulations of the Massachusetts Interscholastic Athletic Association (MIAA). The District is a member of the MIAA and will adhere to the athletic eligibility rules set forth by the MIAA. All MIAA rules, regulations and expectations can be found on the MIAA website [www.miaa.net](http://www.miaa.net) and are available in the Athletic Director's Office. The District's eligibility rules may supersede those of the MIAA. Leicester Middle School is also a member of the Southern Worcester County League.

Any student who participates in any athletic program in the Leicester Public Schools must have an annual physical examination by the school or family physician prior to participation on school teams. Student- athletes must notify coaches if they are injured or have an illness that restricts their participation. At the beginning of each season, all rules, regulations & policies are reviewed by the coach & athletic director. A user fee will be assessed to all students who wish to participate in athletics.

The following sports are available at Leicester Middle School (subject to funding & enrollment):

- Cross-country\*
- Soccer
- Basketball
- Football (6-8)
- Track and Field (Indoor and Outdoor)\*
- Softball
- Baseball
- E-Sports

\* These sports are also subject to a waiver by the MIAA, Leicester High School and Leicester Middle School

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## Dances

Dances are held periodically throughout the year and are open ONLY to current Leicester Middle School students. Prior to each dance, parents will be contacted with instructions for drop-off and pick-up.

ANYONE LEAVING THE DANCE FOR ANY REASON WILL NOT BE ALLOWED BACK INTO THE BUILDING. NO ONE WILL BE ADMITTED AFTER ONE HOUR FROM THE BEGINNING OF THE DANCE.

Failure to follow all rules while at a school dance may result in disciplinary action, including exclusion from future dances.

## National Junior Honor Society

The National Junior Honor Society chapter of Leicester Middle School is a duly chartered and affiliated chapter of this prestigious national organization. Membership is open to those students who have demonstrated excellence in the areas of scholarship, service, leadership, character, and citizenship. These characteristics have been associated with membership in NJHS since the organization's beginning in 1929.

Standards for selection are established by the national office of NJHS, and student applications are reviewed by a Faculty Council, appointed by the principal.

Students in the 7th grade are eligible for membership. Students who meet the following criteria are eligible to be selected for NJHS. Students must:

- **Scholarship** - Earn a cumulative GPA of 90 and higher.
- **Service** - Volunteer in the school or community without compensation.
- **Leadership** - Exhibit resourcefulness and problem solving and contribute great ideas when working with or for others.
- **Character** - Be cooperative, demonstrates high standards of honesty and reliability, show courtesy, concern, and respect for others, and generally maintain a clean disciplinary record.
- **Citizenship** - Demonstrate citizenship by understanding the importance of civic engagement, have a high regard for freedom and justice, respect the U.S. form of government, respect the law for all citizens at the local, state, and federal levels, and demonstrate mature participation and responsibility in activities such as scouting, community organizations, or school clubs.

## Understanding the Obligations of Membership

Students who accept membership and are inducted into the chapter should be aware of the time and commitment involved with this honor. For example, there will be chapter meetings, community service obligations, and academic/behavior requirements. Once inducted, new members are required to maintain the same level of performance in all criteria that led to their selection. If, for any reason, the criteria for selection are not maintained, the student will receive a written warning and may be placed on probation or dismissed. If dismissal occurs, there is no reinstatement.



## General Information

### Change of Address

Inform the main office if you change your address or telephone number.

### Guidance Services

Leicester Middle School is dedicated to offering counseling services and materials that are free from bias and stereotypes related to race, color, sex, gender identity, religion, national origin, sexual orientation, disability, or homelessness. Counseling materials are regularly reviewed to ensure they promote inclusivity and reflect diverse perspectives. We are committed to fostering a supportive environment where students feel valued and empowered to pursue their goals. Counselors help individuals understand themselves in the light of their abilities, aptitudes, interests, attitudes, strengths and limitations.

The school system's guidance program will be based on this definition and developed from these broad fundamental principles:

- Individuals are different from one another in their capabilities, aptitudes, interests, needs, goals, desires and values.
- Conditions may be improved. Equality of educational opportunity will benefit the individual and society.
- Guidance is a continuous and developmental process. Every experience of the individual influences his/her performance in some way.
- Guidance does not propose to program an individual's course of action but rather tries to assist him/her in arriving at his/her own satisfactory solutions.
- School personnel examine counseling materials to screen for bias and counteract any bias when administering/interpreting testing results.
- Counselors ensure effective communication with EL's and disabled students while facilitating their access to all programs and services.

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- All students have the opportunity to receive support services such as counseling in the language the student understands.

School Committee Policy [Library Resources](#)

## Lockers

We have a limited number of lockers available, and they are not built for Middle School students, so we do not issue lockers to all students. Lockers are the property of the school and may be offered to select students for their use. Since lockers are a permanent part of the building, students are expected to keep them in good usable condition. The school is not responsible for items stolen from lockers. Students should not have an expectation of privacy in the contents of school lockers. See the section titled “Searches” for more information.

School Committee Policy [Locker Searches](#)

## Lost and Found

For health and safety reasons the school cannot store lost items for an extended period of time. Lost and found items are announced each day during morning announcements and again during the lunch period. These items can be found outside the school cafeteria. Items that are not claimed within a reasonable timeframe are donated to charitable organizations.

## Messages

Students are discouraged from having people call with personal messages. It is school policy that only messages from a parent or guardian will be given to a student. Please inform employers, friends and relatives other than parents that the school will not accept messages for students.

## Student Property

A student is always responsible for the safety and care of their own personal property during the school day *and* at any school-sponsored functions (class trips, field trips, extra-curricular activities, sporting events, etc.) Students are cautioned not to bring large amounts of money or valuable personal property to school. Students, not the school, are responsible for their personal property. For more information regarding a student's right of privacy see the section titled “Searches.”

The School Department is not responsible for lost or stolen articles.

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## PowerSchool

Access to your child's grades and attendance through PowerSchool is provided to you as a means of enhancing communication between parents, teachers, students and administrators. It is not meant to be a replacement or substitute for telephone conversations, parent/teacher meetings or any other direct interaction with the school. It is intended to serve as a tool to help you stay current with your child's day-to-day performance, and help all of us in our efforts to support your child's education.

School Committee Policy [PowerSchool Acceptable Use Policy](#)

## Textbooks and School Equipment

Textbooks and school equipment and materials that are issued are the responsibility of the student. Teachers will not accept a book that has been mutilated or shows other signs of excessive wear. If these conditions exist, the student must pay the replacement cost of the book or equipment. All textbooks are to be covered within two days of distribution.

## Acceptable Use and Care - Technology

All students will be issued a district Chromebook to use both during school and at home. When you receive your Chromebook, it will be in a protective case with an ID badge inserted in the clear pocket. ***Students must not remove, reposition, or in any way tamper with this ID badge.***

Students are expected to maintain their Chromebook and act in accordance with the District's [Acceptable Use Policy](#) and the Chromebook Care and Use Guide. The Acceptable Use policy provides parents, students, and staff with guidelines for the safe and secure use of technology resources provided by Leicester Public Schools. Students, parents/guardians, and staff of LPS must read and sign a statement acknowledging their agreement to abide by the guidelines. All rules and responsibilities stated in this policy are applicable to all users of the network and District devices whether or not an acknowledgement signature is obtained. Since technology is constantly changing and all potential issues may not be anticipated, users are expected to comply with both the written rules established in this policy as well as the "spirit" of the policy. (A copy of the School's Acceptable Use Policy is attached and is also available on the School District website.)

## Visitors

The school policy is to accept only those visitors who have legitimate business to attend to at the school. Visitors/parents must register at the office window. Visitors wishing to speak to students may do so only if given office approval, and under the supervision of office staff.

