

2023-2024 Handbook for Elementary Schools



Ambrose Elementary School, Lincoln Elementary School, Lynch Elementary School, Muraco Elementary School & Vinson-Owen Elementary School



Approved by the Winchester School Committee: August 8, 2023

TABLE OF CONTENTS

Town of Winchester Human Rights Statement	4
Winchester Public Schools: Mission, Vision & Values	4
Winchester Public Schools: School Committee	5
Winchester Public Schools: District Administration	5
Elementary School Contact Information	6
District Coordinators	7
Coordinators	7
General School Information	8
Main Office	8
Parents and Guardians Visiting Teachers	8
School Lunch Program, Snacks, and Food in Classrooms	8
Attendance	9
School Closure Information	11
Transportation	12
Health Services	13
Life Threatening Allergies	15
Report Cards and Parent/Guardian Conferences	16
Homework	16
Special Education	17
Section 504 of The Rehabilitation Act of 1973	17
Student Discipline	19
Volunteers	21
Winchester Parent Organizations	21
Winchester Special Education Parent Advisory Committee	22
School Safety	22
Fire Drills, Evacuation, and Relocation	22
Shelter-in-Place	22
General Policies	24
Policy AC: Nondiscrimination	24
Policy ACA-1: Nondiscrimination on the Basis of Gender Identity	24
Policy ACAC: Policy and Procedures on Harassment	25
Policy BDFA: School Councils	25
Policy IJNDB: Student Acceptance Use Policy	25
Policy JB: Equal Educational Opportunities	26
Policy JICFA: Prohibition of Hazing	26

Policy JICFA-E: Hazing	26
Policy JICFB: Anti-Bullying Policy	27
Policy JIH: Searches and Interrogations	28
JRA: Student Records	28
WPS Bullying Prevention & Response Plan	29
Federal Laws Governing Students' Rights to Education	30
Appendix	31
Policy AC: Nondiscrimination	31
Policy ACA-1: Nondiscrimination on the Basis of Gender Identity	32
Policy ACAC: Policy and Procedures on Harassment	35
Policy ACDA: Accommodation for Religious and Ethnic Observances Policy	39
Policy BDFA: School Councils	40
Policy ECAC: Vandalism	41
Policy ECAF: Security Cameras in Schools	41
Policy IJNDB: Student Acceptance Use Policy	42
Policy JB: Equal Educational Opportunities	49
Policy JICG: Smoking on School Premises	50
Policy JICH: Alcohol, Tobacco, and Drug Use by Students Prohibited	51
Policy JICC (Also EEAEC): Student Conduct on School Buses	51
Policy JICC-R (EEAEC-R): Student Conduct on School Buses	52
Policy JICFA: Prohibition of Hazing	53
Policy JICFA-E: Hazing	53
Policy JICFB: Anti-Bullying	54
Policy JIH: Searches and Interrogations	58
Policy JRA: Student Records	59
Student Discipline	60
Statutory Offenses: Provisions of Law and Due Process	64
Discipline of Students with Disabilities	68

The adopted policies and procedures of the Winchester School Committee and School Department shall supersede all statements and information provided within this document should language be in conflict. For more detailed information and School Committee adopted policies, please refer to the Winchester School Committee Policy Manual, which can be accessed online ([WPS Policy Manual](#)) or by contacting the Office of the Superintendent at 781-721-7000.

Town of Winchester Human Rights Statement

Winchester is a community that is grounded in respect for every individual and therefore protects all residents, employees, business owners, students and visitors in the enjoyment and exercise of human and civil rights. It is Town policy to ensure equal treatment and opportunity to all individuals regardless of race, gender, gender identity, ethnicity, religion, ideology, socio-economic status, health, sexual orientation, age, military status, or disability.

Adopted by the Winchester Select Board September 2009; 2012

Winchester Public Schools: Mission, Vision & Values

Our Mission

To provide all students with an outstanding education in a nurturing yet challenging environment that fosters academic achievement, healthy social and emotional development, enthusiasm for education, and a life-long love for learning.

Our Vision

To strengthen and promote Winchester's tradition of outstanding education for all, ours will be an exemplary public school system that works in partnership with students, parents/guardians, and the community to:

- Challenge every student appropriately and positively with a comprehensive curriculum that simultaneously emphasizes academic fundamentals, real-world skills, and healthy social and emotional development;
- Encourage every student and every teacher to reach their potential by providing a safe, nurturing, and rich learning environment that inspires leadership, enthusiasm for education, and a lifelong love for learning;
- Prepare students to thrive in an increasingly complex, diverse world and to possess a strong sense of civic responsibility and citizenship;
- Value, support, and recognize skilled and passionate teachers committed to educating our students as individuals and as members of a caring and connected community; and
- Embrace and cultivate communication to support effective student learning and healthy development and to improve community awareness of the issues, challenges, accomplishments, and achievements that together define our school system.

Our Values

- Quality teaching by teachers who are passionate learners capable of inspiring and motivating students through their mastery of content and pedagogy and their joy for teaching and learning.
- The unique strength of every student, and we commit to nurturing each as an individual and as a partner in learning.
- A rigorous and comprehensive academic program and the tools and materials to support it.
- Respect and sensitivity toward self and others.

- Rich interaction between students and teachers.
- An environment that promotes and cultivates a lifelong love for learning.
- A positive school culture and a nurturing climate.

Winchester Public Schools: School Committee

Mr. Tom Hopcroft, *Chair*
 Ms. Michelle Bergstrom, *Vice Chair*
 Ms. Karen Maruyama Bolognese, *Recording Secretary*
 Mr. Shamus Brady
 Mr. Christian Nixon

Regular sessions of the School Committee are generally held on the 2nd and 4th Tuesdays of the month unless otherwise posted on the Town of Winchester [Government Calendar](#). Meetings are open to the public and are also televised on Winchester Cable TV Channel 9/37. Detailed information about the School Committee is illustrated on the [School Committee website](#).

Winchester Public Schools: District Administration

Business Office & Mailing Address

80 Skillings Road
 Winchester, MA 01890
 781-721-7000
www.winchesterps.org

Director of Finance & Operations

Mr. Andrew Marron
 781-721-7000 x1000

Administrator of Counseling, Health & Wellness

Ms. Erin Kuehn
 781-721-7000 x1011

Superintendent, Assistant Superintendent, Human Resources, and Special Education

161 Mystic Valley Parkway
 781-721-7000
www.winchesterps.org

Superintendent of Schools

Dr. Frank Hackett
 781-721-7000 x1004

Assistant Superintendent of Schools

Dr. Jennifer Elineema
 781-721-7000 x1006

Director of Special Education

Ms. Heather Geary
 781-721-7000 x1005

Assistant Superintendent of Personnel & Elementary Education

Ms. Laurie Kirby
 781-721-7000 x1003

Elementary School Contact Information

<i>Ambrose Elementary School</i> 27 High Street Winchester, MA 01890 Principal: Ms. Andrea Phelan aphelan@winchesterps.org	School Hours: 8:10 - 2:20pm Office Hours: 8:00 - 3:00pm Early Dismissal: 11:20am	Phone: 781-721-7012 Fax: 781-721-5605 Principal: 781-721-7012 x161 Ambrose School Website
<i>Lincoln Elementary School</i> 161 Mystic Valley Parkway Winchester, MA 01890 Principal: Ms. Kelly Clough kclough@winchesterps.org	School Hours: 8:10 - 2:20pm Office Hours: 8:00 - 3:00pm Early Dismissal: 11:20am	Phone: 781-721-7017 Fax: 781-721-7040 Principal: 781-721-2296 Lincoln School Website
<i>Lynch Elementary School @ Parkhurst</i> 40 Samoset Road Winchester, MA 01890 Principal: Ms. Christine Capodanno ccapodanno@winchesterps.org	School Hours: 7:40 - 1:50pm Office Hours: 7:30 - 2:20pm Early Dismissal: 10:50am	781-721-7013 Fax: 781-721-4480 Principal: 781-721-7013 x4101 Lynch School Website
<i>Muraco Elementary School</i> 33 Bates Road Winchester, MA 01890 Principal: Ms. Leslie West lwest@winchesterps.org	School Hours: 8:10 - 2:20pm Office Hours: 8:00 - 3:00pm Early Dismissal: 11:20am	781-721-7030 Fax: 781-721-0244 Principal: 781-721-7030 x110 Muraco School Website
<i>Vinson-Owen Elementary School</i> 75 Johnson Road Winchester, MA 01890 Principal: Ms. Kathy Caron kcaron@winchesterps.org	School Hours: 8:10 - 2:20pm Office Hours: 8:00 - 3:00pm Early Dismissal: 11:20am	781-721-7019 Fax: 781-721-2681 Principal: 781-721-7029 Vinson-Owen School Website

District Coordinators

Title 1 Coordinator	Ms. Katie Malone	781-721-7030, 33 Bates Rd
Title II ADA Compliance Coordinator	Ms. Heather Geary	781-721-7000 x1005, 161 Mystic Valley Pkwy
Title IV Civil Rights Coordinator & Title IX Coordinator (employee related)	Ms. Laurie Kirby	781-721-7000 x1003, 161 Mystic Valley Pkwy
Harassment & Title IX Coordinator (student - Ambrose)	Ms. Andrea Phelan	781-721-7012, 27 High St
Harassment & Title IX Coordinator (student - Lincoln)	Ms. Kelly Clough	781-721-7017, 161 Mystic Valley Pkwy
Harassment & Title IX Coordinator (student - Lynch)	Ms. Christine Capodanno	781-721-7013, 40 Samoset Rd
Harassment & Title IX Coordinator (student - Muraco)	Ms. Leslie West	781-721-7030, 33 Bates Rd
Harassment & Title IX Coordinator (student - Vinson-Owen)	Ms. Kathleen Caron	781-721-7019, 75 Johnson Rd
English Learner Director	Ms. Hannah Dingman	781-721-7020, 80 Skillings Rd
504 Coordinator & Homeless Education Coordinator	Ms. Erin Kuehn	781-721-7000 x1011, 80 Skillings Rd
Technology	Ms. Lynne Peledge	lpeledge@winchesterps.org

Coordinators

Elementary Instructional Coach	Ms. Betty Beauchamp	781-721-7030 x2155
Elementary Literacy Coordinator	Ms. Katie Malone	781-721-7030 x2155
Elementary Math Coach	Ms. Julie McElaney Gorman	781-721-7030 x2155
Elementary STEM Coach	Ms. Lia Stelljes	781-721-7030 x2155

General School Information

Main Office

Visitors to each elementary school will use the buzzer system at the front entrance of the school. Visitors should first press the blue button outside of the front door, look into the camera, and when prompted state their name and the reason for visiting before being allowed entry into the building. Visitors may also be asked to show identification. All visitors, including parents/guardians, must first report to the Main Office, sign in, pick up a visitor's badge, and affix the badge so that it is visible. Visitors in the building without a visitor's identification sticker during the school day will be escorted to the main office.

Parents and Guardians Visiting Teachers

Parents and guardians who want to meet with a staff member should reach out by phone or email to the teacher to make an appointment. Upon entering the building, parents and guardians must first report to the main office, sign in, pick up a visitor's badge, and affix the badge so that it is visible. An office administrative assistant will notify the teacher of your arrival.

School Lunch Program, Snacks, and Food in Classrooms

Lunch

During the lunch period, children are afforded the opportunity to eat their lunch and socialize with peers. Students in grades K-5 may bring their own lunch to school or they can purchase a school lunch. School lunch menus are published monthly. The decision on whether to bring a lunch or purchase a school lunch is made daily. Classroom teachers collect school lunch orders when they take morning attendance. Milk (white, low fat, or chocolate) is included with the school lunch. Milk or orange juice can also be purchased separately.

Menus and pricing can be found at: www.fdmealplanner.com. Type "Winchester" in the search bar to view elementary menus.

Winchester Public Schools participates in a federally subsidized lunch program for qualified families. Information can be found at: [Free & Reduced Lunch](#)

Snacks

Teachers in grades K through 5 typically give students an opportunity to have a snack at some point during the school day. In grades K, 1, and 2, there is a snack period. In grades 3 through 5, students are encouraged to bring a snack, which can easily and neatly be consumed during work periods.

Food in Classrooms

During the school day, all elementary schools require that parties and celebrations be food-free. Food will not be used as a reward or incentive for any student. Children are not allowed to share snacks or food with each other, either in school, on the bus, or at school-sponsored events such as Field Trips.

Attendance

WPS Attendance Policy

Education in the Winchester Public Schools requires regular and punctual attendance to enhance high levels of participation on the part of its students. Parents and guardians of children who attend our schools have special responsibilities, one of which is to ensure that their children attend school regularly, as required by Massachusetts General Law Chapter 76, section 1. The law states that all children between the ages of six and sixteen must attend school. Up to seven-day sessions and fourteen partial-day sessions may be excused by the school district within any six-month period.

Absences and Tardy Information

A parent or guardian must call the school office if a student will arrive later than the school's starting time. Students who arrive late must check into the office with a parent/guardian. A parent or guardian must call the school office by 9:00am to notify the school that a child will be absent, tardy, or dismissed. If no call is received and a child is missing from their classroom, the school will call home to check on the child.

Excused Absence and Excused Tardy

Winchester Public Schools allows for the following reasons to excuse an absence:

1. Student illness
2. Emergency medical or dental treatment
3. Serious illness or death in the family
4. Family emergency
5. Religious observance
6. Suspension
7. School sponsored events/field trips

Unexcused Absences

The building principal will make the final determination as to whether an absence is classified as excused or unexcused even if the absence meets the approval of parents/guardians. Unexcused absences include, but are not limited to: Appointments (non-emergency), oversleeping, family vacations or other recreational activities, missed bus, non-school-sponsored extracurricular events, and truancy.

Scheduled school vacations occur in December, February, and April. Vacations taken at times other than designated school vacations are considered unexcused absences. Parents/guardians are strongly advised not to take vacations during school days and/or conferences, as children miss important instruction, discussion, and activities that allow guided practice of new skills. Instructional time that is missed while a child is on vacation cannot be replaced. Requests for advance work from classroom teachers for

vacations during school days will not be honored. Students are responsible for making up missed work upon their return to school. Timelines for the completion of missed work are determined by the teachers. If such an absence is unavoidable, students are encouraged to keep a journal of their activities that may be shared with their classmates when they return to school. Families of students in Grades 3, 4, and 5 are reminded to be aware of MCAS testing dates in the spring.

Parents/guardians are requested to schedule non-emergency appointments for physicians, dentists, or special lessons after school hours. In the event that an unexpected emergency or situation arises that will impact your child's attendance, please speak with the building principal.

Students absent due to an emergency medical appointment will be documented as excused as long as medical documentation has been provided for the appointment. If medical documentation is not received within three days of the absence, the missed day will be marked as unexcused.

For chronic absenteeism due to illness, parents/guardians may be asked for medical documentation to support the absences and may be asked to provide periodic, updated medical documentation if the absenteeism continues.

In accordance with M.G.L. c. 76, §18, the principal shall send a letter to the student and parent/guardian within five (5) days from a student's tenth (10th) consecutive unexcused absence to schedule an exit interview between the superintendent, or their designee, and the student and the parent/guardian. The exit interview shall be to discuss the reasons for the student's excessive absences, consideration of alternative educational programming, and/or to determine if the student should be withdrawn from school.

Early Dismissals

The public school day must be left free for school purposes. Children will be dismissed only for medical and dental appointments, which are unable to be scheduled after school, and for emergency situations. All written requests for dismissal are referred to the principal for approval and action.

Whenever a child is to be dismissed during the school day due to a parent/guardian request or illness, the child must be picked up at the office by a parent, guardian, or an adult designated by the parent/guardian. Children will not be allowed to walk home alone for any reason during school hours, nor will children be allowed to wait outside for their rides.

Staying after School

Children may remain after school for special help, completion of work, or disciplinary reasons. The teacher and/or principal will notify and make appropriate arrangements with parents/guardians before a child remains after school. Children will not be detained for more than 10 minutes after the end of the school day unless transportation has been arranged.

Policy ACDA: Accommodation for Religious and Ethnic Observances Policy

The Winchester School District serves children from many different religious and ethnic backgrounds. Out of respect for our students' different religious and ethnic traditions, and to ensure fair and sensitive treatment of all students, the district shall:

- Place responsibility for implementation of this policy on the school principal;

- Distribute school calendars to teachers, staff, and families that include those major religious and ethnic holidays whose observance would require absence from school or other accommodations;
- Impose no penalty or detriment on students who participate in observances of their family's major religious and ethnic holidays;
- Provide ample and flexible accommodations to allow students to make up subject material, assignments, and assessments within a reasonable time (assuming students will not do schoolwork or study during their absence);
- Take major religious and ethnic holidays into consideration when scheduling test preparation, tests, and long-term assignments;
- Avoid scheduling one-time events (field trips, athletic events, music or theater performances, auditions, group photographs, back-to-school functions, and graduation) when possible on major religious and ethnic holidays. Some major religious holidays begin at sundown on the preceding evening (for example, Jewish Holidays of Rosh Hashanah, Yom Kippur, and first day of Passover);
- Not require students observing major religious or ethnic holidays to participate or face penalties for their non-participation in school-scheduled events, such as in try-outs, athletic contests, or music performances;
- Not prevent coaches and advisors from holding optional athletic practices on major religious and ethnic holidays;
- Not deprive any student absent from school because of a religious or ethnic holiday of any award or of eligibility or opportunity to compete for any award because of such absence.

The full policy may be viewed through the [Appendix](#).

School Closure Information

Inclement Weather

The Superintendent of Schools determines when school will be canceled and will send "No School" notifications to families through [ParentSquare](#). Every effort will be made to call "No School" announcements to the following television channels before 6:00 AM: WBZ (4); WCVB (5); WRKO (7); WFXT (FOX -25); WinCAM (37); and www.winchesterps.org.

Normally, the decision is not made until the early morning hours of the day in question. It is imperative that the school office has updated contact information for all students at all times.

Delayed Opening

Due to weather conditions, the school district may call a "Delayed Opening". Like the "No School" notification, a "Delayed Opening" announcement may be reported on the television stations listed above, made through [ParentSquare](#) and reflected on the [District's website](#).

Please do not drop your child/children off more than 10 minutes before the stated delayed opening time. There is no adult supervision before this time. This is an important safety factor.

Emergency School Closing

Rarely, school is canceled during a day that school is in session. If school is canceled because of an emergency during the day (e.g., no heat in a building, impending severe storm, etc.), notifications will be shared through [ParentSquare](#). Please be sure that the school has your most updated information and the names of adults who have permission to take your child/children home should you be unavailable. Please also note that per standard dismissal procedures (such as when a child misses a bus) that children will not be dismissed to the custody of other parents/guardians, neighborhood families, etc., unless school records indicate that it is permissible. These children will remain with school personnel until you or a designee arrives to pick them up.

Early Release Days

An early release day schedule for the year is distributed by the school and can also be found on the [2023-2024 School Year Calendar](#). These afternoons are used for professional development and conferences with parents/guardians. Please check your school's early release day dismissal time. Lunch is not served these days.

Transportation

Bus - for All Students

School bus schedules and routes are published one week before the start of school through ParentSquare notifications. Bus schedules and routes may also be obtained by contacting the WPS Transportation Department. If the published route or schedule does not meet your needs, please contact the Transportation Department at (781) 721-7000 to discuss possible modifications or alternatives. There is a fee for bus service for all students who live less than two miles from school in grades K-12. Online registration for transportation occurs through the Aspen Family Portal. Detailed information regarding transportation is located on the [Transportation Department's website](#).

Walkers

- Walk only on sidewalks. Be certain not to walk in streets or on private property.
- Look both ways before you cross the street.

Policy JICC (also EEAEC): Student Conduct on School Buses

The School Committee and school 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.

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.

The full policy may be viewed through the [Appendix](#).

Policy JICC-R (EEAEC-R): Student Conduct on School Buses

Procedures for Drivers and Parents

In case of any misconduct on a bus, the incident will be reported on the proper form to the school principal or assistant principal. They will report the incident in writing to the parent concerned, with a copy to the transportation office.

In case of a repetition by the same student, the principal or assistant principal will suspend the student's transportation privileges with written notice to the parent. Bus privileges may be denied permanently if a third incident occurs, following a conference with the Superintendent of Schools or designee. The responsibility for transportation will rest with the parent if the privilege is denied.

The full policy may be viewed through the [Appendix](#).

Health Services

Health Entry Requirements

- Immunizations: All immunizations must meet Massachusetts's minimum requirements and must be certified in writing by a licensed healthcare provider. The Commonwealth's School Immunization Law, General Laws Chapter 76, requires the following immunizations of all children entering kindergarten through 5th grade:
 - 5 doses Diphtheria, Pertussis, Tetanus (DTAP)
 - DT - Booster every 10 years.
 - 4 doses Polio
 - 2 doses Measles, Mumps, Rubella (MMR)
 - 2 doses Varicella vaccine or medical documentation of Chicken Pox disease
 - 3 doses of Hepatitis B vaccine
 - Seasonal Flu vaccine, recommended as per MA DPH
 - Students are expected to be fully immunized unless medical or religious documentation is provided, as per MA DPH. See the school nurse for more information.
- Required Vision Screening: All students entering kindergarten must have a completed vision screening, including stereopsis, by the child's primary care provider.
- Lead Screening- test date and test result: Required for all students entering kindergarten
- Physical Examinations: All new students entering (including transfer and kindergarten) must have written proof of a physical exam by their private primary care provider. An examination completed within one calendar year prior to entering school will be accepted. Please forward the required documentation to the school nurse.
- Fourth Grade Physical Examinations: The Massachusetts Department of Public Health, School Health Unit, requires all 4th grade students to have a complete physical exam before they enter their 4th grade school year. An examination completed within one calendar year prior to entering 4th grade will be accepted. Please forward the required documentation to the school nurse.
- Health History: A health update form is sent home at the beginning of each school year to students in grades K-5. Parents/guardians are required to complete these forms to enable the school to keep health records current.

Illness

A child should remain at home for their own welfare and for the protection of other students if he or she has any of the following:

- a severe cold
- persistent cough
- sore throat or swollen glands accompanied by a fever
- an undiagnosed rash or skin eruptions
- earache
- red eyes or drainage from the eyes
- vomiting or diarrhea within the past 24 hours
- a fever during the past 24 hours

If a child becomes ill at school, parent/guardians will be notified and will be expected to provide transportation for their sick child. Children will not be allowed to leave school alone and should be picked up from the school health office.

Medication

The school nurse is the only school personnel authorized to administer medication. (Other designated personnel may be authorized to give medication to a student while away from school on a field trip or in an emergency, life-threatening situation.) Whenever possible, the medication schedule should be adjusted to fall outside school hours. If it is not possible, a written, signed, dated medication order must be made by a healthcare provider and signed by the parent/guardian authorizing the dispensing of medication in school. Written authorization from the parent/guardian only is needed for over-the-counter medications.

An authorized adult should deliver the medication to the school nurse. No student should carry medications on the school bus or in the school building. If a parent/guardian prefers, they may come to school and administer the medication.

Screening

The following health screenings are administered to all students:

- Vision - screening performed annually in grades K-5
- Hearing - screening performed annually in grades K-3
- Postural - screening performed annually in grade 5
- Height & weight - measured in grades K-5

Communicable Diseases

- Chicken pox: Isolation from school for (1) week following appearance of rash. All eruptions must be dry and scabbed over. Most children are now immunized.
- Strep Throat (including Scarlet Fever): Children may return to school after being on adequate antibiotic medication for 24 hours and after being without fever for 24 hours.
- Rashes: Undiagnosed rashes are considered contagious and children should remain at home until a diagnosis has been made.

Pediculosis (Head lice) Guidelines

- Provide effective management of head lice in school.
- Minimize student absences due to head lice infestation
- Educate the community about head lice: prevention, identification, and management.

Pediculosis Procedure

If a child is found to be infested with lice, they will be referred to the parent or guardian for appropriate treatment. The child may return to school after adequate treatment in consultation with the school nurse. The nurse may exclude a student until the treatment is deemed satisfactory for re-entry. When a parent/guardian discovers head lice on their child, please notify the school nurse so appropriate precautions can be taken to prevent their spread to classmates.

Winchester School Health Update

A health update request for each student is sent home by the school nurse at the beginning of each school year. Parents/guardians are required to complete this form online annually. This form is necessary to keep student health records current. Parents/guardians of children with Life Threatening Allergies (LTAs), asthma, seizures, diabetes should meet with the school nurse to plan for your student care during the school day.

Life Threatening Allergies

It is the policy of the Winchester School Committee to ensure full access to a free and appropriate education for all students within the Town of Winchester, including students with life-threatening allergies (LTAs), by establishing age-appropriate procedures and guidelines that minimize the risk for students with LTAs. The procedures and guidelines on LTAs exist at both the district and school building levels.

Winchester Public Schools cannot guarantee an allergen-free environment for all students with LTAs, but we are committed to working towards minimizing the risk of exposure to food allergens that pose a threat to those students, educating the community, and maintaining and regularly updating a system-wide protocol for responding to their needs. A system-wide effort requires the cooperation of all parties within the system, beginning with parents/guardians notifying school personnel regarding their child's medical condition, including any known allergies.

The goal of the Winchester Public Schools is to engage in a system-wide effort to:

- Prevent occurrences of LTA reactions
- Prepare for any allergic reactions
- Respond appropriately to any allergy emergencies

In accordance with the following procedures and protocols, an Emergency Allergy Action Plan (EAAP) and an Individual Health Care Plan (IHCP) will be developed for each student after receipt of written

notification from the student's parent/guardian of a physician-diagnosed LTA. Parents/guardians of children with LTAs, asthma or medical issues should meet with the school nurse to develop Individual Health Care Plans. Additional information on Life Threatening Allergies may be found on the [Health Services website](#).

Report Cards and Parent/Guardian Conferences

Common district report cards are issued three times per year.

Parent/guardian conferences are scheduled for each fall and spring. Parents/guardians or teachers may request conferences at other times, as needed.

Homework

We are committed to providing meaningful and relevant homework that fosters a love of reading and allows students the time to develop their skills and explore their passions.

All students are encouraged to read daily at home, either with a family member or independently. Content-specific homework assignments will generally include some element of student choice and are designed to extend learning and build independence. Homework will not be assigned during weekends, holidays, and vacations.

It is not the expectation that parents/guardians take on the role of teacher or monitor for homework completion. Instead, parents/guardians can play a key role in encouraging learning, risk-taking, and exploration. Listed below are some suggestions for how students can explore their interests while connecting their learning to real-world applications.

While the suggestions listed below apply to students in grades K-5, your child's classroom teacher will provide you with more specific homework guidelines that are developmentally appropriate for each grade level.

Reading

- Read to self
- Read to a family member
- Read aloud to your child
- Listen to audiobooks

Writing

- Journal (feelings or an event from the day)
- Keep a scrapbook highlighting key moments
- Write a letter or postcard
- Create lists

Math and Science

- Play outside and explore the world around them
- Cook and bake
- Design a plan to improve...
- Create and build

Social/Emotional

- Explore outside interests
- Free play
- Time with family
- Good night's rest

Special Education

A student may be eligible to receive special education or related services under state and federal guidelines. Following a series of pre-referral activities such as the District Curriculum Accommodation Plan and Teacher Resource or Strategy Team, a child may be referred for a Special Needs Diagnostic Evaluation. After a comprehensive battery of tests, the child's parents/guardians and the diagnostic team members meet to discuss the test results and identify if an Individual Education Plan (IEP) is necessary. Upon completion of the evaluation, the evaluation team must answer the following questions:

- Does the student have a disability? If so, what type of disability?
- Is the student making effective progress in school? If not, is the lack of progress a result of the student's disability?
- Does the student require specially designed instruction in order to make effective progress in school, or does the student require related services in order to access the general curriculum?

Special Education services available in the schools include resource room, speech and language therapy, occupational therapy, and physical therapy. These providers deliver specialized or remedial services to children to help them develop strategies and skills which allow them to continue to experience success in the classroom. Children may be seen due to a specific learning disability, language processing, fluency, voice disorders, or a developmental delay.

Section 504 of The Rehabilitation Act of 1973

Section 504 of the Rehabilitation Act of 1973 is a Civil Rights Act, which prohibits discrimination against qualified persons with a disability in any program receiving Federal financial assistance. Section 504 defines a "disabled" person as anyone who: "Has a mental or physical impairment, which substantially limits one or more major life activities such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working, or the person has a record of such impairment or is regarded as having such impairment by others."