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## Work Permits

Work permits are obtainable in the Leicester School Department Business Office, 3 Washburn Sq., Leicester, MA between the hours of 8:00 A.M. - 3:00 P.M. Anyone applying for a work permit for the first time must bring their birth certificate with them at the time the application is made.

## Student Fees, Fines and Charges

The School Committee recognizes the need for student fees to fund certain school activities. It also recognizes that some students may not be able to pay these fees. No student will be denied access into any program, excluding out-of-state, overnight travel opportunities, because of inability to pay these supplementary charges.

A school may exact a fee or charge only upon School Committee approval. The schools, however, may:

- Charge students enrolled in certain courses for the cost of materials used in projects that will become the property of the student.
- Charge for lost and damaged books, materials, supplies, and equipment.

Students who are indigent are exempt from paying fees. However, indigent students are not exempt from charges for lost and damaged books, locks, materials, supplies, and equipment.

All student fees and charges, both optional and required, will be listed and described annually in each school's student handbook or in some other written form and distributed to each student.

The notice will advise students that fees are to be paid and of the penalties for their failure to pay them. Permissible penalties include the withholding of report cards until payment is made or denial of participation in extra class activities while the student is enrolled in this District.

Any fee or charge due to any school in the District and not paid at the end of the school year will be carried forward to the next succeeding school year, as such debts are considered to be debts of the student to the District and not to a particular school.

### Sports Fees

All students will be assessed a sports fee which is payable each season up front. There is a \$100 fee per sport to participate in each sports program at Leicester High School with a maximum charge of \$300 per family. There is a \$75 fee per sport to participate in each sports program at Leicester Middle School with a maximum charge of \$225 per family.

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## Technology Fee

All middle school students will be issued a district Chromebook to use both during school and at home. Students are expected to maintain their Chromebook and act in accordance with the District Acceptable Use Policy and the Chromebook Care and Use Guide. In order to address occasional accidents, a fee of \$40 will be collected and used for repairs and/or replacements. A student not acting in accordance with this policy and guide may be responsible for the full replacement cost.

School Committee Policy [Student Fees, Fines and Charges](#)

## Student Records

The Family Educational Rights and Privacy Act (FERPA) and the Massachusetts Student Records regulations (603 CMR 23.00) provide parents and eligible students certain rights with respect to a student's education records. A general overview of those rights is provided below. Parents and eligible students may obtain a complete copy of their rights by contacting the Principal.

Massachusetts regulations related to student records (603 CMR 23.00) ensure a student's (and their parents'/guardians') rights of inspection, amendment, destruction, and confidentiality related to their records.

Under 603 CMR 23.01, the rights related to student records belong to the student's parent if the student is under the age of fourteen (14) and has not started the ninth grade. Upon reaching the age of fourteen (14) or upon starting the ninth grade (whichever occurs first), both the student and their parent retain the rights related to student records. Either the student or the parent can exercise these rights independently. Once the student reaches the age of eighteen (18), the student exclusively retains the rights related to student records and only they can exercise such rights if they expressly limit the rights of their parent, exclusive of the right to inspect. If a student wishes to limit the rights which are held by their parent, they must make the request to the Principal or Superintendent in writing. A parent always maintains the right to inspect the student record.

The student record consists of the transcript and the temporary record, including all information on recording and computer tapes, microfilm, microfiche, or any other materials regardless of physical form or characteristics concerning a student that is organized on the basis of the student's name or in a way that such student may be individually identified, and that is kept by the public schools of the Commonwealth as defined under state law. Written or electronic communications relative to a student that are not printed and saved in the student's temporary record, or specifically saved to an electronic file through which a student may be personally identified are not records being maintained by the District and are not student records.

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The regulations divide the record into two sections, the transcript and the temporary record. The transcript includes only the minimum information necessary to reflect the student's educational progress. This information includes the name, address, course titles, grades, credits, and grade levels completed. The transcript is kept by the school system for at least sixty years after the student leaves the system.

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

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

Amendment of Record - The parent and eligible student have the right to add relevant comments, information, or other written materials to the student record. In addition, the parent and eligible student have the right to request in writing that information in the student record be amended or deleted. The parent and student have a right to request a conference with the Principal or her/his designee to make their objections known. Within a week after the conference, the Principal or their designee must render a decision on such a request in writing. If the parent and/or eligible student are not satisfied with the decision, the regulations contain provisions through which the decision may be appealed to higher authorities in the school system.

Directory Information - Federal law requires that the District release the names, addresses, and telephone listings of students to military recruiters and institutions of higher education upon request for recruitment and scholarship purposes without prior consent. In addition, the school may release the following directory information about a student without prior consent: a student's name, address, major fields of study, dates of attendance, weight and height of members of athletic teams, class participation in officially recognized activities and sports, honors and awards, and directory information such as homeroom assignments. However, in all instances, parents may request that such directory information not be released without prior consent by notifying the Principal in writing by the end of September of each school year.

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Destruction of Records - The regulations require that certain parts of the student record, such as the temporary record, be destroyed a certain period of time after the student leaves the school. School authorities are also allowed to destroy misleading, outdated, or irrelevant information in the record from time to time while the student is enrolled in the school. Before any such information may be destroyed, the parent and student must be notified in writing, and have an opportunity to obtain a copy of any of the information before its destruction.

Transfer of Records - In accordance with 603 CMR 23.07(4)(g), it is the practice of the District to forward, without prior consent, the student record of any student who seeks or intends to enroll, or already has enrolled, in another public school, if the disclosure is for the purpose of the student's enrollment or transfer. The parent or eligible student has the right to receive a copy of the school record that is forwarded to the new school.

Non-Custodial Parents - Unless there is a court order to the contrary, a non-custodial parent (parent without physical custody of the student) of any public school student has the right, subject to certain procedures, to receive information regarding the student's achievements, involvement, behavior, etc. A non-custodial parent who wishes to have this information shall submit a written request to the Principal. Upon receipt of such a request, the Principal shall send written notification to the custodial parent by certified and first-class mail that the records and information will be provided to the non-custodial parent in twenty-one (21) calendar days unless the custodial parent provides documentation of the non-custodial parent's ineligibility to access such information. In all cases where school records are provided to a non-custodial parent, the electronic and postal address and other contact information for the custodial parent shall be removed from the records provided. Any such records provided to the non-custodial parent shall be marked to indicate that they may not be used to enroll the student in another school. Upon receipt of a court order that prohibits the distribution of information pursuant to M.G.L. c. 71, §34H, the school will notify the non-custodial parent that it shall cease to provide access to the student record to the non-custodial parent. M.G.L. c. 71, § 34H; 603 CMR 23.07.

Third Party Access - Authorized school personnel, including: (a) school administrators, teachers, counselors, and other professionals who are employed by the school committee or who are providing services to the student under an agreement between the school committee and a service provider, and who are working directly with the student in an administrative, teaching, counseling, and/or diagnostic capacity; (b) administrative office staff and clerical personnel, employed by the school committee or under a school committee service contract, and whose duties require them to have access to student records for purposes of processing information for the student record; and (c) the evaluation team which evaluates a student, shall have access to the student record of students to whom they are providing services, when such access is required in the performance of their official duties. The consent of the parent or eligible student shall not be necessary.

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Complaints - A parent or eligible student has a right to file a complaint with the Student Privacy Policy Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, D.C. 20202-8520, 1-855-249-3072 or with the Massachusetts Department of Elementary and Secondary Education, 75 Pleasant Street, Malden, MA 02148, 781-338-3300. If you have any questions regarding this notice, or would like more information and/or a copy of the Massachusetts Department of Elementary and Secondary Education Student Record Regulations, please contact the Principal.