Notification of Non-Discrimination Policy

The Winchester Public Schools prohibits discrimination on the basis of a disability and will not exclude such persons from participation in, deny to such persons the benefits of, or otherwise subject such persons to discrimination under, any program which receives Federal financial assistance (43 C.F.R. § 104.4). Winchester Public Schools has the responsibility to identify and evaluate a child, to afford eligible children equal access and opportunity to receive all appropriate educational services.

What to do if you disagree with the school's determinations

If the parent or legal guardian disagrees with Section 504 Team determinations or related actions by the Winchester Public School professional staff, they have a right to a meeting to reconsider these determinations/actions by a school Administrator. Please send a letter stating your reason for the meeting within 30 days of receipt of the Section 504 Team's decision. Send request to:

Administrator of Counseling, Health and Wellness/504 District Coordinator

Ms. Erin Kuehn

Central Office

80 Skillings Road

Winchester, MA 01890

ekuehn@winchesterps.org

You are also entitled to pursue a remedy through the United States Department of Education (USDOE) located at the Office for Civil Rights, New England Office:

U.S. Department of Education

33 Arch Street, Suite 900, Boston, MA 02110-1491

Telephone: 617-289-0111, TDD: 877-521-2172 Email: OCR Boston @ed.gov

<http://www.ed.gov/ocr/complaintprocess.html>

Parent/Guardian and Student Rights under Section 504

1. To take part in and receive benefits from public education programs without discrimination due to handicapping conditions.
2. To have equal opportunity to participate in non-academic and extracurricular activities offered by the district.
3. To receive education in facilities comparable to those provided with non-handicapped students.
4. To be advised of your rights under federal law.
5. To receive notice with respect to a specific change in the placement of your child.
6. To receive all information in your native language and primary mode of communication.
7. To have evaluation, educational, and placement decisions made based upon a variety of information sources, and by persons who know the student, the evaluative data used and placement options.
8. To examine records related to identification, evaluation, educational program and placement.
9. To obtain copies of educational records at a reasonable cost.
10. To a response from the school system for reasonable requests for explanations and interpretations of your child's records.
11. To request an amendment of your child's records if there is reasonable cause to believe they are

inaccurate or in violation of the child's privacy rights. If the school denies this request, you will be notified within a reasonable time and advised of your right to a hearing.

12. To have transportation provided to and from alternative placement settings at no greater cost to you than would be incurred if your child were placed in a program operated by the district.
13. To file a grievance with the school district over an alleged violation of Section 504 regulations.
14. To request an impartial hearing related to decisions or actions regarding your child's identification, evaluation, educational program, or placement.
15. You and your child may participate in the hearing and have an attorney represent you. You have a right to ask for payment of reasonable attorney fees if you are successful in your claim.

WPS 504 Grievance Procedure

If you believe that your child has been subjected to discrimination on the basis of disability, you may file a grievance under this procedure.

Procedure:

- Grievances must be submitted to the Section 504 Coordinator within 10 days of the date you become aware of the alleged discriminatory action.
- A complaint must be in writing, containing your name and address. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought.
- The Section 504 Coordinator (or their designee) shall conduct an investigation of the complaint. This investigation may be informal, but it must be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint. The Section 504 Coordinator will maintain the files and records of Winchester Public Schools relating to such grievances.
- The Section 504 Coordinator will issue a written decision on the grievance no later than 30 days after its filing.
- You may appeal the decision of the Section 504 Coordinator by writing to the Superintendent within 15 days of receiving the Section 504 Coordinator's decision. The Superintendent shall issue a written decision in response to the appeal no later than 30 days after its filing.
- The availability and use of this grievance procedure does not prevent you from filing a complaint of discrimination on the basis of disability with the U. S. Department of Health and Human Services, Office for Civil Rights.

Contact Information

Administrator of Counseling, Health and Wellness/504 District Coordinator

Ms. Erin Kuehn

Central Office

80 Skillings Road

Winchester, MA 01890

ekuehn@winchesterps.org

Student Discipline

As required by Massachusetts law, General Laws Chapter 71, Sections 37, 37H, and 37H ½, Winchester Public Schools has adopted a comprehensive policy regarding student discipline, including procedures

and provisions regarding discipline of students on an IEP or a 504 plan and including hazing.

The full policy may be viewed through the [Appendix](#).

Designation of Civil Rights Administrators

The Principal of each school in the Winchester district will designate at least one employee whose responsibility it will be to respond to matters of civil rights that arise in the school setting. The designee shall be given a title and prominently identified as available to receive reports and complaints of civil rights violations from students, faculty, or staff. The designee will receive specialized civil rights training and take responsibility for upholding school civil rights and safety policies. The designee will also serve as a liaison with law enforcement agencies, and Assistant Principal and Superintendent in making referrals of possible criminal matters to law enforcement.

Reporting Conduct to the Police

As reflected throughout this handbook, the police will be notified in cases when conduct relating to school may reasonably lead to criminal charges. In particular, in compliance with the Memorandum of Understanding between the Winchester Police Department and Winchester Public Schools, all assaults (which mean to threaten) and battery (which mean to unlawfully touch) that occur on school premises and during school-sponsored activities will be immediately reported to the police department. There will also be immediate reporting to the police department for incidents in which students are in possession of weapons and illegal substances on school premises and during school-sponsored activities. In addition, serious civil rights violations or possible hate crimes will be reported to the police. Further, acts of bullying or retaliation relating to bullying will be reported to the police in accordance with the provisions of 603 CMR 49.00.

Mandatory Reporting of Abuse and Neglect

Under Mass. Gen. Law Chap. 119 Sec. 51A, school personnel, including but not limited to teachers, administrators, and guidance counselors, are required to report suspected cases of child abuse or neglect to the Massachusetts Department of Children and Families.

Policy ECAC: Vandalism

The School Committee recognizes that acts of vandalism committed against public and private property are costly and require positive action through educational programs. Consequently, the Committee will support various programs aimed at reducing the amount of vandalism.

The full policy may be viewed through the [Appendix](#).

Policies JICG & JICH

In accordance with School Committee policies JICG and JICH, smoking is prohibited in all schools on school grounds, and at all school-sponsored activities whether held on or off school property.

The full JICG & JICH policies may be viewed through the [Appendix](#).

Memorandum of Understanding

The Winchester Public Schools, the Winchester Police Department, and the Middlesex County District Attorney's Office agree to coordinate their response to violent, delinquent, or criminal acts by students and to alcohol and other drug abuse, which occur on school premises or at school-related events. To ensure a safe educational environment, this collaborative effort between school administration and law enforcement supports "zero tolerance" for drugs, alcohol, weapons, and violence. Non-students involved in such acts on school premises or at school events are to be reported as students are. The full agreement is available in the principal's office.

Volunteers

We value a strong home/school partnership and welcome the support of all members of our community. All volunteers serve at the discretion of the school faculty and staff and are subject to the Winchester Public School Volunteer Policy that is distributed in the fall and is available for parent/guardian and community viewing in the Principal's office.

CORI checks

M.G.L. c. 71, § 38R requires all schools in Massachusetts to conduct criminal background checks on current and prospective employees and volunteers, including those who regularly provide school-related transportation to students and those who may have direct and unmonitored contact with children. The CORI law requires a school or district to notify all persons for whom a CORI is requested that such information is being or may be obtained. Prospective employees and volunteers are required to complete and sign a CORI Request Form, which is available through the administrative assistant at each of our six elementary schools. The Request Form is used to document that we have provided you with notice that a CORI is being conducted and to verify your identity through a government-issued form of photographic identification (usually a driver's license).

Winchester Parent Organizations

Each school has a parent association, which supports building-based enrichment programs. In addition, the Parent Inter-School Council (PISC) includes the parent association presidents from each school. PISC meets regularly to collaborate in an effort to support students across Winchester.

Parent Associations:

- Ambrose Elementary School: <http://www.ambrosepto.org/>
- Lincoln Elementary School: <http://www.lincolnsipa.net/>
- Lynch Elementary School: <http://lynchschoool.com/>
- Muraco Elementary School: <http://www.muracoparents.com/>
- Vinson-Owen Elementary School: <http://vinson-owen.com/>

Winchester Special Education Parent Advisory Committee

This is a town-wide committee to advise the School Committee and school department in the area of Special Education and to facilitate communication within the community about Special Education. It also provides parents of children with special needs an opportunity to meet one another. Meetings are open to the public and are announced in school newsletters, in the local paper, and on community cable television. For more information, please visit the [Winchester Special Education Parent Advisory Committee website](#).

School Safety

Fire Drills, Evacuation, and Relocation

In the event that a need arises that requires the evacuation of a school building, students will immediately leave the building accompanied by the staff and report to assigned locations. They will remain outside the building until the building is deemed safe by the proper authorities. If a situation arises where students must be evacuated and relocated, the school staff will escort them to a safe, predetermined location, and the automated School Messenger system will be activated to notify you as to how you can pick up your children.

Emergencies are unexpected, unpredictable, and take many forms. No one can be fully prepared for everything that may happen, but some measures are helpful in any emergency. Each school has an Incident Management Team (IMT) composed of Administration, Allied Health Care, teachers and other staff as needed. The Central Office also has an IMT. The school district has an IMT team made up of a representative from each school and the Central Office as well as representatives from Police and Fire. This team is co-chaired by Police, Fire, and a School representative. This team acts as a steering committee, developing plans, procedures and providing additional support to the school during an incident, including post incident evaluation and debriefing.

Shelter-in-Place

In the event that a circumstance outside is cause for a school to be secured (for example, a potentially dangerous individual in the area of a school or some kind of chemical polluting the air, etc.), the school would go into Intruder or Shelter-in-Place. An intruder means that each classroom will be secured by locking the doors, the students would be moved to an area of the room away from doorways and windows and wait quietly until the Incident Commander or the authorities inform the staff that the intruder is over and they may resume normal activities. No one will be allowed in or out of the building at that time. Shelter-in-Place would require locking all outside doors and closing windows and possibly turning off the ventilation system. Students and staff would be free to move about within the interior of the building only.

Gun Free Policy

In accordance with the Gun Free Schools Act of 1994, any student who is determined to have brought a firearm to school or to a school-related event will be excluded from Winchester Public Schools for a

period of not less than one year except as determined by the Superintendent on a case by case basis. The definition of a firearm includes but is not limited to guns (including a starter gun, bombs, grenades, rockets, missiles, mines, and similar devices). 20 U.S.C. §8921. For additional information on potential consequences for possession of not only a firearm, but also other dangerous weapons at school or school related events, see Mass.Gen.Laws. c. 71 §37H at pages 36-38.

Policy ECAF: Security Cameras in Schools

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

The full policy may be viewed through the [Appendix](#).

Incident Management Team

The Incident Management Team (IMT) responds immediately to emergencies or crises. The IMT consists of the Principal, Assistant Principal(s), school nurse, teachers from each grade level, and support services staff, such as guidance counselors, school psychologists, and a social worker. Appropriate town services including but not limited to police, fire, and ambulance are brought in as needed. When the team is activated with regard to a student or students the parents/guardians of the students involved will be notified.

STAR's Team

In the event of an emergency where there is an immediate threat of physical harm to the McCall community – for example, a bomb threat or intruder in the building – the regional STARs (School Threats Assessment Response) team will be called to respond to the elementary school. The STARs team is made up of specially trained and equipped police officers from Winchester and nearby towns. As soon as possible, the safest known course of action to protect all members of the school community will be implemented.

School Resource Officer

The School Resource Officer is shared with all elementary schools. This police officer, dedicated to working with the schools, works with elementary schools on safety and related issues.

Emergency Evacuation of Building

Students should be familiar with exit routes from every area of the building. During an emergency, students are to be quiet, remain with their class, and follow directions given by the teacher in charge. Once outside the school, students are to remain on the sidewalk or other designated areas assigned by their teacher.

During Lunch

If the building needs to be evacuated during lunch, students should follow the directions of the lunch supervisors on duty. In most situations, students will follow exit routes established for each grade level lunch. Evacuation procedures and exit routes will be reviewed with all students during lunch.

General Policies

Policy AC: Nondiscrimination

Public schools are responsible for working to remove barriers that prevent children from achieving their potential. The Winchester Public Schools (WPS) commitment to this responsibility is affirmed by the following statements:

The Winchester Public Schools will:

1. Promote the rights and responsibilities of all individuals as set forth in the State and Federal Constitutions, legislation, and applicable judicial interpretations.
2. Encourage positive experiences in human values for children, youth, and adults, all of whom have differing personal and family characteristics and come from various socioeconomic, racial, and ethnic groups.
3. Work toward a more integrated society and enlist the support of individuals, groups, and agencies, both private and governmental, in such an effort.
4. Use all appropriate communication and action techniques to air and reduce the grievances of individuals and groups.
5. Carefully consider, in all the decisions made within the school system, the potential benefits or adverse consequences that those decisions might have on the human relations aspects of all segments of society.
6. Initiate a process of reviewing policies and practices of the school system to achieve to the greatest extent possible the objectives of this statement.

The full policy may be viewed through the [Appendix](#).

Policy ACA-1: Nondiscrimination on the Basis of Gender Identity

The Winchester Public Schools has a commitment to maintaining an educational environment and workplace where bigotry and intolerance, including discrimination on the basis of gender identity, sex, sexual orientation, or gender expression is not tolerated and where any form of intimidation, threat, coercion and/or harassment that insults the dignity of others and interferes with their freedom to learn or work is unacceptable.

The Winchester Public Schools strictly enforces a prohibition against harassment and discrimination of any of its students or employees by anyone, including any fellow student, teacher, supervisor, co-worker, vendor, or other third party, as such conduct is contrary to the mission of the Winchester Public Schools and its commitment to equal opportunity in education and employment. The school district does not and will not discriminate on the basis of gender identity, sex, sexual orientation, or gender expression in the educational programs and activities of the public schools, and strives to create an environment where all students and staff feel safe, welcome and included.

The full policy may be viewed through the [Appendix](#).

Policy ACAC: Policy and Procedures on Harassment

The Winchester Public School system is committed to providing faculty, staff and students an environment which allows them to pursue their careers and studies in physical and emotional safety. Therefore schools and offices must be free of any type of harassment or physical threat to well-being. All persons associated with the school system, including, but not limited to, the school committee, the administration, faculty, staff and students are expected to conduct themselves at all times so as to provide an atmosphere free from harassment. These same individuals are strongly encouraged not to tolerate, even by silence, any violation of this policy by others.