School Committee Policy [Student Records](#)

## Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)

The Protection of Pupil Rights Amendment (PPRA) affords parents certain rights regarding the school's conducting of surveys, the collection and use of information for marketing purposes, and certain physical exams. These include the right to:

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

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The above rights transfer from the parents to a student who is eighteen (18) years old or an emancipated minor under State law.

The school will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. The school will also directly notify, such as through U.S. Mail or email, parents/guardians of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation in the specific activity or survey. The school will make this notification to parents at the beginning of the school year if the school has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys.

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

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

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



## Health, Safety and Transportation

### Mandated Reporting

All school staff are mandated reporters. By law, information about child abuse and neglect must be communicated by school employees to the Massachusetts Department of Children & Families (DCF) according to DCF protocol, and/or to the Principal (or their designee), who in turn are responsible for notifying DCF according to DCF protocol. The duty to report is triggered when a mandated reporter, in their professional capacity, has reasonable cause to believe that a child under the age of eighteen is suffering physical or emotional injury resulting from: (1) abuse inflicted upon the child which causes harm or substantial risk of harm to the child's health or welfare, including sexual abuse; (2) neglect, including malnutrition; (3) physical dependence

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upon an addictive drug at birth; (4) being a sexually exploited child; or (5) being a human trafficking victim.

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

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

A mandated reporter who works for a school may also choose to immediately notify both DCF and the person in charge of the school.

In addition, mandated reporters may contact the police or the Office of the Child Advocate. Any person, even if not a mandated reporter, may file a report with DCF if that person has reasonable cause to believe that a child is suffering from, or has died as a result of, abuse or neglect.

The School Committee is responsible for informing teachers, administrators, and other professional staff of the reporting requirements for child abuse and neglect under M. G. L. c. 119, § 51A.

The District is knowledgeable about this protocol and will ensure that staff are informed of their reporting obligations under M. G. L. c. 119, § 51A.

## Accidents

Every accident must be reported to the school nurse. An accident report must also be written. Leicester Middle School does not carry health/medical insurance on students and staff. Coverage is recommended for all students and staff. Accident insurance is available and may be purchased at the beginning of each school year.

School Committee Policy [Student Insurance Program](#)

## Emergency Forms

All students are required to pass in the Annual Health Information Form and the Demographic Form. The information requested is vital to the health and welfare of our students and is critical information in case of emergency.

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## Fire and Emergency Evacuation Procedure

Fire and Emergency Evacuation Drills at regular intervals are required by law and are an important safety precaution. It is essential that when the first signal is given, everyone obeys orders promptly and clears the building by the prescribed route as quickly as possible. The teacher in each classroom will give the students instructions.

If the Fire and Emergency Evacuation Drill occurs during lunch break, the students will be divided as evenly as possible, and proceed according to the direction of the administration/teachers on duty in the cafeteria.

False alarms of fire, as well as tampering or meddling with the school's fire signal system, are crimes and violations of the school's code of conduct. In addition, tampering with any of the school's fire emergency alarms, extinguishers or any other related apparatus or emergency reporting devices may result in discipline. Failure to comply with the law or school policy may result in disciplinary action, including but not limited to suspension or expulsion

School Committee Policy [Fire Prevention and Fire Drills](#)

## Food and Drink

Food and drink, with the exception of clear water or a one ingredient snack, is not allowed to be eaten in the classrooms, hallways, gymnasium, restrooms, library or auditorium by students, unless as part of an accommodation for a documented disability.

If a student medically requires a snack at a time other than breakfast/snack/lunch, they may consume it in the nurse's office.

Water - in a clear plastic bottle - is permitted in the classroom but other beverages and caffeinated beverages are not to be sold or served in school. A student who is eating or drinking when arriving late to school may be subject to having such items confiscated by the administration.

Students will be able to access a one ingredient snack during the school day in which they will eat in their classroom. [One Ingredient Snack List](#)

## Health Services

If a student becomes ill, he/she should notify the teacher in charge, get a pass from the teacher and report directly to the nurse for care. If the nurse is temporarily out, students are to report to the office.

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The school nurse will call parents if she feels the student should go home. It is the parent's responsibility to pick students up at the school. The nurse cannot drive the student home. No student will be dismissed because of illness unless the parent or legal guardian will pick up the student or assume responsibility for the student's safety.

The nurse must initiate all dismissals due to illness.

## Health Records

Confidentiality laws governing health records, only the school nurse has access to the records.

## Medications

- The school nurse supervises the administration of medication at Leicester Middle School.
- If medication needs to be administered during school hours, whether it is a prescription or over-the-counter medicine, such administration of medication must be done by the school nurse or with the authorization of the school nurse in accordance with 105 CMR 210.000. Unless an agreement has been entered into by the school nurse, parent/guardian, and the student, and the conditions for self-administration outlined in 105 CMR 210 have been met, no student is permitted to carry and/or self-administer medication. There is no exception for epi-pens or inhalers. A student may only carry and/or self-administer an epi-pen or inhaler if the conditions for self-administration in 105 CMR 210 have been met, and there is an agreement between the school nurse, parent/guardian, and student.
- Whenever possible, medication administration should be scheduled at times other than during the school day. If it is necessary that your child receive medicine during the school day, the school nurse is responsible for the administration of all medications. All medications must be delivered to the nurse by a parent, guardian, or another designated adult. Medication must be in its original pharmacy-labeled container, and be accompanied by a doctor's order and written parental approval prior to administration. No more than a thirty (30) school day supply shall be stored at the school. Parents/guardians may retrieve the medication from the school at any time. All unused, discontinued, or outdated medications will be returned to the parent/guardian. In extenuating circumstances, with parental consent when possible, medications may be destroyed by the school nurse in accordance with the policies of the Massachusetts Department of Public Health, Division of Food and Drugs.
- The school nurse will ensure that there is a proper medication order renewed as necessary including at the beginning of each academic year. Before the student enters schools, the medication order shall be obtained by the school nurse, along with any other additional information from the doctor, and the medication administration plan shall be developed in accordance with 105 CMR 210.005.

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- A medication administration record for each student will be maintained, including a daily log, the medication administration plan, the medication order, and parent/guardian authorization. Prescription medications to be administered “as needed” may be administered by the school nurse or authorized school personnel after the school nurse assesses or consults with the student after each dose.
- In the case of field trips and other short-term special school events, every effort will be made to have a nurse or other school staff member trained in prescription medication administration accompany the student. When this is not possible, the school nurse may delegate prescription medication administration to another responsible adult, subject to written consent from the parent/guardian for the named responsible adult.
- The school nurse may, in accordance with standard nursing practice, refuse to administer or allow to be administered any prescription medication which, based on their individual assessment and professional judgment, has the potential to be harmful, dangerous or inappropriate. Parents/guardians and the doctor will be notified immediately by the school nurse in this scenario.
- Students found in possession of unauthorized medications on school grounds or at school-sponsored events may be subject to discipline.
- The prescription medication administration record and records pertinent to self administration will be filed in the student’s cumulative health record with parent/guardian consent. If the parent/guardian objects, the records will be considered confidential medical notes and will be kept confidential, except as provided in 105 CMR 210. To ensure compliance, the Department of Public Health may inspect individual student medication records or records related to the administration or storage of prescription medications without prior notice.

## Immunizations

- All students attending, enrolled, or registered to attend Leicester Public Schools must present, in accordance with 105 C.M.R. 220, a copy of their certificate of immunization documenting their immunization records before they can attend school unless a waiver of this requirement has been granted based upon documented medical need or sincere religious belief.

## Physical Exams and Health Screenings

- Students are required to submit a copy of a physical examination that was completed within one year prior to entrance to Leicester Public Schools or within thirty (30) days after entering Leicester Public Schools, and at intervals of three years thereafter. Health records transferred from a previous school may be used to meet this requirement. All new students will be required to submit a copy of a physical examination.
- All students participating in competitive athletics will need to submit a copy of a physical examination every year in which they intend to participate. 105 CMR 200. Students are

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also required to submit a copy of a physical examination if they are over the age of fourteen (14) but under the age of sixteen (16) and are requesting employment certificates.

- Within thirty (30) days of a student's first day at Leicester Public Schools, all students must submit certification that the student has passed a vision screening within the previous twelve (12) months. Vision and hearing screenings will be conducted in the year of school entry and annually through grade five (5), once in grades six (6) through (8), and once in grades nine (9) through twelve (12).
- The weight and height of each student will be measured in grades 1, 4, 7, and 10. Every effort will be made to protect the privacy of each student during the screening. School personnel will not disclose the height, weight or BMI calculations of an individual student to anyone other than the parent/guardian, unless written consent is provided by the parent/guardian. Parents/guardians can request in writing that their child's measurements not be taken.
- Postural screening will be conducted annually by the nurse, or other approved personnel approved by the Department of Public Health, on all students grades five (5) through nine (9).
- Screening, Brief Intervention and Referral to Treatment (SBIRT) will be completed annually in grade 7. SBIRT is a verbal screen of students for substance use disorders. Parents and guardian will be notified ahead of time, and either the parent/guardian or the student may opt out of the screening at any time before or during the screening through written notification. Information provided by a student during a screening is confidential, except in instances of an immediate medical emergency or disclosure of the information provided is required by state law. The screening will be implemented in accordance with state and federal laws regarding student confidentiality, including student record laws and regulations. This is required by M. G. L. c. 71, section 97.

School Committee Policy [Administering Medicines to Students](#) [Student Health Services and Requirements](#)

## Lunch Program

Hot lunches, salad, and a la carte lunches are available for each student. Students from families whose income falls within the range as stated by the Federal Guidelines are eligible for free or reduced price lunch. Students should carefully read forms distributed at the beginning of each year. Food is not to be taken out of the cafeteria.

School Committee Policy [Meal Charge Policy](#) [Free and Reduced Price Food Service](#)

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## No School Announcements

School cancellations and delays are determined by the Superintendent of Schools. Notification will be made via the District's computerized notification system and announcements will be made on district and school social media accounts, as well as on Radio Stations WTAG, WSRS and TV Channel 5. Students and parents should not call the administration, faculty or staff.

School Committee Policy [Emergency Closings](#)

## Bus

The School Committee and its staff share with students and parents the responsibility for student safety during transportation to and from school. The authority for enforcing School Committee requirements of student conduct on buses will rest with the Principal.

It is a privilege to ride the bus. Students will be disciplined by administration for any improper conduct on the bus. All school rules are in effect on the school bus and in school-provided vehicles. To ensure the safety of all students who ride in buses, it may occasionally be necessary to revoke the privilege of transportation from a student who abuses this privilege. Parents of children whose behavior and misconduct on school buses endangers the health, safety, and welfare of other riders will be notified that their children face the loss of transportation privileges in accordance with regulations approved by the School Committee.

Requests for bus route changes should be addressed to the Superintendent's Office.

School Committee Policy [Student Conduct on School Buses](#) [Student Transportation Services](#)

## Driving and Parking

Drivers shall not pass school buses when passengers are being picked up or discharged. Drivers must come to a full stop when approaching a vehicle that is displaying a "School Bus" sign and flashing front and rear red lights, and has stopped to let passengers off. See M. G. L. c. 90, § 14 (punishable by fines and loss of license for repeat violations). In addition, drivers shall not operate a motor vehicle within 100 feet behind a school bus. With limited exceptions, Massachusetts law prohibits the unnecessary idling of motor vehicles on school grounds. M. G. L. c. 90, § 16B. While on school property, drivers, as well as passengers, must properly fasten safety belts. Failure to obey the traffic laws may result in disciplinary action.

## School Choice

The Leicester Public Schools participate in school choice. If space is available, students residing outside of the Town of Leicester may apply to attend the Leicester Public Schools. Please contact the Superintendent's office for information on enrollment.

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## McKinney-Vento Homeless Education Assistance Act

The McKinney-Vento Homeless Assistance Act defines “homeless children and youths” as individuals who lack a fixed, regular, and adequate nighttime residence. The definition includes children and youths who are:

- sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
- living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations;
- living in emergency or transitional shelters;
- abandoned in hospitals;
- children and youths who have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings;
- children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; or
- migratory children who qualify as homeless because they are living in circumstances described above.

The term "unaccompanied youth" includes a homeless child or youth not in the physical custody of a parent or guardian. If a student is homeless, or becomes homeless during the school year, he/she is encouraged to inform school administration. The McKinney-Vento Homeless Assistance Act requires that schools immediately enroll homeless students in school, even if they do not have the documents usually required for enrollment, such as school records, medical records, or proof of residency, or have missed any enrollment deadlines.

Homeless students have the right to immediately enroll in the school district where they are temporarily residing or remain in their school of origin, and receive transportation. Homeless students are entitled to transportation to and from their school of origin. If the school of origin is in a different district, the districts will coordinate the transportation services and costs.

According to the student's best interest, if a student becomes homeless or permanently housed during the school year, they have the right to remain in their school of origin with transportation, if needed, for the duration of homelessness or attend the public school in the area where they are actually living. Attendance rights by living in attendance areas, other student assignment policies, or intra and inter-district choice options are available to homeless families on the same terms as families residing in the district.

If there is an enrollment dispute, the student shall be immediately enrolled in the school in which enrollment is sought, with transportation, pending resolution of the dispute. The parent or guardian shall be informed of the school's decision and their appeal rights in writing. The school's liaison will carry out dispute resolution as provided by the process set forth by state and federal law and the Department of Elementary and Secondary Education.

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Once the enrollment decision is made, the school shall immediately enroll the student, pursuant to school policies. If the student does not have immediate access to immunization records, the student shall be admitted under an exception. Students and families are encouraged to obtain current immunization records or immunizations as soon as possible, and the school liaison is directed to assist. Records from the student's previous school shall be requested from the previous school pursuant to school policies. Emergency contact information is required at the time of enrollment consistent with school policies, including compliance with the state's address confidentiality program when necessary. Information about a homeless student's living situation will be treated as a student education record, and is not considered directory information.

The school's liaison for homeless students and their families will coordinate with local social service agencies that provide services to homeless children and youths and their families; other school districts on issues of transportation and records transfers; and state and local housing agencies responsible for comprehensive housing affordability strategies. This coordination includes providing public notice of the educational rights of homeless students in schools and the school's Homeless Education Policy, in such places where children receive services such as: schools, family shelters, and health clinics. The liaison will also help homeless families and youth access educational services and related opportunities for which they are eligible, including but not limited to Head Start, Even Start, and school nutrition programs.

For additional information regarding homeless students' rights and services, please contact the Principal or the School Homeless Liaison. The school homeless liaison is:

Kara Westerman, School Homeless Liaison  
Leicester Public Schools  
3 Washburn Square  
Leicester, MA 01524  
(508) 892-7040 x9010  
[westermank@lpsma.net](mailto:westermank@lpsma.net)

For further information, please contact **Shirley Fan-Chan**, *Homeless Education State Coordinator* ([Shirley.fan-chan2@mass.gov](mailto:Shirley.fan-chan2@mass.gov))

42 U.S.C. 11301; DESE McKinney-Vento Homeless Education Assistance – Advisories

## Educational Opportunities for Students in Foster Care

The Every Student Succeeds Act (ESSA) requires that foster care students continue to attend their school of origin, unless, after collaborative decision-making process, it is determined to be in the student's best interest to enroll in and attend school in the district in which a foster care provider or facility is located (if different than their prior school district). The law also requires that when it is not in the student's best interest to remain in the school of origin, the student is

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immediately enrolled and attends in a new school district, even if records normally required for enrollment cannot be quickly produced. Additionally, the law requires the Department of Children and Families (DCF), the Department of Elementary and Secondary Education (DESE), and the school district to designate points of contact; and also that the district collaborate with DCF and other school districts to ensure that students will receive transportation to the school of origin if needed.