Definition of Harassment: Harassment refers to conduct, behavior, or comments that are personally offensive, degrading, or threatening to others. This policy refers to, but is not limited to, insulting or harmful comments or actions based on a person's color, race, gender, religion, sexual orientation, national origin, physical characteristics, gender identity, or disability. Examples of harassment include, but are not limited to, name calling, threats, unsolicited physical contact, unwelcome and insulting comments and gestures, and the display or circulation of written materials or pictures that are degrading or offensive to any individual, ethnic, racial, religious or gender group.

The full policy may be viewed through the [Appendix](#).

Policy BDFA: School Councils

A school council is a representative, school building-based committee composed of the principal, parents, teachers, and community members required to be established by each school pursuant to Massachusetts General Laws Chapter 71, Section 59C. Each elementary school has a school council, and parent elections are held in the fall.

The full policy may be viewed through the [Appendix](#).

Policy IJNDB: Student Acceptance Use Policy

This Technology Acceptable Use Policy for the Winchester Public Schools (WPS) is enacted by the School Committee to provide the parents, students, and staff of the Winchester School Community with a statement of purpose and explanation of the use of technology within the Winchester learning community. This policy is reinforced by practice, acceptable use standards and is required to be read before accessing the technology devices, digital resources, and network infrastructure of the Winchester Public Schools. Students and parents/ guardians as well as all staff members of WPS must also read and sign the accompanying Statement of Responsibilities.

The Winchester Public Schools encourages the use of information technology to assist staff and students with academic success, preparation for the workplace, and lifelong learning. The Winchester Public Schools provides access to a wide range of information technology to support teaching and learning, and communicating and collaborating with others. Information technology will be used to increase communication, enhance student engagement, and assist staff and students in acquiring new skills. The technology devices, digital resources, and network infrastructure will also be utilized to provide relevant school information to a global community.

The full policy may be viewed through the [Appendix](#).

Policy JB: Equal Educational Opportunities

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

The full policy may be viewed through the [Appendix](#).

Policy JICFA: Prohibition of Hazing

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

The full policy may be viewed through the [Appendix](#).

Policy JICFA-E: Hazing

CH. 269, S.17. Crime of Hazing, Definition, Penalty

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

CH. 269, S.18. Duty to Report Hazing

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

CH. 269, S.19. Hazing Statues to be Provided; Statement of Compliance and Discipline Policy Required

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

The full policy may be viewed through the [Appendix](#).

Policy JICFB: Anti-Bullying Policy

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

"Bullying" is the repeated use by one or more students or by a school staff member of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, directed at a target that:

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

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

Cyber-bullying shall also include the creation of a web page or blog in which the creator assumes the identity of another person or the knowing impersonation of another person as author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying.

The full policy may be viewed through the [Appendix](#).

Policy JIH: Searches and Interrogations

Searches by Staff

The right of inspection of students' school lockers is inherent in the authority granted school committees and administrators. This authority may be exercised as needed in the interest of safeguarding children, staff, their own, and school property.

Nevertheless, exercise of that authority by school officials places unusual demands upon their judgment so as to protect each child's constitutional rights to personal privacy and protection from coercion and to act in the best Searches by school officials of students' automobiles or the student will be conducted in a way that protects the students' rights consistent with the responsibility of the school system to provide an atmosphere conducive to the educational process.

The full policy may be viewed through the [Appendix](#).

JRA: Student Records

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

The Superintendent will provide for the proper administration of student records in keeping with state and federal requirements, and shall obtain a copy of the state student records regulations (603 CMR 23.00). The temporary record of each student enrolled on or after June 2002 will be destroyed no later than seven years after the student transfers, graduates or withdraws from the School District. Written notice to the eligible student and their parent of the approximate date of destruction of the temporary record and their right to receive the information in whole or in part, shall be made at the time of such transfer, graduation, or withdrawal. The student's transcript may only be destroyed 60 years following their graduation, transfer, or withdrawal from the school system.

The Committee wishes to make clear that all individual student records of the school system are confidential. This extends to giving out individual addresses and telephone numbers.

SOURCE: MASC

LEGAL REFS.: Family Educational Rights and Privacy Act of 1974,
P.L. 93-380, Amended
P.L. 103-382, 1994
M.G.L. 66:10 71:34A, B, D, E, H
Board of Education Student Record Regulations adopted
2/10/77, June 1995 as amended June 2002.

603 CMR: Dept. of Elementary and Secondary Education
23.00 through 23.12 also
Mass Dept. of Elementary and Secondary Education
publication Student Records; Questions, Answers
and Guidelines, Sept. 1995

CROSS REF: KDB: Public's Right to Know

ADOPTED BY SCHOOL COMMITTEE: June 16, 2015

WPS Bullying Prevention & Response Plan

On May 3, 2010, Governor Patrick signed an Act Relative to Bullying in Schools, M.G.L. c.71, § 370. This law prohibits bullying and retaliation in all public and private schools and requires schools and school districts to take certain steps to address bullying incidents. The Winchester Public Schools Bullying Prevention and Response Plan includes the requirements of the law and information about the policies, procedures, and response plan that the school district will follow to prevent bullying and retaliation. In developing and updating the plan, the Winchester Public Schools has consulted with school and local community members, including parents and guardians.

The [WPS Bullying Prevention & Response Plan](#) is located on the district website.

Below is an age appropriate description of the types of conduct which students are expected to avoid in order to help prevent bullying:

You can help prevent bullying from happening if you follow this code of behavior.

- Be kind to each other.
- Do not use words that would cause a classmate to feel sad, upset, or ashamed.
- Keep your hands to yourself. Do not kick, punch, pinch, or touch another student. Never touch another student in a way that might hurt them.
- Consider other people's feelings at all times before you speak. Try your best not to hurt others' feelings.
- Do not say or do anything to threaten another student.
- Do not do or say anything that would make another student scared.
- Do not tease, taunt, mock, embarrass, or humiliate your classmates.
- If you are being bullied, tell an adult right away.
- If you know another student is being bullied, tell your teacher, principal, parents, or another adult right away.
- If you bully another student, you will be disciplined, up to and including a long-term suspension from school.

Federal Laws Governing Students' Rights to Education

Federal laws outline the rights of certain classes of students to an education. These laws are discussed briefly below. More details governing these rights of students can be obtained in the principal's office.

Homeless Students: Every child without a permanent home has a right to the same appropriate public education provided to all other children. A homeless child may enroll in school even though he or she does not have a permanent address.

Title IX: This law prohibits discrimination under any educational program or activity receiving federal aid based on the student's gender. The coordinator for Title IX is the building principal.

Title IX Section 504: This law prohibits discrimination based upon any physical or mental handicap that substantially limits one or more major life activities, including but not limited to walking, hearing, performing manual tasks, learning, and working. The district coordinator for Section 504 is the Administrator for Social & Emotional Learning.

Appendix

Policy AC: Nondiscrimination

Public schools have the responsibility to overcome, insofar as possible, any barriers that prevent children from achieving their potential. The public school system will do its part. This commitment to the community is affirmed by the following statements that the School Committee intends to:

- (1) Promote the rights and responsibilities of all individuals as set forth in the State and Federal Constitutions, pertinent legislation, and applicable judicial interpretations.
- (2) Encourage positive experiences in human values for children, youth and adults, all of whom have differing personal and family characteristics and who come from various socioeconomic, racial and ethnic groups.
- (3) Work toward a more integrated society and to enlist the support of individuals as well as groups and agencies, both private and governmental, in such an effort.
- (4) Use all appropriate communication and action techniques to air and reduce the grievances of individuals and groups.
- (5) Carefully consider, in all the decisions made within the school system, the potential benefits or adverse consequences that those decisions might have on the human relations aspects of all segments of society.
- (6) Initiate a process of reviewing policies and practices of the school system in order to achieve to the greatest extent possible the objectives of this statement.

The Committee's policy of nondiscrimination will extend to students, staff, the general public, and individuals with whom it does business; No person shall be excluded from or discriminated against in 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, sexual orientation, pregnancy or pregnancy-related condition, or disability. If someone has a complaint or feels that they have been discriminated against because of their race, color, sex, gender identity, religion, national origin, sexual orientation, pregnancy or pregnancy-related condition, or disability, their complaint should be registered with the Title IX Compliance Officer.

SOURCE: MASC

LEGAL REFS.: Title VI, Civil Rights Act of 1964
Title VII, Civil Rights Act of 1964, as amended by the Equal
Employment Opportunity Act of 1972
Executive Order 11246, as amended by E.O. 11375
Equal Pay Act, as amended by the Education Amendments of
1972 Title IX, Education Amendments of 1972, 20 U.S.C.
1681 et seq. Rehabilitation Act of 1973
Education for All Handicapped Children Act of 1975
M.G.L. 71B:1 et seq. (Chapter 27466 of the Acts of 1972)
M.G.L. 76:5; Amended 2001

M.G.L.76:16
Board of Education 603 CMR 26:00 Amended 2012
BESE regulations CMR 28:00

CROSS REFS.: ACA- ACE: Subcategories for Nondiscrimination
 GBA: Equal Employment Opportunity
 JB: Equal Educational Opportunities Pregnant Workshop
 Fairness Act

ADOPTED BY SCHOOL COMMITTEE: June 16, 2015
REVISED: September 25, 2018

Policy ACA-1: Nondiscrimination on the Basis of Gender Identity

The Winchester Public Schools has a commitment to maintaining an educational environment and workplace where bigotry and intolerance, including discrimination on the basis of gender identity, sex, sexual orientation, or gender expression is not tolerated and where any form of intimidation, threat, coercion and/or harassment that insults the dignity of others and interferes with their freedom to learn or work is unacceptable.

The Winchester Public Schools strictly enforces a prohibition against harassment and discrimination of any of its students or employees by anyone, including any fellow student, teacher, supervisor, co-worker, vendor, or other third party, as such conduct is contrary to the mission of the Winchester Public Schools and its commitment to equal opportunity in education and employment. The school district does not and will not discriminate on the basis of gender identity, sex, sexual orientation, or gender expression in the educational programs and activities of the public schools, and strives to create an environment where all students and staff feel safe, welcome and included.

The Winchester Public Schools takes allegations of discrimination and harassment seriously and will respond promptly to complaints. Where it is determined that inappropriate conduct has occurred, the Winchester Public Schools will act promptly to eliminate the conduct and will impose corrective action as necessary, including disciplinary action where appropriate, which may include termination of employment or school-related discipline. The provisions of the Winchester Public Schools' Nondiscrimination Policy and Prohibition Against Sexual Harassment, Nondiscrimination on the Basis of Sex, Anti-Bullying, Bullying Prevention and Intervention Plan, Equal Educational Opportunities and Equal Employment Opportunity policies are incorporated as if fully set forth herein.

Sexual harassment is not covered by this policy or the procedure detailed below. Information regarding sexual harassment, including the definition and how to file a complaint, can be found in policy ACAB. All complaints regarding sexual harassment will be processed according to policy ACAB.

If a student requires assistance under this policy, the student and/or the student's parents/guardians/caretaker should contact the principal. If a staff member requires assistance under this policy, the staff member should contact the human resources director.

To help create a safe and supportive environment for all students, the school district will, consistent with applicable laws and guidance, take the following steps pursuant to the following definitions:

DEFINITIONS

Gender identity is an individual's sincerely held core belief regarding their gender, whether that individual identifies as male, female, both, neither or in some other way (for example, individuals who identify in some other way such as nonbinary, queer, genderqueer or gender fluid).

Gender expression is the manner in which an individual represents or expresses gender to others, through such means as clothing, hairstyling, accessories, voice, behavior and mannerisms.

Transgender is an umbrella term for people whose gender identity or gender expression is different from that traditionally associated with their assigned sex at birth.

Transition is the experience by which a person goes from living and identifying as one gender to living and identifying as another.

Gender expansive is an umbrella term used to describe people who expand notions of gender expression and identity beyond what is perceived as the expected gender norms for their society or context. Some gender-expansive people identify with being either male or female, some identify as neither, and others identify as a mix of both. Gender-expansive people include those with transgender and nonbinary identities as well as those whose gender in some way is seen to be stretching society's notions of gender.

Names/Pronouns

A student or staff member has the right to choose a name and pronoun appropriate to the student's or staff member's gender identity, regardless of the student's or staff member's assigned birth sex and name that appear on the student's or staff member's birth certificate. School District files should accurately record and use the student's or staff member's chosen name and pronouns that are consistent with the student's or staff member's gender identity. Court orders are not required to update student or staff records to reflect changes in a student's or staff member's name and gender markers. A student's individual school will work with a student and the parents/guardians/caregivers of the student if they are involved in the process, or in the case of a younger student with the student and the student's parents/guardians/caregivers, to develop a plan for communicating any name and pronoun change within the school. Similarly, the Director of Personnel will work with individual staff members to develop a plan for communicating any name and pronoun changes within the district and community.

Transitions

When a student transitions, the school may hold a meeting, upon request by student or the parents/guardians/caregivers of the student, with the student and the parents/guardians/caregivers of the student if they are involved in the process, or in the case of a younger student with the student and the student's parents/guardians/caregivers, to develop a plan to provide a safe and supportive educational environment for the student and to address any concerns that may arise.

When a staff member transitions, the staff member may request a meeting with the human resources

director, who may assist the staff member in navigating workplace concerns that the staff members have as a result of the transition.

Privacy, Confidentiality and Student Records

Records with a student's or staff member's assigned birth name and sex, name change for gender identity purposes, gender transition, medical information related to gender identity or other information of a similar nature, if such records exist, will be maintained in a separate, confidential file. The school district shall ensure that all information related to a student's or staff member's gender identity shall be kept confidential in accordance with applicable federal, state and local privacy laws and regulations. Information that may reveal a student's or staff member's gender identity to others will not be disclosed unless the school is legally required to do so, or unless the disclosure has been authorized by the student or staff member, or in the case of a younger student, by the student's parents/guardians/caregivers. Schools will consult with a student and the parents/guardians/caregivers of the student if they are involved in the process, or in the case of a younger student with the student and the student's parents/guardians/caregivers, when determining whether any such information should be disclosed, and if so, how much information should be disclosed and to whom.