### Best Interest Determination

Decisions about whether a student in foster care should continue to attend their school of origin should be made collaboratively by DCF, the student (as appropriate), the student's family and/or foster family (and if different, the person authorized to make educational decisions on behalf of the student), the school and district of origin, and (when different) the local district where the student is placed. Best interest determinations should focus on the needs of each individual student and take into account a variety of factors. Every effort should be made to reach agreement regarding the appropriate school placement of a student in foster care. However, if there is disagreement regarding school placement for a student in foster care, DCF will finalize the best interest determination.

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

### Transportation

The district of origin must collaborate with DCF on how transportation will be provided and arranged to ensure that students in foster care who need transportation to remain in their school of origin will receive such transportation while they are in foster care. Transportation options may include using Title I funds, establishing regional collaborations among districts, coordinating with existing routes for transportation, seeking help from foster parent(s), etc. If there are additional costs associated with transportation to maintain the student in in their school or origin, the district will provide the transportation if DCF agrees to reimburse the district, the district agrees to pay for the cost of such transportation, or DCF and the district share the cost. Absent other agreements between the district and DCF, the district of origin is responsible for providing transportation to and from the school of origin.

### Immediate Enrollment

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

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school and district of origin to obtain the relevant records and documentation, and the school and district of origin should immediately transfer those records.

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

Every Student Succeeds Act; *DESE “Ensuring Educational Stability for Students in Foster Care – Guidance,” Dated January 18, 2018.*

## Educational Opportunities for Children of Military Families

In an effort to facilitate the placement, enrollment, graduation, data collection and provision of special services for students transferring into or out of a school because of their parents/guardians being on active duty in the U.S. Armed Services, the school supports and will implement its responsibilities as outlined in the Interstate Compact on Educational Opportunity for Military Children. See M. G. L. c. 15E.

The Interstate Compact on Educational Opportunity for Military Children applies to children of military families who are school-aged children, enrolled in kindergarten through 12th grade, and their parent is an active duty member of the uniformed service of the United States, including members of the National Guard and Reserve serving on active duty, a member or veteran of the uniformed services who was severely injured and medically discharged or retired for a period of one (1) year after medical discharge or retirement, or a member of the uniformed services who died on active duty or a result of injuries sustained on active duty for a period of one (1) year after death.

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

Sending schools must send either official or unofficial records with the moving students and receiving schools must use those records for immediate enrollment and educational placement. Simultaneously, the receiving school must request official records and the sending school shall respond within 10 days with the records.

Immunization requirements of the school may be met within 30 days from the date of enrollment (or be in progress).

At enrollment, the receiving school shall allow student to continue at the grade level that is equal to grade level in sending state, regardless of age. If a student has completed the prerequisite grade level in the sending state, the student shall be allowed to enroll in the next highest grade level in the receiving state, regardless of age. If the student is transferring after school has

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started in the receiving state, the student shall enter the receiving school at the level validated by the sending state.

Receiving schools must initially honor placement of students in all courses from the sending school, if the courses are offered and space is available. Courses include but are not limited to vocational, career pathways, advanced placement, etc. Receiving school shall initially honor placement based on assessments and placements at sending school. Receiving schools are not precluded from performing subsequent evaluation to ensure the appropriate placement and continued enrollment of the student in courses and programs.

In compliance with federal law, special education students must be placed by the existing IEP, requirements of Section 504, and requirements of ADA, with reasonable accommodations in the receiving school. Receiving school is not precluded from performing subsequent evaluation to make sure student is placed appropriately.

The school may, as deemed appropriate, waive prerequisites or other preconditions for all courses and programs.

Students shall have additional excused absences at the discretion of the school for visits with parents or legal guardians relative to leave or deployment.

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

The student will be provided with the opportunity for inclusion in extracurricular activities regardless of deadlines as long as the child is otherwise qualified.

To facilitate on-time graduation, receiving school shall waive specific courses required for graduation if similar course work completed satisfactorily in sending district, or provide reasonable justification for any denial. If waiver not granted, and student would otherwise qualify to graduate from sending school, receiving school shall provide alternative means of completing required coursework so that graduation may occur on time.

If a high school student enrolls in grade 11 or later, the school may, in lieu of the MCAS, submit alternative evidence or information to DESE that the student has met Massachusetts competency determination graduation standard in each required content area (ELA, math, science, technology/engineering). Students in grade 11 are still eligible to participate in the spring MCAS if they wish to qualify for the Adams Scholarship or Koplik Certification.

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If a student transfer at the beginning or during grade 12 and is ineligible to graduate from the receiving school after all of the alternatives in the Compact have been considered, the sending and receiving school shall ensure receipt of a sending school diploma if the student meets the graduation requirements of the sending school.

Interstate Compact on Educational Opportunity for Military Children; DESE Guidance on the Military Interstate Children's Compact Commission (MIC3), September 16, 2016.

## English Language Learners

Upon a student's enrollment, Leicester Public Schools will identify (1) students who may be English learners (ELs) and will assess their level of English proficiency, or (2) students who may be Former English learners (FELs). Specifically, Leicester Public Schools will administer a home language survey to all newly enrolling students, and if a language other than English is identified, Leicester Public Schools will screen the English proficiency of the student using the WIDA screening assessment within thirty (30) days of the student's enrollment. At any time, a parent/guardian of a student enrolled at Leicester Public Schools may request that the school assess the student's level of English proficiency. Leicester Public Schools will notify the parent/guardian of the school's determination and the student's placement, and such information will be placed in the student's school record.

Students identified as English Learners (ELs) will be enrolled in an English Language Education (ELE) program, such as a sheltered English immersion program or an alternative that meets the requirements of federal and state law. Leicester Public Schools will verify at the beginning of each school year that the teachers in the English learner program are properly endorsed. Students with a disability are eligible for ELE programming, and EL students are eligible for special education if they meet the criteria.

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

Leicester Public Schools will not separate ELs from their English-speaking peers, except when programmatically necessary to implement an ELE program. ELs in any program will be taught to the same academic standards and curriculum frameworks as non-EL students, and will be provided the same opportunities to master such standards and frameworks. ELs will have equal

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

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

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

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

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

## Services and Accommodations for Students with Disabilities

Some students with disabilities require specialized instruction and/or supportive services to help them make effective progress in school.

Section 504 of the Rehabilitation Act of 1973 ("Section 504") provides: "No otherwise qualified individual with a disability in the United States . . . shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." Pursuant to Section 504, any qualified student with a disability is entitled to a free appropriate public education (FAPE). Section 504 FAPE is the provision of regular or special education and related aids and services

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designed to meet a student's individual educational needs as adequately as the needs of nondisabled students are met.

Under the Individuals with Disabilities Education Act ("IDEA") and M.G.L. c. 71B, some students with disabilities may be eligible for services if they require specialized instruction and/or supportive services to help them make effective progress in school. These services can include, but are not limited to: speech therapy, physical therapy, occupational therapy, specialized instruction, or placement in a special classroom. Students may be referred to the Special Education Department for an evaluation of eligibility for special education services. Within five (5) school days of such a referral, a consent form authorizing an evaluation of the student will be forwarded to the parent(s). Within forty-five (45) school days of receipt of the parent(s)' consent, an evaluation will be conducted, and a Team meeting will be held to determine if the student is eligible for special education services. If the student is found eligible for special education services, the Team will develop an Individualized Education Program (IEP) identifying the necessary services.

In some cases, the evaluation Team determines that a student with a disability may require only individual accommodations as opposed to specially designed instruction and /or related services. Such students may then be referred for an evaluation of their eligibility for an individual accommodation plan in accordance with Section 504 of the Rehabilitation Act.

For more information regarding the services available to students with disabilities please contact Kara Westerman at (508) 892-7040.. The Section 504 Compliance Officer is:

Kara Westerman, 504 Compliance Officer  
Leicester Public Schools  
3 Washburn Square, 3rd Floor  
508-892-7040 x9010  
westermank@lpsma.net

## Age of Majority

Students are considered adults at the age of eighteen (18), with full legal capacity (unless legally incapacitated) to make their own decisions (Age of Majority).

Once the student reaches the age of 18, the student exclusively retains the rights related to student records and only they can exercise such rights if they expressly limit the rights of their parent, exclusive of the right to inspect. If a student wishes to limit the rights which are held by their parent, they must make the request to the Principal or Superintendent in writing. See 603 CMR 23.00. A parent always maintains the right to inspect the student record. See M. G. L. c. 71, § 34E.

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

## Wellness Program

The School Committee recognizes the relationship between student wellbeing and student achievement as well as the importance of a comprehensive district wellness program designed to promote healthy behaviors and decision-making and encourage lifelong behaviors of balanced nutrition, exercise, and emotional & physical well-being. Therefore, the school district will provide developmentally appropriate and sequential nutrition and physical education as well as opportunities for physical activity. The wellness program will be implemented in a multidisciplinary fashion and will be evidence-based. The compliance of the policy will be overseen by the building principal. Principals will share the policy with the public annually, highlighting any changes.

School Committee Policy [Student Welfare](#) [School District Wellness Program](#)

## Human Sexuality and Curriculum

Parents and guardians have the option to exempt their student from any portion of the curriculum dealing primarily with human sexual education or human sexuality issues. The District will not penalize a student for such an exemption. Parents or guardians opting to exempt their student must provide written notification to the Principal. Instructional materials for such curriculum will be made reasonably accessible to parents/guardian, educators, school administrators, and others for review and inspection. M. G. L. c. 71, § 32A.



## Attachments

### Acceptable Use Policy

The Acceptable Use Policy provides the parents, students, and staff of the Leicester Public School community with guidelines for the safe and secure use of technology resources provided by Leicester Public Schools. Students, parents/guardians, and staff of LPS must read and sign a statement acknowledging their agreement to abide by the guidelines delineated. All rules and responsibilities stated in this policy are applicable to all users of the network and District Devices whether or not an acknowledgement signature is obtained. Since technology is constantly changing and all potential issues may not be anticipated, users are expected to comply with both the written rules established in this policy as well as the “spirit” of the policy.

Technology assets, including hardware, software, and the network, provides users access to a wide range of information resources to support students’ academic success, enable effective communication, and serve the administrative functions of the school district. This acceptable use policy allows for the use of the District’s technology assets consistent with the mission of the Leicester Public Schools as well as with applicable state and federal laws, including the Children’s Online Privacy Protection Act, 15 U.S.C. 6501 (COPPA) and the Children’s Internet Protection Act, 47 U.S.C. 254(CIPA). Most importantly, it is designed to protect our children as well as the town’s technology investments.

This policy applies to all use of the Leicester Public Schools’ network, including, but not limited to, use of the Leicester Public Schools’ network with a privately owned device, and technology and devices issued by Leicester Public Schools. Any use of the Leicester Public Schools’ network, and/or technology and/or devices issued by the Leicester Public Schools must abide by the policies of the Leicester Public Schools, including this policy, and applicable state and federal law. Any violation of this policy may result in loss of privilege to use the network, technology, and devices of the Leicester Public Schools and/or disciplinary sanctions.

A user also violates this policy by failing to report any violations by other users that come to the attention of the user. Further, a user violates this policy if he or she permits another to use his or her account or password to access their Leicester Public Schools-issued device or the computer network, including the internet.

Any device issued by the Leicester Public Schools, and the Leicester Public Schools network (including email), are the property of Leicester Public Schools, and students do not have an expectation of privacy as to their use of the devices and network, including, but not limited to, any information accessed, stored, or transmitted on, with, or during use of the device or network.

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Leicester Public Schools reserves the right to monitor, inspect, copy, review, and store at any time, and without prior notice, any and all usage of its network and/or school technology and devices, including Internet access and use while using school devices or the school network, and any and all information accessed, stored, transmitted, or received in connection with such usage. All information files on a school device or the school network shall be and remain the property of Leicester Public Schools. Further, a user violates this policy if he or she permits another to use his or her account or password to access the computer network and Internet, including any user whose access has been denied or terminated.

Use of the Leicester Public Schools network and Leicester Public Schools-issued devices and technology must support education and research purposes. Use of the Leicester Public Schools network and Leicester Public Schools-issued devices and technology in violation of this policy or any other provision of this Handbook is prohibited.

**Students/Staff are prohibited from:**

1. Using school provided electronic devices or networks to harass or bully others, including over social media.
2. Sharing and/or using someone else's account and/or password.
3. Deleting or intentionally tampering with someone else's files, folders, or work.
4. Damaging or modifying devices, computer system, software, applications, files or other network resources in any way.
5. Storing confidential or sensitive school information on portable external electronic storage media. Portable external electronic storage media includes but is not limited to USB or flash drives, CDs, removable hard drives.
6. Copying software or applications from Leicester Public Schools devices through any electronic means unless the particular licensing agreement in place for the software allows user distribution.
7. Violating any federal, state, or local laws/policy, including criminal and intellectual property laws.
8. Sending inappropriate and unsolicited information through "spamming."
9. Downloading non-educational content such as streaming music and/or video, while utilizing the school network or school devices or technology.
10. Intentional viewing, sending, downloading of inappropriate or offensive content.
11. Accessing or sending dangerous information that, if acted upon, could cause damage or danger to others.
12. Attempting to override, disable, alter, or circumvent security restrictions, management systems, or network settings, including but not limited to "hacking" to gain unauthorized access to files, devices, or computer systems. Any attempt will be considered intentional damage.

13. Intentionally spreading computer viruses, vandalizing data, infiltrating systems, damaging hardware or software, or in any way degrading or disrupting a device or the network.
14. Using the network for financial, commercial, or political gain.
15. Intentionally wasting limited network or bandwidth resources.
16. Uploading any harmful form of programming, bypassing filters, installing any type of service, aliasing/spoofing, peer-to-peer networking or remote control software.
17. Creating, sharing or posting audio, video, or any material of or created by another without permission.
18. Posting private information of another Student or Staff member.
19. Impersonating or attempting to impersonate another individual on any social media platform.
20. Use of offensive or inflammatory speech, profanity, or obscene language, including over social media.
21. Any expression or use that causes disruption or disorder in school, including over social media.
22. Engaging in any form of bullying, harassment, discrimination, or other malicious or harmful behavior, including but not limited to hate mail or social media content.
23. Sharing accounts, account information, usernames, or password.
24. Violating the rules of copyright or other intellectual property, or failing to acknowledge authorship. Re-posting communications of a personal nature without the author's permission or bulletin board messages without proper attribution is prohibited.
25. Saving inappropriate files to any part of the system, including but not limited to:
  - a. Music files
  - b. Movies
  - c. Video games of all types, including ROMs and emulators
  - d. Offensive images or files
  - e. Programs which can be used for malicious purposes
  - f. Any files for which you do not have a legal license
  - g. Any file which is not needed for school purposes or a class assignment
26. Use that contributes to the violation of any other violation of this policy or the handbook including but not limited to cheating, plagiarism, hazing or harassment, theft, falsification of records, possession of banned substances/items, etc.