Accessibility to Restrooms, Locker Rooms and Changing Facilities

A student or staff member may access the restrooms, locker rooms and changing facilities that correspond to the student's or staff member's gender identity. Upon a student's or staff member's request, any student or staff member who is uncomfortable using a shared facility, regardless of the reason, shall be provided with a safe and non-stigmatizing alternative. Based upon availability and the appropriateness to address privacy concerns, accommodations that may be offered to a student or staff member who desires increased privacy may include, but are not limited to: (a) use of a nearby private area (such as a gender neutral restroom, gender neutral changing room, nurse's restroom, or a nurse's office); (b) a separate changing schedule, or (c) use of private area within a public area (such as, an area separated by a curtain, or a bathroom or changing stall with a door). Schools will consult with a student and the parents/guardians/caregivers of the student if they are involved in the process, or in the case of a younger student with the student's parents/guardians/caregivers, to ensure accessibility and address any concerns that may arise.

Physical Education Classes and Athletic Activities

In those instances where there are gender-segregated classes or activities, as opposed to co-educational classes and activities, a student must be allowed to participate in a manner consistent with the student's gender identity. (For more information, please see Winchester Public School's Inclusive Sports and Extracurricular Activity Participation Policy (JJIC).)

Dress Codes

A student must be permitted to dress in compliance with the school district's dress code in a manner consistent with the student's gender identity. Staff members shall be permitted to dress in a manner consistent with their gender identity.

Other Gender-Based Activities, Rules and Practices

Schools should review and evaluate any gender-based activities, rules, and practices currently being utilized, and replace such gender-based activities, rules and practices with non-gendered alternatives. If

there is a clear and sound pedagogical purpose to retain a gender-based activity, rule, or practice, a student must be allowed to participate in the activity, rule or practice in a manner consistent with their gender identity.

Education and Training

The school district shall incorporate training about transgender and gender nonconforming students into its anti-bullying and non-discrimination curriculum, student leadership training, and staff professional development in order to promote a safe and supportive environment for all students and staff.

Consistent with this policy and applicable laws and guidance, the Superintendent of Schools shall promulgate administrative procedures to address steps that school staff should take to create a culture where transgender and gender nonconforming students and staff feel safe, supported and fully included. The administrative guidelines should, at a minimum, address the following areas: gender transition, names and pronouns, privacy, confidentiality and student records, gender markers on student records, restrooms, locker rooms and changing facilities, physical education classes, intramural and interscholastic athletic activities, dress codes, and other gender-based activities, rules, policies and practices, and education and training.

References:

An Act Relative to Gender Identity (Chapter 199 of the Acts of 2011) MGL c.4, §5 MGL c. 76, § 5 603 CMR 26.00 603 CMR 1.00 603 CMR 23.00 603 CMR § 23.04 603 CMR §§23.01 and 23.07.

The Federal Family Educational Rights and Privacy Act, 20 USC 1232g DESE – Safe Schools Program for LGBTQ Students

CROSS REFS.: AC: ACAB: Subcategories for Nondiscrimination
GBA: Equal Employment Opportunity
JB: Equal Educational Opportunities
JICFB: Anti-Bullying
JJIC: Inclusive Sports and Extracurricular Activity Participation Policy

ADOPTED BY SCHOOL COMMITTEE: April 23, 2019

REVISED ON: December 7, 2021

Policy ACAC: Policy and Procedures on Harassment

The Winchester Public Schools is committed to providing faculty, staff and students an environment which allows them to pursue their careers and studies in physical and emotional safety. Therefore schools and offices must be free of any type of harassment or physical threat to well-being. All persons associated with the school system, including, but not limited to, the school committee, the administration, faculty, staff and students are expected to conduct themselves at all times so as to provide an atmosphere free from harassment. These same individuals are strongly encouraged not to

tolerate, even by silence, any violation of this policy by others.

Definition of Harassment

Harassment refers to conduct, behavior, or comments that are personally offensive, degrading, or threatening to others. This policy refers to, but is not limited to, insulting or harmful comments or actions based on a person's race, gender, religion, sexual orientation, national origin, physical characteristics, or disability. Examples of harassment include, but are not limited to, name calling, threats, unsolicited physical contact, unwelcome and insulting comments and gestures, and the display or circulation of written materials or pictures that are degrading or offensive to any individual, ethnic, racial, religious or gender group.

Sexual harassment is not covered by this policy or the procedure detailed below. Information regarding sexual harassment, including the definition and how to file a complaint, can be found in policy ACAB. All complaints regarding sexual harassment will be processed according to policy ACAB.

Procedures for Reporting Harassment

In determining whether an alleged incident constitutes harassment, the building Principal (unless involved as a party) will serve as the hearing officer vested with the authority and responsibility of processing all non-sexual harassment complaints in accordance with the following procedures. The following steps should be followed in the reporting/resolution process. In attempting to reach a resolution, the totality of circumstances, including the developmental level and age of the students involved will be considered.

Student

Level One

Complaints of harassment should be reported to a faculty member, including a guidance counselor or the school nurse. If that staff member is not successful in resolving the situation or a decision is made to move the complaint forward, the incident must be referred to the school Principal.

Level Two

Should the complaint not be resolved at Level One, the building Principal will hold an informal hearing to attempt to resolve the situation. The Principal will involve the students' parents or guardians as appropriate.

Level Three

In the event that a student and/or parents are not satisfied by the resolution process at level two, they may file the complaint with the Superintendent of Schools within a reasonable amount of time, not to exceed thirty days. Hearing procedures for both students and staff are described after the staff section of this document.

Staff

Level One

Any staff member of the district who believes they have been subjected to harassment as defined by this policy, is to report the incident to the building Principal (unless the Principal is the party involved, in which case, reporting moves to level two).

The Principal will examine the totality of the circumstances and the context in which the alleged incident occurred. After obtaining a clear understanding of the facts by conferring with all parties involved, the Principal will attempt to resolve the problem.

Level Two

In the event that a staff member is not satisfied by the resolution process, the staff member may file the complaint with the Superintendent of Schools (unless the Superintendent is a party, in which case the complaint goes to the school committee) within a reasonable amount of time not to exceed 30 days. Hearing procedures for both students and staff are described after the staff section of this document.

Hearing Before the Superintendent

The purpose of the Superintendent's hearing will be to determine whether the school system's policy on harassment has been violated, and, if so, the Superintendent will recommend appropriate consequences for the violation.

Both parties will be given a full and fair hearing. The proceeding, although formal, is not a court proceeding and the superintendent will not be bound by the procedures and rules of evidence of a court of law. In most instances, complainants and respondents will be expected to speak for themselves, although, if desired, each party may be accompanied by an advocate(s) and/or legal counsel.

The Superintendent will act as the presiding officer of the hearing and may have counsel present for purposes of assisting in the orderly conduct of the hearing. The complainant and the respondent will be asked to clarify the issues and to define the areas of disagreement. To encourage a fair and focused hearing, the parties will notify the Superintendent at the start of the proceedings about the points of agreement and disagreement. The Superintendent will hear testimony and consider whether the school committee policy on harassment has been violated, and, if they so find, will recommend appropriate consequences.

The Superintendent will:

- ensure an orderly presentation of all evidence
- ensure that the proceedings are accurately recorded by means of a tape or stenographic recording
- issue a fair and impartial decision based on the issues and evidence presented at the hearing no later than ten working days after the conclusion of the hearing or, when written arguments are submitted, ten working days after their submission.

Decision of the Superintendent

After all the evidence and the testimony are presented, the superintendent (or the school committee in the case of a charge against the superintendent) will deliberate to determine whether the school system's policy on harassment has been violated. If the superintendent/school committee finds that the policy has not been violated, that fact will be registered in the records of the hearing, and the written decision will be forwarded to the complainant and the respondent no later than fifteen working days after the completion of the hearing.

Consequences of the Decision

If a student or staff member is found in violation of this policy, the consequences should reflect the severity of the harassment. These consequences may include, but will not be limited to, any one or combination of the following:

Student

- verbal admonition
- written warning, placed in student's record
- probation
- transfer to another school
- suspension from school and possible expulsion, with an additional hearing, following a finding that the policy has been violated

If appropriate, the Superintendent may recommend some form of community service or school service, and may also make appropriate recommendations, such as professional counseling, and may recommend relief for the complainant which reinstates and restores the aggrieved party as much as possible.

Staff

- verbal admonition
- written warning, placed in individual's record
- probation
- suspension with/without pay, demotion/transfer to another role/building within the school system, removal from administrative duties within a building/department, dismissal

The Superintendent may also make appropriate recommendations, such as professional counseling, and may recommend relief for the complainant which reinstates and restores the aggrieved party as much as possible.

Prevention

In an effort to prevent harassment from occurring, discussions of all forms of harassment and their consequences will be integrated into curriculum and instruction at all levels of the school system. Training in the prevention and correction of harassment will be provided to staff. Staff members are encouraged to be vigilant about all types of harassment and to intervene and report any incidents which could be construed as harassment. Staff members are expected to engage student groups in discussions about the issue of harassment and to increase student awareness of reasons not to engage in harassment.

In addition to the above, if you believe you have been subjected to harassment, you may file a complaint with any of the governing agencies set forth below.

- United States Department of Education Office for Civil Rights – Region 1
8th Floor
5 Post Office Square
Boston, MA 02109
(617) 289 – 0111

-Equal Employment Opportunity Commission
JFK Federal Building
15 New Sudbury Street, Room 475
Boston, MA 02203
(800) 669 – 4000

-The Massachusetts Commission Against Discrimination (“MCAD”)
One Ashburton Place – Room 601
Boston, MA 02108
(617) 994 – 6000

SOURCE: Winchester

ADOPTED BY SCHOOL COMMITTEE: June 16, 2015

REVISED ON: September 14, 2021

Policy ACDA: Accommodation for Religious and Ethnic Observances Policy

The Winchester School District serves children from many different religious and ethnic backgrounds. Out of respect for our students’ different religious and ethnic traditions, and to ensure fair and sensitive treatment of all students, the district shall:

- Place responsibility for implementation of this policy on the school principal;
- Distribute school calendars to teachers, staff, and families that include those major religious and ethnic holidays whose observance would require absence from school or other accommodations;
- Impose no penalty or detriment on students who participate in observances of their family’s major religious and ethnic holidays;
- Provide ample and flexible accommodations to allow students to make up subject material, assignments, and assessments within a reasonable time (assuming students will not do schoolwork or study during their absence);
- Take major religious and ethnic holidays into consideration when scheduling test preparation, tests, and long-term assignments;
- Avoid scheduling one-time events (field trips, athletic events, music or theatre performances, auditions, group photographs, back-to-school functions, and graduation) when possible on major religious and ethnic holidays. Some major religious holidays begin at sundown on the preceding evening (for example, Jewish Holidays of Rosh Hashanah, Yom Kippur, and first day of Passover);
- Not require students observing major religious or ethnic holidays to participate or face penalties for their non-participation in school-scheduled events, such as in try-outs, athletic contests, or music performances;
- Not prevent coaches and advisors from holding optional athletic practices on major religious and ethnic holidays;
- Not deprive any student absent from school because of a religious or ethnic holiday of any award or of eligibility or opportunity to compete for any award because of such absence.

SOURCE: Winchester

LEGAL REF.: M.G.L. Ch. 151C, Sec. 2B

CROSS REFS.: IMD: School Ceremonies and Observances
JH: Student Absences and Excuses
JH-E: Excused Absence Guidelines
JI: Student Rights and Responsibilities
Winchester Multicultural Network Publication Accommodating
Our Religious Holiday Observances – “A Learning Tool”

ADOPTED BY SCHOOL COMMITTEE: June 16, 2016
AMENDED BY SCHOOL COMMITTEE: March 22, 2016

Policy BDFA: School Councils

The School Committee believes that the school is the key unit for educational improvement and change and that successful school improvement is best accomplished through a school-based decision-making process. By involving those directly affected by any action or decision of the school council in the process of determining that action or decision, it helps to strengthen the commitment to those decisions by those most affected by its implementation.

Under this policy, the Principal shall have primary responsibility for the management of the school. Decisions which are made at the school level must be aligned with the budget, policies, curriculum, and long-range and short-range goals adopted by the School Committee. In addition, decisions must comply with any state and federal laws and regulations and with any negotiated agreements of the school District.

As enacted by the state legislature in the Education Reform Act of 1993, a school council shall be established in each school to advise the Principal in specific areas of school operation. The Principal, except as specifically defined in the law, shall have the responsibility for defining the composition of and forming the group pursuant to a representative process approved by the Superintendent and School Committee.

The following guidelines define the role of the school council:

The School Council shall meet regularly with the Principal of the school and shall assist in:

- (1) Adoption of educational goals for the school that are consistent with state and local policies and standards.
- (2) Identification of the educational needs of the students attending the school.
- (3) Review of the school building budget.
- (4) Formulation of a school improvement plan that may be implemented only after review and approval by the Superintendent.

SOURCE: MASC

LEGAL REFS.: M.G.L. 71:38Q, 71:59C

ADOPTED BY SCHOOL COMMITTEE: June 16, 2015

Policy ECAC: Vandalism

The School Committee recognizes that acts of vandalism committed against public and private property are costly and require positive action through educational programs. Consequently, the Committee will support various programs aimed at reducing the amount of vandalism.

The full policy may be viewed through the [Appendix](#).

Every citizen of the town, staff members, students, and members of the police department are urged by the School Committee to cooperate in reporting any incidents of vandalism to property under control of the school department, and the name(s) of the person or persons believed to be responsible. Each employee will report to the Principal of the school every incident of vandalism known to them and, if known, the names of those responsible.

The Superintendent is authorized to sign a criminal complaint and to press the charges against perpetrators of vandalism against school property, and is further authorized to delegate, as they see fit, authority to sign such complaints and to press charges.

Parents and students will be made aware of the legal implications involved. Reimbursement will be sought for all or part of any damages.

SOURCE: MASC

ADOPTED BY SCHOOL COMMITTEE: June 16, 2015

Policy ECAF: Security Cameras in Schools

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

In pursuit of this objective, the School Committee authorizes the use of security cameras in school district buildings and on its property to ensure the health, welfare and safety of all students, staff and visitors, to deter theft, vandalism and other negative behavior, to safeguard district buildings, grounds and equipment, and to monitor unauthorized individuals in or on school property. Security cameras may

be used in locations as deemed appropriate by the Superintendent of Schools in consultation with school officials as well as local law enforcement and emergency response agencies. They may be used in any area, inside or outside of school buildings where there is no reasonable expectation of privacy.

The district shall notify students and staff through student and employee handbooks and appropriate signage that security cameras have been installed and may be used at any time. Those who are observed on video recordings to have violated school policies or procedures may be subject to disciplinary action.

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

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

SOURCE: MASC

ADOPTED BY SCHOOL COMMITTEE: November 24, 2015

Policy IJNDB: Student Acceptance Use Policy

Introduction

This Technology Acceptable Use Policy for the Winchester Public Schools (WPS) is enacted by the School Committee to provide the parents, students, and staff of the Winchester School Community with a statement of purpose and explanation of the use of technology within the Winchester learning community. This policy is reinforced by practice, acceptable use standards and is required to be read before accessing the technology devices, digital resources, and network infrastructure of the Winchester Public Schools. Students and parents/ guardians as well as all staff members of WPS must also read and sign the accompanying Statement of Responsibilities.

Purpose

The Winchester Public Schools encourages the use of information technology to assist staff and students with academic success, preparation for the workplace, and lifelong learning. The Winchester Public Schools provides access to a wide range of information technology to support teaching and learning, and communicating and collaborating with others. Information technology will be used to increase communication, enhance student engagement, and assist staff and students in acquiring new skills. The

technology devices, digital resources, and network infrastructure will also be utilized to provide relevant school information to a global community.

Implementation of this Policy

The Superintendent of Schools or their designee(s), shall develop and implement administrative regulations, procedures, terms and conditions for use and user agreements consistent with the purposes and mission of the Winchester Public Schools as well as with applicable laws and this policy.

Definitions

“Technology devices, digital resources, and network infrastructure” is defined as the Winchester Public Schools network, the Internet, Google Apps for Education, email, hardware, software, printers, peripheral devices, individual computer devices, and web enabled devices.

“Information technology” is defined as Internet access, blogging, podcasting, email, published and non-published documents, and various forms of multimedia technology.

“Educational use” is defined as a use that supports communication, research, and learning.

“Devices” refer to district owned/leased, staff owned devices, and student owned devices.

Children’s Online Privacy Protection Act (COPPA)

Congress enacted the Children’s Online Privacy Protection Act, 15 U.S.C. §6501, et seq. (COPPA) in 1998. COPPA required the Federal Trade Commission to issue and enforce regulations concerning children’s online privacy. The Commission’s original COPPA Rule became effective on April 21, 2000. The Commission issued an amended Rule on December 19, 2012 that became effective on July 1, 2013.

Winchester Public Schools works diligently to comply with COPPA requirements. Winchester Public Schools does not collect student personal information or transmit such information directly to online entities for the purpose of creating web based accounts. In cases of web based account creation, Winchester Public Schools will use an internal school district identification number to represent each student user.

Technology Related Services Provided by the Winchester Public Schools

What are Google Apps for Education?

Winchester Public Schools provides staff and students with a Google Apps for Education account. Google Apps is a free web based suite of programs provided by Google for schools to use. All staff and students in Winchester Public Schools have access to Google Apps for Education. Google Apps includes such programs as Google Drive, Google Calendar, and Google Gmail.

All of the Google Apps services can be accessed from anywhere you have an Internet connection (school, home, smart phone, etc.) This reduces and replaces the need for flash drives and/or external data drives. Since Google Apps is all online, it is the same everywhere you use it. There is no issue with having one version of a program at home and a different version at school. Google Apps allows users to easily share documents and files with teachers and other students, so users can turn in assignments electronically and collaborate on projects with classmates.

WPS Student Google Account Setup

WPS student accounts are created using only student local identification numbers and year of graduation. The student's username is his or her local student ID, such as 123456

Gmail

Gmail is the powerful Email program that comes with Google Apps for Education. With Gmail users can communicate with staff and students within the Winchester Public Schools domain.

Google Calendar

Google Calendar allows users to maintain multiple calendars for all needs. Users can keep calendars private, or they can share them with others determined by the user. Users can also invite people to specific events on your calendar.

Google Drive

Google Drive gives all users unlimited cloud storage space for most file formats. Google Drive can be accessed from any computer with an Internet connection. Google Drive allows users to access and share files from any device that has Internet connectivity.

Google Drive includes, but is not limited to, the following programs:

- Google Docs: word processor similar to Microsoft Word
- Google Slides: multimedia presentation tool similar to Microsoft PowerPoint
- Google Sheets: spreadsheet program similar to Microsoft Excel
- Google Forms: survey/data collection tool for creating forms and collecting data from an audience
- Google Drawings - simple graphic design program

Uses for Student Gmail

Email can be a powerful communication tool for students to increase communication and collaboration. Students are encouraged to check their email regularly. Teachers may send email to middle and high school students to communicate reminders, course content, pose questions related to class work, and such. Students may send email to their teachers with questions or comments regarding class. Students may send email to other students to collaborate on group projects and assist with school classes.

Student Gmail Permissions

Winchester Public Schools' Gmail system controls who email messages can be sent to and who they can be received from. WPS Students cannot send email to parent accounts or anyone outside of the Winchester Public Schools domain. All WPS students cannot receive email from outside of the domain. Therefore, students should not use their WPS email for setting up accounts that need to be verified via email or receive notices via email (unless directed by faculty).

Student Emails to Staff

Students are encouraged to email staff concerning school related content and questions. However, there will be no requirement or expectation for staff to answer student emails outside of their regular work

day, although they certainly may if they choose. For example, an unanswered email to a teacher would not excuse a student from turning in an assignment.

General Email and Online Chat Guidelines

Below is a general summary of guidelines related to email and any form of online chat or instant messages:

- Email and online chat are to be used for school related communication.
- Do not send harassing emails or instant messages or content.
- Do not send offensive email or instant messages or content.
- Do not send spam emails or instant messages or content.
- Do not send email or instant messages containing a virus or other malicious content.
- Do not send or read email or instant messages at inappropriate times, such as during class instruction.
- Do not send email or instant messages to share test answers or promote cheating in any way.
- Do not use the account of another person.

Content Filtering

The Winchester Public Schools uses software designed to block access to certain sites and filter content as required by the Children's Internet Protection Act, 47 U.S.C. §254 (CIPA). Winchester Public Schools is aware that not all inappropriate information can be filtered and the district will make an effort to correct any known gaps in the filtering of information without unduly inhibiting the educational use of age appropriate content by staff and students. Users will inform teachers or administrators of any inadvertent access to inappropriate material, in order that there is appropriate modification of the filtering profile.

Winchester Public Schools educates students about appropriate online behavior, including interacting with other individuals on social networking Web sites and in chat rooms and cyber bullying awareness and response. WPS provides these educational opportunities as part of the Winchester Public Schools K12 Information and Digital Literacy Goals.

Monitoring

The Winchester Public Schools monitors the use of the school department's network to protect the integrity and optimal operation of all computer and system networks. There is no expectation of privacy related to information stored and transmitted over the Winchester Public Schools network. The information on the network in general files and email is not private and is subject to review by the network manager at the request of the Winchester Public Schools administration to substantiate inappropriate activity and to comply with requests of law enforcement agencies as part of their investigations.

The Winchester Public Schools will cooperate with copyright protection agencies investigating copyright infringement by users of the computer systems and network of the Winchester Public Schools.

Technicians and computer system administrators maintain full access rights to all storage devices, and may need to access/manage such storage devices as part of their duties.

Routine maintenance and monitoring of the system may lead to discovery that a user has or is violating the Winchester Public Schools Technology Acceptable Use Policy, other school committee policies, state laws, or federal laws.

Search of particular files of a user shall be conducted if there is a reasonable suspicion that a user has violated the law or Winchester School Committee Policies. The investigation will be reasonable and in the context of the nature of the alleged policy violation.

Email that is sent within the WPS district is monitored and filtered based upon content. Rules/filters are set up to monitor student email for profanity, harassment, and other inappropriate content. Student email that is identified as inappropriate will be reviewed by the school administration.

User Access and Explanation of Guideline

Access to information technology through the Winchester Public Schools is a privilege, not a right. Students, parents, and staff shall be required to read the WPS Technology Acceptable Use Policy and sign and return the Statement of Responsibilities.

The Winchester Public School Acceptable Use Policy shall govern all use of technology devices, digital resources, and network infrastructure. Student use of technology resources, digital resources, web enabled devices, and network infrastructure will be governed by the Winchester School committee disciplinary policies as outlined in the policy manual of the district and the student's school handbook.

Because information technology is constantly changing, not all circumstances can be anticipated or addressed in this policy. All users are expected to understand and comply with both the "letter" and the "spirit" of this policy and show good judgment in their use of these resources.

The Winchester Public Schools provides students access to its technology devices, digital resources, and network infrastructure, along with information technology for educational use. If a student has doubts regarding whether a resource has educational merit, they should ask a staff member.

Scope of Technology Policies

Policies, guidelines and rules refer to all computing devices including but not limited to computers, mobile web enabled devices, iPads, MP3 players, portable memory storage devices, calculators with interfacing capability, cell phones or ECDs (electronic communication devices), digital cameras, etc., as well as technology infrastructure, associated peripheral devices and/or software.

Policies, guidelines, and rules refer to any computing or telecommunication devices owned by, leased by, in the possession of, or being used by students and/or staff that are operated on the grounds of any district facility or connected to any equipment at any district facility by means of web connection, direct connection, telephone line or other common carrier or any type of connection including both hardwired, fiber, infrared and/or wireless.

This Technology Acceptable Use Policy also applies to any online service provided directly or indirectly by the district for student use, including but not limited to: Google Apps for Education accounts, Email, Calendar, and the student management systems.

Expectation of Privacy

At any time and without prior notice, the WPS reserves the right to monitor, inspect, copy, review, and store any and all usage of technology devices, digital resources, and network infrastructure, along with information technology as well as any information sent or received in connection with this usage. Staff and students should not have any expectation of privacy regarding such materials.

Consequences for Violation of Technology Policies

Use of the computer network and Internet is an integral part of research and class work, but abuse of this technology can result in loss of privileges. Students who use technology devices, digital resources, and network infrastructure, along with information technology inappropriately may lose their access privileges and may face additional disciplinary or legal action.

The length of time for loss of privileges will be determined by building administrators and/or other staff members. If the user is guilty of multiple violations, privileges can be removed for one year or more.

Unacceptable Uses of Technology Resources

Inappropriate technology use includes but is not limited to the following:

Interfering with the normal functioning of devices, computer systems, or computer networks. Damaging or theft of devices, computer systems, or computer networks. Accessing, modifying, or deleting files/data that do not belong to you. Sending or publishing offensive or harassing messages and content. Accessing dangerous information that, if acted upon, could cause damage or danger to others.

Giving your username or password to any other student, or using the username or password of someone else to access any part of the system. Sharing and/or distribution of passwords or using another student or faculty member's password. Intentional viewing, downloading or distribution of inappropriate and/or offensive materials. Gaining unauthorized access to computer and or telecommunications networks and resources.

Viewing, transmitting or downloading pornographic, obscene, vulgar and/or indecent materials. Using obscene language, harassing, insulting or bullying others, posting of private or personal information about another person, spamming of the school email system, violating any federal or state law, local regulation or school committee policy.

Violating copyright laws and/or the district policy on plagiarism. Copying software or applications from Winchester Public School devices through any electronic means unless the particular licensing agreement in place for the software allows user distribution.

Intentionally wasting limited network or bandwidth resources. Destructions/vandalism of system software, applications, files or other network resources. Employing the network for commercial or political purposes. Using the network / Internet to buy or sell products.

“Hacking” and other illegal activities in an attempt to gain unauthorized access to restricted files, other devices or computer systems. Uploading any harmful form of programming, bypassing filters, installing any type of server, aliasing / spoofing, peer to peer networking or remote control software.

Possession of and/or distribution of any of software tools designed to facilitate any of the above actions will also be considered an offense.

Saving inappropriate files to any part of the system, including but not limited to:

- Music files
- Movies
- Video games of all types
- Saving offensive images or files
- Programs which can be used for malicious purposes
- Any files for which you do not have a legal license
- Any file which is not needed for school purposes or a class assignment.

Uses that contribute to the violation of any other student conduct code including but not limited to cheating, plagiarism, hazing or harassment, theft, falsification of records, possession of banned substances/items, etc.

NOTE: If you need a file for a class project that you think may be considered inappropriate, then you need to have teacher and school administration permission prior to the class project.

Due Process

The Winchester Public Schools will apply progressive discipline for violations of the district policy and signed Acceptable Use Agreement Form which may include revocation of the privilege of a user’s access to technology devices, digital resources, and network infrastructure, along with information technology. Other appropriate disciplinary or legal action may be undertaken by the Winchester Public Schools administration. The nature of the investigation will be reasonable, and for staff, will reflect the contract language for each bargaining unit.

Winchester Public Schools Limitations of Liability

The Winchester Public Schools makes no warranties of any kind, implied or expressed, that the services and functions provided through the Winchester Public Schools technology devices, digital resources and network infrastructure, along with information technology will be error free or without defect. The

Winchester Public Schools will not be responsible for damages users may suffer, including but not limited to loss of data or interruption of service.

The Winchester Public Schools, along with any persons or organizations associated with the school department Internet connectivity, will not be liable for the actions of anyone connecting to the Internet through the school network infrastructure. All users shall assume full liability, legal, financial or otherwise for their actions while connected to the Internet.

The Winchester Public Schools assumes no responsibility for any information or materials transferred or accessed from the Internet.

Parents/Guardians should read this WPS Technology Acceptable Use Policy. Parents/guardians should discuss the technology use responsibilities with their children. Questions and concerns can be forwarded to the Winchester Public Schools and appropriate offices.

Parents and guardians agree to accept financial responsibility for any expenses or damages incurred as a result of their student's inappropriate or illegal activities on the Winchester Public Schools network. Parents and guardians agree to reimburse Winchester Public Schools for any expenses or damages incurred in the use of district owned devices such as iPads in 1:1 school deployments. Parents and guardians will have access to optional third party insurance carriers.

Modification

The Winchester School Committee reserves the right to modify or change this policy and related implementation procedures at any time.

SOURCE: WINCHESTER

LEGAL REFS: 47 USC § 254

CROSS REFS: IJND: Access to Electronic Media

ADOPTED BY SCHOOL COMMITTEE: June 16, 2015

Winchester Public Schools would like to thank Burlington Public Schools for sharing their Acceptable Use Policy, adopted by Burlington School Committee August 20, 2013.

Policy JB: Equal Educational Opportunities

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

To accomplish this, the Committee and its staff will make every effort to comply with the letter and the spirit of the Massachusetts equal educational opportunities law, which prohibits discrimination in public school admissions and programs. The law reads as follows:

No child shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and course of study of such public school on account of race, color, sex, gender identity, religion, national origin, pregnancy or pregnancy-related condition, or sexual orientation.