#### CONSISTENCY WITH THE DISTRICT'S MISSION

- The use of technology assets shall be focused on the educational mission as well as on communication and administrative functions in support of that mission.
- District technology assets shall not be used for commercial, religious, entertainment, or political purposes that are outside of the scope of the work of our schools.

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- In addition to the specific guidelines provided within this policy, the use of all district technology resources shall be consistent with all other policies adopted by the Leicester School Committee.

#### RESPECT FOR PERSONAL SAFETY AND PRIVACY

- ***Threatening, racist, disrespectful, or obscene material and language or language intended to bully or intimidate are prohibited.*** Exceptions may be made when such material is explicitly connected to curriculum and is approved, in advance, by the principal.
- Passwords shall remain private and shall not be shared among users.
- Users shall not post their own or others private contact information.
- Students shall not agree to meet with someone they have met online, except under the direct supervision of a parent or guardian.
- All safety or security concerns shall be reported to an administrator.

#### RESPECT FOR PUBLIC LAWS AND ACADEMIC PROPERTY RIGHTS

- Users shall respect copyright laws and shall not plagiarize the work of others.
- Users shall not attempt to gain unauthorized access to the internal or to any external networks.
- Users shall not make deliberate attempts to vandalize hardware, destroy data, or cripple the network by spreading computer viruses or by other means.
- Users shall not use district technology resources to engage in illegal activity.

The Leicester Public Schools makes no warranties of any kind, expressed or implied, for the technology services provided to its users. The Leicester Public Schools shall not be responsible for damages resulting from the loss of data or from improper use of the network by its users.

The network user shall be responsible for compensating the school for any losses, costs, or damages incurred by the school related to violations of this policy and/or associated administrative procedures, including investigation of violations.

#### ELECTRONIC DEVICES

The Leicester Public Schools encourages the use of devices as long as they are used to support the school's 21st century learning. Teachers may further outline behavioral expectations in team and individual expectation packets.

## Restraint Policies and Procedures

The Leicester Public Schools recognizes that on occasion physical restraint is required to protect the safety of school community members from serious, imminent physical harm. Physical restraint may be used only as an emergency procedure of last resort and shall be prohibited in public education programs except when a student's behavior poses a threat of

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assault, or imminent, serious, physical harm to self or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions, or such interventions are deemed inappropriate under the circumstances. Physical restraint shall mean direct physical contact that prevents or significantly restricts a student's freedom of movement. Physical restraint does not include: brief physical contact to promote student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing comfort, or a physical escort.

Physical restraint shall not be used: (a) as a means of discipline or punishment; (b) when the student cannot be safely restrained because it is medically contraindicated for reasons including, but not limited to, asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting; (c) as a response to property destruction, disruption of school order, a student's refusal to comply with a public education program rule or staff directive, or verbal threats when those actions do not constitute a threat of assault, or imminent, serious, physical harm; or (d) as a standard response for any individual student. No written individual behavior plan or individualized education program (IEP) may include the use of physical restraint as a standard response to any behavior.

Physical restraint is an emergency procedure of last resort. Physical restraint in a public education program shall be limited to the use of such reasonable force as is necessary to protect a student or another member of the school community from assault or imminent, serious, physical harm.

Nothing in Leicester Public Schools policy, or the applicable regulations, prohibits: (a) the right of any individual to report to appropriate authorities a crime committed by a student or other individual; (b) law enforcement, judicial authorities or school security personnel from exercising their responsibilities, including the physical detainment of a student or other person alleged to have committed a crime or posing a security risk; or (c) the exercise of an individual's responsibilities as a mandated reporter pursuant to MGL c. 119, § 51A. The Leicester Public Schools complies with the requirements of Massachusetts regulations governing the use and reporting of physical restraint in schools, 603 CMR 46.00.

## Massachusetts Laws Relevant to Student Discipline

### M.G.L. c. 71, § 37H

The superintendent of every school district shall publish the district's policies pertaining to the conduct of teachers and students. Said policies shall prohibit the use of any tobacco products within the school buildings, the school facilities or on the school grounds or on school buses by any individual, including school personnel. Said policies shall further restrict operators of school buses and personal motor vehicles, including students, faculty, staff and visitors, from idling such vehicles on school grounds, consistent with section 16B of chapter 90 and regulations adopted pursuant thereto and by the department. The policies shall also prohibit bullying as

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defined in section 37O and shall include the student-related sections of the bullying prevention and intervention plan required by said section 37O. Copies of these policies shall be provided to any person upon request and without cost by the principal of every school within the district.

Each school district's policies pertaining to the conduct of students shall include the following: disciplinary proceedings, including procedures assuring due process; standards and procedures for suspension and expulsion of students; procedures pertaining to discipline of students with special needs; standards and procedures to assure school building security and safety of students and school personnel; and the disciplinary measures to be taken in cases involving the possession or use of illegal substances or weapons, the use of force, vandalism, or violation of a student's civil rights. Codes of discipline, as well as procedures used to develop such codes shall be filed with the department of education for informational purposes only.

In each school building containing the grades nine to twelve, inclusive, the principal, in consultation with the school council, shall prepare and distribute to each student a student handbook setting forth the rules pertaining to the conduct of students. The student handbook shall include an age-appropriate summary of the student-related sections of the bullying prevention and intervention plan required by section 37O. The school council shall review the student handbook each spring to consider changes in disciplinary policy to take effect in September of the following school year, but may consider policy changes at any time. The annual review shall cover all areas of student conduct, including but not limited to those outlined in this section.

Notwithstanding any general or special law to the contrary, all student handbooks shall contain the following provisions:

- (a)** Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or a knife; or a controlled substance as defined in chapter ninety-four C, including, but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from the school or school district by the principal.
  - (b)** Any student who assaults a principal, assistant principal, teacher, teacher's aide or other educational staff on school premises or at school-sponsored or school-related events, including athletic games, may be subject to expulsion from the school or school district by the principal.
  - (c)** Any student who is charged with a violation of either paragraph (a) or (b) shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the principal.
- After said hearing, a principal may, in his discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraph (a) or (b).
- (d)** Any student who has been expelled from a school district pursuant to these provisions shall have the right to appeal to the superintendent. The expelled student shall have ten days from

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the date of the expulsion in which to notify the superintendent of his appeal. The student has the right to counsel at a hearing before the superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section.

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

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

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

#### M.G.L. c. 71, §37H1/2 - Felony Complaints and Felony Convictions:

Notwithstanding the provisions of section eighty-four and sections sixteen and seventeen of chapter seventy-six:

**(1)** Upon the issuance of a criminal complaint charging a student with a felony or upon the issuance of a felony delinquency complaint against a student, the principal or headmaster of a school in which the student is enrolled may suspend such student for a period of time determined appropriate by said principal or headmaster if said principal or headmaster determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and the reasons for such suspension prior to such suspension taking effect. The student shall also receive written notification of his right to appeal and the process for appealing such suspension; provided, however, that such suspension shall remain in effect prior to any appeal hearing conducted by the superintendent.

The student shall have the right to appeal the suspension to the superintendent. The student shall notify the superintendent in writing of his request for an appeal no later than five calendar days following the effective date of the suspension. The superintendent shall hold a hearing with

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the student and the student's parent or guardian within three calendar days of the student's request for an appeal. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The superintendent shall have the authority to overturn or alter the decision of the principal or headmaster, including recommending an alternate educational program for the student. The superintendent shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the city, town or regional school district with regard to the suspension.

**(2)** Upon a student being convicted of a felony or upon an adjudication or admission in court of guilt with respect to such a felony or felony delinquency, the principal or headmaster of a school in which the student is enrolled may expel said student if such principal or headmaster determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and reasons for such expulsion prior to such expulsion taking effect. The student shall also receive written notification of his right to appeal and the process for appealing such expulsion; provided, however, that the expulsion shall remain in effect prior to any appeal hearing conducted by the superintendent.

The student shall have the right to appeal the expulsion to the superintendent. The student shall notify the superintendent, in writing, of his request for an appeal no later than five calendar days following the effective date of the expulsion. The superintendent shall hold a hearing with the student and the student's parent or guardian within three calendar days of the expulsion. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The superintendent shall have the authority to overturn or alter the decision of the principal or headmaster, including recommending an alternate educational program for the student. The superintendent shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the city, town or regional school district with regard to the expulsion.

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

#### M.G.L. c.71, §37H3/4

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

**(b)** Any principal, headmaster, superintendent or person acting as a decision-maker at a student meeting or hearing, when deciding the consequences for the student, shall consider ways to re-engage the student in the learning process; and shall not suspend or expel a student until alternative remedies have been employed and their use and results documented, following and in direct response to a specific incident or incidents, unless specific reasons are documented as to why such alternative remedies are unsuitable or counter-productive, and in cases where the student's continued presence in school would pose a specific, documentable concern about the infliction of serious bodily injury or other serious harm upon another person while in school. Alternative remedies may include, but shall not be limited to: (i) mediation; (ii) conflict resolution; (iii) restorative justice; and (iv) collaborative problem solving. The principal, headmaster, superintendent or person acting as a decision-maker shall also implement school- or district-wide models to re-engage students in the learning process which shall include but not be limited to: (i) positive behavioral interventions and supports models and (ii) trauma sensitive learning models; provided, however, that school- or district-wide models shall not be considered a direct response to a specific incident.

**(c)** For any suspension or expulsion under this section, the principal or headmaster of a school in which the student is enrolled, or a designee, shall provide, to the student and to the parent or guardian of the student, notice of the charges and the reason for the suspension or expulsion in English and in the primary language spoken in the home of the student. The student shall receive the written notification and shall have the opportunity to meet with the principal or headmaster, or a designee, to discuss the charges and reasons for the suspension or expulsion prior to the suspension or expulsion taking effect. The principal or headmaster, or a designee, shall ensure that the parent or guardian of the student is included in the meeting, provided that such meeting may take place without the parent or guardian only if the principal or headmaster, or a designee, can document reasonable efforts to include the parent or guardian in that meeting. The department shall promulgate rules and regulations that address a principal's duties under this subsection and procedures for including parents in student exclusion meetings, hearings or interviews under this subsection.

**(d)** If a decision is made to suspend or expel the student after the meeting, the principal or headmaster, or a designee, shall update the notification for the suspension or expulsion to reflect the meeting with the student. If a student has been suspended or expelled for more than 10 school days for a single infraction or for more than 10 school days cumulatively for multiple infractions in any school year, the student and the parent or guardian of the student shall also receive, at the time of the suspension or expulsion decision, written notification of a right to appeal and the process for appealing the suspension or expulsion in English and in the primary language spoken in the home of the student; provided, however, that the suspension or expulsion shall remain in effect prior to any appeal hearing. The principal or headmaster or a designee shall notify the superintendent in writing, including, but not limited to, by electronic means, of any out-of-school suspension imposed on a student enrolled in kindergarten through grade 3 prior to such suspension taking effect. That notification shall describe the student's

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alleged misconduct and the reasons for suspending the student out-of-school. For the purposes of this section, the term “out-of-school suspension” shall mean a disciplinary action imposed by school officials to remove a student from participation in school activities for 1 day or more.

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

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

#### M.G.L. c.76, §21

Principals and headmasters shall ensure that students who are suspended from school for 10 or fewer consecutive days, whether in or out of school, shall have an opportunity to make academic progress during the period of suspension, to make up assignments and earn credits missed including, but not limited to, homework, quizzes, exams, papers and projects missed. Principals shall develop a school-wide education service plan for all students who are expelled or suspended from school for more than 10 consecutive school days, whether in or out of school. Principals shall ensure these students have an opportunity to make academic progress during the period of suspension or expulsion, to make up assignments and earn credits missed, including, but not limited to, homework, quizzes, exams, papers and projects missed. Education service plans may include, but are not limited to, tutoring, alternative placement, Saturday school, and online or distance learning. In developing the education service plan, principals may seek the cooperation or input of relevant health and human service, housing and nonprofit agencies education collaboratives, and other service providers. Any school or school district that expels a student or suspends a student for more than 10 consecutive school days shall provide the student and the parent or guardian of the student with a list of alternative educational

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services. Upon selection of an alternative educational service by the student and the student's parent or guardian, the school or school district shall facilitate and verify enrollment in the service. Students exempt from attending school under section 1 of chapter 76 shall not be subject to this section.

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

#### M.G.L. c.71, §37L

The school committee of each city, town or regional school district shall inform teachers, administrators, and other professional staff of reporting requirements for child abuse and neglect under section 51A of chapter 119 and the reporting requirements for fires under section 2A of chapter 148.

In addition, any school department personnel shall report in writing to their immediate supervisor an incident involving a student's possession or use of a dangerous weapon on school premises at any time.

Supervisors who receive such a weapon report shall file it with the superintendent of said school, who shall file copies of said weapon report with the local chief of police, the department of children and families, the office of student services or its equivalent in any school district, and the local school committee. Said superintendent, police chief, and representative from the department of children and families, together with a representative from the office of student services or its equivalent, shall arrange an assessment of the student involved in said weapon report. Said student shall be referred to a counseling program; provided, however, that said counseling shall be in accordance with acceptable standards as set forth by the board of

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education. Upon completion of a counseling session, a follow-up assessment shall be made of said student by those involved in the initial assessment.

School department personnel and school resource officers, as defined in section 37P, shall not disclose to a law enforcement officer or agency, including local, municipal, regional, county, state and federal law enforcement, through an official report or unofficial channels, including, but not limited to, text, phone, email, database and in-person communication, or submit to the department of state police's Commonwealth Fusion Center, the Boston Regional Intelligence Center or any other database or system designed to track gang affiliation or involvement, any information relating to a student or a student's family member from its databases and other recordkeeping systems including: (i) immigration status; (ii) citizenship; (iii) neighborhood of residence; (iv) religion; (v) national origin; (vi) ethnicity; or (vii) suspected, alleged, or confirmed gang affiliation, unless it is germane to a specific unlawful incident or to a specific prospect of unlawful activity the school is otherwise required to report. Nothing in this paragraph shall prohibit the sharing of information: (i) for the purposes of completing a report pursuant to section 51A of chapter 119; (ii) upon the specific, informed written consent of the eligible student, parent or guardian; (iii) to comply with a court order or lawfully issued subpoena; (iv) in connection with a health or safety emergency pursuant to the provisions of 603 C.M.R. 23.07(4)(e); or (v) for the purposes of filing a weapon report with the local chief of police pursuant to this section. A student transferring into a local system must provide the new school system with a complete school record of the entering student. Said record shall include, but not be limited to, any incidents involving suspension or violation of criminal acts or any incident reports in which such student was charged with any suspended act.

Links to various [School Committee Policies](#) are included throughout this handbook. We encourage you to review these links, as well as all other policies located in the linked document.



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