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

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

SOURCE: MASC

LEGAL REFS.: Title VI, Civil Rights Act of 1964
Title VII, Civil Rights Act of 1964, as amended by the Equal
Employment Opportunity Act of 1972
Executive Order 11246, as amended by E.O. 11375 Title IX,
Education Amendments of 1972
M.G.L. 76:5; 76:16 (Chapter 622 of the Acts of 1971) BESE
Regulations 603 CMR 26:00
BESE Regulations 603 CMR 28:00 Pregnant Workers Fairness Act

CROSS REF.: AC: Nondiscrimination

ADOPTED BY SCHOOL COMMITTEE: June 16, 2015

REVISED: September 25, 2018

NOTE: The cross reference is to a related statement in this manual. The change in 1993 was to add the classification of sexual orientation in the specific definitions protected by law against discrimination.

Policy JICG: Smoking on School Premises

Use of any tobacco products as well as e-cigarettes and other nicotine delivery products within the school buildings, school facilities, or on school grounds or school buses by any individual, including school personnel and students, is prohibited at all times.

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

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

SOURCE: MASC

LEGAL REF: M.G.L. 71:37H

CROSS REFS.: ADC: Smoking on School Premises
GBED: Smoking on School Grounds by Staff Members

ADOPTED BY SCHOOL COMMITTEE: June 16, 2015

Policy JICH: Alcohol, Tobacco, and Drug Use by Students Prohibited

In view of the fact that the use of alcohol can endanger the health and safety of the user, and recognizing the deleterious effect the use of alcoholic beverages can have on the maintenance of general order and discipline, the School Committee prohibits the use of, serving of, or consumption of any alcoholic beverage on school property or at any school function.

Additionally, any student, regardless of age, who has been drinking alcoholic beverages prior to attendance at, or participation in, a school-sponsored activity, will be barred from that activity and subject to disciplinary action.

A student shall not, regardless of the quantity, use or consume, possess, buy or sell, or give away any beverage containing alcohol; any tobacco product, including vapor/E-cigarettes; marijuana; steroids; or any controlled substance. The School Committee prohibits the use or consumption by students of alcohol, tobacco products, or drugs on school property or at any school function.

Additionally, any student who is under the influence of drugs or alcoholic beverages prior to, or during, attendance at or participation in a school-sponsored activity, will be barred from that activity and may be subject to disciplinary action.

This policy shall be posted on the district's website and notice shall be provided to all students and parents of this policy in accordance with state law. Additionally, the district shall file a copy of this policy with DESE in accordance with law in a manner requested by DESE.

SOURCE: MASC March 2016

LEGAL REFS.: M.G.L.71:2A; 71:96; 272:40A

CROSS REFS.: IHAMB: Teaching About Alcohol, Tobacco and Drugs
GBEC: Drug Free Workplace Policy

ADOPTED BY SCHOOL COMMITTEE: June 16, 2015

AMENDED BY SCHOOL COMMITTEE: May 10, 2016

Policy JICC (Also EEAEC): Student Conduct on School Buses

The School Committee and school 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.

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.

SOURCE: MASC

CROSS REF.: JICFB: Anti-Bullying

ADOPTED BY SCHOOL COMMITTEE: June 16, 2015

Policy JICC-R (EEAEC-R): Student Conduct on School Buses

Procedures for Drivers and Parents

In case of any misconduct on a bus, the incident will be reported on the proper form to the school principal or assistant principal. They will report the incident in writing to the parent concerned, with a copy to the transportation office.

In case of a repetition by the same student, the principal or assistant principal will suspend the student's transportation privileges with written notice to the parent. Bus privileges may be denied permanently if a third incident occurs, following a conference with the Superintendent of Schools or designee. The responsibility for transportation will rest with the parent if the privilege is denied.

Loading and Unloading at Bus Stop

Riders must be on time. Bus drivers will not wait. Riders will enter or leave the bus at regular stops only. Orderly behavior and respect for private property will be required.

Instructions and directions of the driver must be followed by the riders when entering or leaving the bus and while in transit.

Required Conduct Aboard the Bus

Riders must remain in seats when the bus is in motion. Whistling and shouting are not permitted. Eating on the school bus is not permitted. Profanity and obscene language are forbidden. Smoking/drugs/alcohol are prohibited.

The following disturbances are prohibited: Harassment of others; Bullying; Pushing or wrestling; Annoying other passengers or disturbing their possessions; Talking to the driver; Throwing objects within the bus or out of windows; Climbing over seats; Opening or closing windows, Leaning out of windows; Littering.

Please note: Parents of students suspended or expelled from the bus for misbehavior will not be eligible for a refund of bus fees paid.

Parents and students will be informed of these regulations at the beginning of each school year. The same standards of conduct and any written rules, which apply during the school day, will apply on the buses.

ADOPTED BY SCHOOL COMMITTEE: November 24, 2015

Policy JICFA: Prohibition of Hazing

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

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

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

Any student who participates in the hazing of another student or other person may, upon the approval of the Superintendent of Schools, be suspended from school for up to ten (10) school days.

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

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

SOURCE: MASC

LEGAL REF.: M.G.L. 269:17, 18, 19

CROSS REF.: JICFA-E: Hazing

ADOPTED BY SCHOOL COMMITTEE: June 16, 2015

Policy JICFA-E: Hazing

CH. 269, S.17. Crime of Hazing, Definition, Penalty

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

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

CH. 269, S.18. Duty to Report Hazing

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

CH. 269, S.19. Hazing Statutes to be Provided; Statement of Compliance and Discipline Policy Required

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

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

SOURCE: MASC

ADOPTED BY SCHOOL COMMITTEE: June 16, 2015

Policy JICFB: Anti-Bullying

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

"Bullying" is the repeated use by one or more students or by a school staff member of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, directed at a target that:

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

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

Cyber-bullying shall also include the creation of a web page or blog in which the creator assumes the identity of another person or the knowing impersonation of another person as author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying.

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

Bullying and cyber-bullying may occur in and out of school, during and after school hours, at home and in locations outside of the home. When bullying and cyber-bullying are alleged, the full cooperation and assistance of parents and families are expected. For the purpose of this policy, whenever the term bullying is used it is to denote either bullying, or cyber-bullying.

Bullying is prohibited:

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

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

- Create a hostile environment at school for the target;
- Infringe on the rights of the target at school; and/or
- Materially and substantially disrupt the education process or the orderly operation of a school.

Prevention and Intervention Plan

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

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

Reporting

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

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

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

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

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

Investigation Procedures

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

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

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

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

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

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

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

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

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

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

Retaliation

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

Target Assistance

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

Training and Assessment

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

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

Publication and Notice

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

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

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

The bullying prevention and intervention plan shall be posted on the Winchester Public Schools website.

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

LEGAL REFS.: Title VII, Section 703, Civil rights Act of 1964 as amended
 Federal Regulation 74676 issued by EEO Commission
 Title IX of the Education Amendments of 1972
 603 CMR 26:00
 MGL 71:370
 MGL 265.43, 43A MGL 268:13B MGL 269:14A

CROSS REFS.: AC: Nondiscrimination
 ACAB: Sexual Harassment
 JBA: Student-to-Student Harassment
 JICC, Student Conduct on School Buses
 JICFA: Prohibition of Hazing
 JK: Student Discipline Regulations

ADOPTED BY SCHOOL COMMITTEE: June 16, 2015

EDITED BY SCHOOL COMMITTEE: June 13, 2023

Policy JIH: Searches and Interrogations

Searches by Staff

The right of inspection of students' school lockers is inherent in the authority granted school committees and administrators. This authority may be exercised as needed in the interest of safeguarding children, staff, their own, and school property.

Nevertheless, exercise of that authority by school officials places unusual demands upon their judgment so as to protect each child's constitutional rights to personal privacy and protection from coercion and to act in the best Searches by school officials of students' automobiles or the student will be conducted in a way that protects the students' rights consistent with the responsibility of the school system to provide an atmosphere conducive to the educational process.

Interrogations by Police

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

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

SOURCE: MASC

ADOPTED BY SCHOOL COMMITTEE: June 16, 2015

Policy JRA: Student Records

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

The Superintendent will provide for the proper administration of student records in keeping with state and federal requirements, and shall obtain a copy of the state student records regulations (603 CMR 23.00). The temporary record of each student enrolled on or after June 2002 will be destroyed no later than seven years after the student transfers, graduates or withdraws from the School District. Written notice to the eligible student and their parent of the approximate date of destruction of the temporary record and their right to receive the information in whole or in part, shall be made at the time of such transfer, graduation, or withdrawal. The student's transcript may only be destroyed 60 years following their graduation, transfer, or withdrawal from the school system.

The Committee wishes to make clear that all individual student records of the school system are confidential. This extends to giving out individual addresses and telephone numbers.

SOURCE: MASC

LEGAL REFS.: Family Educational Rights and Privacy Act of 1974,
P.L. 93-380, Amended
P.L. 103-382, 1994
M.G.L. 66:10 71:34A, B, D, E, H
Board of Education Student Record Regulations adopted
2/10/77, June 1995 as amended June 2002.
603 CMR: Dept. of Elementary and Secondary Education
23.00 through 23.12 also
Mass Dept. of Elementary and Secondary Education
publication Student Records; Questions, Answers
and Guidelines, Sept. 1995

CROSS REF: KDB: Public's Right to Know

ADOPTED BY SCHOOL COMMITTEE: June 16, 2015

Student Discipline

As required by Massachusetts law, General Laws Chapter 71, Sections 37, 37H, and 37H ½, Winchester Public Schools has adopted a comprehensive policy regarding student discipline, including procedures and provisions regarding discipline of students on an IEP or a 504 plan and including hazing.

In-School Suspension for Less Than 10 Cumulative Days During A School Year

An in-school suspension is a removal of a student from regular classroom activities, but not from the school premises. The procedure for an in-school suspension of no more than (10) school days (consecutive or cumulatively for multiple infractions during the school year) will be as follows:

1. The administrator will inform the student of the disciplinary offense charged, the basis for the charge, and provide the student an opportunity to respond. If the administrator determines that the student committed the disciplinary offense, the administrator will inform the student of the length of the student's in-school suspension, which may not exceed 10 days, cumulatively or consecutively, in a school year.
2. On the same day as the in-school suspension decision, the administrator will make reasonable efforts to notify the parent orally of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension. The administrator will also invite the parent/guardian to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. Such meetings will be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the administrator is unable to reach the parent/guardian after making and documenting at least (2) attempts to do so, such attempts will constitute reasonable efforts for purposes of orally informing the parent/guardian of the in-school suspension.
3. The administrator will send written notice to the student and parent/guardian about the in-school suspension, including the reason and the length of the in-school suspension, and inviting the parent/guardian to a meeting with the administrator for the purpose set forth above, if such meetings have not already occurred. The administrator will deliver such notice on the day of the suspension by hand-delivery, certified mail, first-class mail, email to an address provided by the parent/guardian for school communications, or by other method of delivery agreed to by the administrator and the parent/guardian.

An in-school suspension of more than 10 cumulative days in a school year will be subject to the procedures for long-term suspension found outlined below.

Procedures for Short-Term, Out-Of-School Suspensions (10 Cumulative Days Or Less In A School Year)

1. Except in the case of an Emergency Removal as provided here, prior to imposing a short-term out-of-school suspension (10 days or less in a school year) an administrator will provide the student and their parent/guardian oral and written notice and an opportunity to participate in an informal hearing.

Notice: The written notice to the student and the parent/guardian will be in English and in the primary language of the home if other than English, or other means of communication where appropriate and will include the following:

- a. the disciplinary offense;
 - b. the basis for the charge;
 - c. the potential consequences, including the potential length of the student's suspension;
 - d. the opportunity for the student to have a hearing with the administrator concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident, and for the parent/guardian to attend the hearing;
 - e. the date, time, and location of the hearing;
 - f. the right of the student and the student's parent/guardian to interpreter services at the hearing if needed to participate;
 - g. Written notice to the parent/guardian may be made by hand delivery, first-class mail, certified mail, email to an address provided by the parent/guardian for school communications, or any other method of delivery agreed to by the school and parent/guardian.
2. Efforts to Involve parent/guardian: The administrator will make reasonable efforts to include the parent/guardian in the hearing. To conduct a hearing without the parent/guardian present, the administrator must be able to document reasonable efforts to include the parent/guardian. The administrator is presumed to have made reasonable efforts if the administrator has sent written notice and has documented at least two (2) attempts to contact the parent/guardian in the manner specified by the parent/guardian for emergency notification.
3. Format of Hearing: The administrator will discuss the disciplinary offense, the basis for the charge, and any other pertinent information. The student also will have an opportunity to present information, including mitigating facts, that the administrator should consider in determining whether other remedies and consequences may be appropriate. The administrator will provide the parent/guardian, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the administrator should consider in determining consequences for the student.
4. Decision: The administrator will provide written notice to the student and parent/guardian of their determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal. The notice of determination may be in the form of an update to the original written notice of hearing.

Procedures for Long-Term Suspension

1. Except in the case of an Emergency Removal provided here, prior to imposing a long-term suspension (more than 10 days of suspension, whether in-school or out-of-school, whether consecutive or cumulative for multiple offenses during a school year), an administrator will follow the procedures for short-term suspension plus additional procedures as follows:

Notice: The notice will include all of the components for a short-term suspension in Section C above, plus the following:

- a. In advance of the hearing, the opportunity to review the student's record and the documents upon which the administrator may rely in making a determination to suspend the student or not;
 - b. the right to be represented by counsel or a lay person of the student's choice, at the student's/parent's/guardian's expense;
 - c. the right to produce witnesses on their behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so;
 - d. the right to cross-examine witnesses presented by the school district;
 - e. the right to request that the hearing be recorded by the administrator, and a copy of the audio recording provided to the student or parent/guardian upon request; and
 - f. the right to appeal the administrator's decision to impose long-term suspension to the superintendent.
2. Format of Hearing: The Hearing will afford the rights set forth in the notice above. The administrator will also provide the parent/guardian, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the administrator should consider in determining consequences for the student.
3. Decision: Based on the evidence, the administrator will determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to long-term suspension, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension. The administrator will send the written determination to the student and parent/guardian by hand-delivery, certified mail, first-class mail, email to an address provided by the parent/guardian for school communications, or any other method of delivery agreed to by the school and the parent/guardian. If the administrator decides to suspend the student on a long-term basis, the written determination will:
- a. Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing;
 - b. Set out the key facts and conclusions reached;
 - c. Identify the length and effective date of the suspension, as well as a date of return to school;
 - d. Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school (if more than 10 cumulative days);
 - e. Inform the student of the right to appeal the administrator's decision to the superintendent or designee. Notice of the right of appeal will be in English and the primary language of the home if other than English, or other means of communication where appropriate, and will include the following information stated in plain language:
 - i. the process for appealing the decision, including that the student or parent/guardian must file a written notice of appeal with the superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent/guardian may request and receive from the superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days; and that
 - ii. the long-term suspension will remain in effect unless and until the superintendent decides to reverse the administrator's determination on appeal.

No long-term suspension will last more than 90 school days in a school year nor extend beyond the end of the school year in which such suspension is imposed.

Emergency Removal of a Student

Notwithstanding the provisions for short or long-term suspension set forth above, a student who is charged with a disciplinary offense may be removed temporarily from school if 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 administrator's judgment, there is no alternative available to alleviate the danger or disruption.

The administrator will immediately notify the superintendent in writing of the removal and the reason for it, and describe the danger or disruption caused by the student.

The temporary removal will not exceed two (2) school days following the day of the emergency removal, during which time the administrator will provide the following, as applicable to the length of suspension:

- Make immediate and reasonable efforts to orally notify the student and the student's parent/guardian of the emergency removal, the reason for the need for emergency removal, and other applicable matters;
- Provide written notice to the student and parent/guardian as provided in Section C or D above, as applicable;
- Provide the student an opportunity for a hearing with the administrator, as applicable, and the parent/guardian an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the administrator, student, and parent/guardian.
- Render a decision orally on the same day as the hearing, and in writing no later than the following school day.

An administrator may not remove a student from school on an emergency basis for a disciplinary offense until adequate provisions have been made for the student's safety and transportation.

Appeal to the Superintendent

If a decision by an administrator, following the parent/guardian meeting, results in suspension of a student for more than **10 cumulative school days for the school year**, the student may appeal the decision to the superintendent. In order to do so the student or parent/guardian must file a notice of appeal with the superintendent within five (5) calendar days with a seven (7) day postponement option.

The superintendent must hold the hearing within three (3) school days of the student's request, unless the student or parent/guardian requests an extension of up to seven (7) additional calendar days. If the appeal is not filed within this time frame, the superintendent may deny the appeal, or may allow the appeal in their discretion, for good cause.

The following apply:

- The superintendent will make a good faith effort to include the parent/guardian in the hearing. The superintendent will be presumed to have made a good faith effort if they have made efforts to find a day and time for the hearing that would allow the parent/guardian and superintendent to

participate. The superintendent will send written notice to the parent/guardian of the date, time, and location of the hearing.

-The superintendent will conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence will be. The superintendent will arrange for an audio recording of the hearing, a copy of which will be provided to the student or parent/guardian upon request. The superintendent will inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent/guardian upon request.

-The student will have all the rights afforded the student at the administrator's hearing for long-term suspension as described in Section D above.

-The superintendent will issue a written decision within five (5) calendar days of the hearing which meets the requirements for a long-term suspension as described in Section D above. If the superintendent determines that the student committed the disciplinary offense, the superintendent may impose the same or a lesser consequence than the administrator, but will not impose a suspension greater than that imposed by the administrator's decision.

The decision of the superintendent constitutes the final decision of the school district.

Statutory Offenses: Provisions of Law and Due Process

MASS. GEN. LAWS, CHAPTER 71 SECTION 37H (CONTROLLED SUBSTANCES, DANGEROUS WEAPONS AND ASSAULTS ON EDUCATIONAL PERSONNEL)

In accordance with M.G.L. ch. 71, § 37H, a student may be excluded or expelled from school under the following circumstances:

1. Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or a knife; or a controlled substance as defined in chapter ninety-four C, including but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from the school or school district by the principal.
2. Any student who assaults a principal, assistant principal, teacher, teacher's aide or other educational staff on school premises or at school-sponsored or school-related events, including athletic games, may be subject to expulsion from the school or school district by the principal.
3. 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).
4. 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 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 not be limited solely to a factual determination of whether the student has violated any provisions of this section.

5. 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 the school or provide educational services to the student in an education service plan, under section 21 of chapter 76.
6. Any student who is suspended or expelled pursuant to this statute for more than ten (10) consecutive days shall have the opportunity to receive education services and made academic progress toward meeting state and local requirements, through the school-wide education service plan.

When considering the exclusion of a student from school for possession of a dangerous weapon, possession of a controlled substance (such as marijuana, cocaine, or prescription drugs not authorized by the school nurse), or assault on teachers, an administrator may place a student on short term suspension (ten days or less) based upon an informal hearing, to be followed by a formal hearing before the Principal within that period of suspension to determine whether to take additional disciplinary action, up to and including expulsion from school.

1. The informal hearing will be in the form of a conference between the student and the principal or designee. At this conference, the student (1) shall be informed of the reason for the conference and an explanation of the evidence against them; (2) shall be given the opportunity to present their side of the story, and (3) shall be given a decision on the suspension. If the administrator deems delay of the hearing necessary to avoid danger or substantial disruption, this process may occur immediately after, rather than before, the suspension.
2. Prior to putting a suspension into effect, the principal or designee shall make a reasonable effort to telephone and inform the student's parent/guardian of the impending suspension; this shall include attempts to contact the parent/guardian at home and at work. Parents/guardians may contact the school for additional information regarding the suspension.
3. A letter will be mailed to the parent/guardian of the suspended student stating:
 - a. The reason for the suspension
 - b. A statement of the effective date and duration of the suspension
4. A statement regarding whether or not the Principal will schedule a formal hearing to consider further discipline, up to and including expulsion from school in accordance with M.G.L. c. 71, §37H

MASS. GEN. LAWS, CHAPTER 71 SECTION 37H1/2 (FELONY COMPLAINTS AND FELONY CONVICTIONS)

Pursuant to M.G.L. ch. 71, § 37H½, the following procedures shall be implemented for students charged with or convicted of a felony:

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 the student and the student's parent(s)/guardian(s) within three (3) calendar days of the student's request for an appeal. At the hearing, the student shall have the right to present oral and written testimony on 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 (5) calendar days of the hearing. Such a 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 (5) calendar days following the effective date of the expulsion. The superintendent shall hold a hearing with the student and the student's parent(s)/guardian(s) 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 a decision shall be the final decision of the city, town or regional school district with regard to the expulsion. Upon expulsion of such a student, no school or school district shall be required to provide educational services to such student.
3. 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 the school or provide educational services to the student in an education service plan, under section 21 of chapter 76.
4. Any student who is suspended or expelled pursuant to this statute for more than ten (10) consecutive days shall have the opportunity to receive education services and make academic progress toward meeting state and local requirements, through the school-wide education service plan.

When considering a suspension/expulsion of a student charged with/convicted of felony, the Principal will use the standards and procedures set forth in M.G.L. c.71, §37H1/2 above

MASS. GEN. LAWS, CHAPTER 71 SECTION 37H ¾ (Suspension or expulsion on grounds other than those set forth in Secs. 37H or 37H1/2)

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 37H.5.

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.

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/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/guardian of the student is included in the meeting, provided that such meeting may take place without the parent/guardian only if the principal or headmaster, or a designee, can document reasonable efforts to include the parent/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/guardians in student exclusion meetings, hearings or interviews under this subsection.

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/guardian of the student shall also receive, at the time of the suspension or expulsion decision, written notification of a right to appeal and the process for appealing the suspension or expulsion in English and in the primary language spoken in the home of the student; provided, however, that the suspension or expulsion shall remain in effect prior to any appeal hearing. The principal or headmaster or a designee shall notify the superintendent in writing, including, but not limited to, by electronic means, of any out-of-school suspension imposed on a student enrolled in kindergarten through grade 3

prior to such suspension taking effect. That notification shall describe the student's alleged misconduct and the reasons for suspending the student out-of-school. For the purposes of this section, the term "out-of-school suspension" shall mean a disciplinary action imposed by school officials to remove a student from participation in school activities for 1 day or more.

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/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/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/guardian of the student within 3 school days of the student's request for an appeal; provided that a student or a parent/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/guardian of the student if the superintendent, or a designee, makes a good faith effort to include the parent/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.

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.

Discipline of Students with Disabilities

Procedures for Suspension(s) Not Exceeding 10 School Days

- Any student with a disability may be suspended for up to ten (10) school days during a school year. Disciplinary decisions are the same as for students without disabilities and in accordance with the due process procedures in this handbook.
- The school provides additional procedural safeguards for students with disabilities prior to any suspension beyond 10 consecutive days or more than 10 cumulative days (if there is a pattern of suspension) in any school year.

Procedures for Suspension(s) Exceeding 10 School Days

- If your child is suspended for more than 10 school days in a school year, this removal may be considered a "change of placement". A change of placement invokes certain procedural protections under federal special education law and Section 504.
- Federal law defines a "change of placement" as:
 - o Removal for more than 10 consecutive school days; OR
 - o A series of removals that constitute a pattern 1) because the series of removals total more than 10 cumulative days in a school year; 2) because the student's behavior is substantially similar to that in previous incidents that resulted in the series of removals; and 3) because of such additional factors as the length of each removal, the

total amount of time the student has been removed, and the proximity of the removals to one another. Please note that determination of whether a pattern of removals is a “change of placement” is made by the District.

- Prior to any removal that constitutes a change in placement, the school must convene a meeting to determine whether or not the behavior that forms the basis of the disciplinary action is manifestation of your child’s disability. Parents/guardians have a right to participate in this meeting. At the meeting, all relevant information will be considered including the IEP or Section 504 Plan, teacher observations, and evaluations reports.
- At a manifestation determination meeting, the team will consider two questions:
 - Did the student’s disability cause or have a direct and substantial relationship to the conduct in question?
 - Was the conduct a direct result of the district’s failure to implement the IEP/Section 504 Plan?
- If the manifestation determination decision is that the conduct in question was caused by or had a direct and substantial relationship to your child’s disability OR a direct result of the district’s failure to implement the IEP/Section 504 Plan, then your child may not be removed from the current educational placement (unless under the special circumstances or parents/guardians agree). The Team will review the IEP or Section 504 Plan and any behavioral intervention plans and may amend those plans as appropriate. The Team will complete a functional behavior assessment and behavior intervention plan if it has not already done so.
- If the manifestation determination decision is that the conduct in question was NOT caused by or had a direct and substantial relationship to your child’s disability OR was NOT the direct result of the district’s failure to implement the IEP/Section 504 Plan, then the school may suspend or otherwise discipline your child according the school’s code of conduct. The Team may, as appropriate, complete a functional behavioral assessment and behavioral intervention plan and modification, to address the behavior so that it does not recur. For students with IEPs, during the period of time of removal from school that exceeds 10 school days, the school district must provide educational services that allow your child to continue to make educational progress. For students with Section 504 Plans, there is no automatic right to receive educational services beyond the 10th school day of suspension under federal law, however, state law does provide all students with the rights to receive educational services during periods of suspensions lasting longer than ten days.

The principal (or designee) will notify the special education office of the suspendable offenses of a special needs student, and a record will be kept of such notices.

Additional information regarding the procedural protections for students eligible for services under laws providing for services for students with disabilities can be obtained from Heather Geary, Director of Special Education, who can be reached at 781-721-7000 x1005.

Special Circumstances for Exclusion

Special circumstances exist if your child: 1) possesses, uses, sells or solicits illegal drugs on school grounds or at a school-sponsored event; 2) carries a weapon to school or a school-sponsored event; or, 3) inflicts serious bodily harm upon another person at school or a school-sponsored event. Under these circumstances, the principal may place your child in an interim alternate educational setting (IAES) for up to 45 school days. Your child may remain in this IAES for a period of time not to exceed 45 school

days. Thereafter, your child will return to the previously agreed-upon placement unless a hearing officer has ordered another placement, or you and the school agree to another placement. For students with Section 504 Plans, there is no automatic right to receive educational services beyond the 10th school day of suspension under federal law, however, state law does provide all students with the rights to receive educational services during periods of suspensions lasting longer than ten days.

School personnel will provide Parent's Notice of Procedural Safeguards (Special Education) or Notice of Parent and Student Rights Under Section 504 for students with disabilities prior to any suspension constituting a change in placement. These notices will provide an explanation of the process should there be disagreement regarding the manifestation determination or any placement decision. Parent, guardian and/or student may petition the Bureau of Special Education Appeals for a hearing or the Office for Civil Rights (Section 504).

Discipline of Students Not Yet Determined Eligible for Special Education

The IDEA protections summarized above also apply to students who have not yet been found eligible for IEP's if the school district is deemed to have knowledge that the students were eligible for IEP's before the conduct that precipitated the disciplinary action occurred. The IDEA provides that a school district is "deemed to have knowledge" if:

- (1) the child's parent/guardian had expressed concern in writing to district supervisory or administrative personnel or the child's teacher that the child needs special education and related services;
- (2) the child's parent/guardian had requested an evaluation of the child to determine eligibility for special education services; or
- (3) the teacher of the child or other school district personnel had expressed specific concerns about a pattern of behavior by the child directly to the district's director of special education or to other supervisory personnel.

However, a school district is not "deemed to have knowledge" if the district evaluated the student and determined that the child was not eligible for special education services or the child's parent/guardian refused an evaluation of the child or IDEA services. If the school district has no knowledge that a student is an eligible student under the IDEA before taking disciplinary measures against the student, the student may be disciplined just as any other student may be. If, however, a request is made for an evaluation to determine eligibility while the student is subject to disciplinary measures, the district must conduct the evaluation in an expedited manner. Pending the results of the evaluation, the student must remain in the educational placement determined by school authorities, which may include suspension or expulsion with services provided under the school-wide education service plan as otherwise applicable. If the student is determined eligible for an IEP as a result of the evaluation, the school district must provide the student with special education and related services in accordance with the IDEA.

Additional information regarding the procedural protections for special education students can be obtained from the elementary school Special Education Supervisor.

Discipline of Students Identified as Having a Disability and Provided with a Section 504 Plan

Students are expected to meet the expectations for behavior, rules and regulations identified in this handbook. A student on a Section 504 plan may be disciplined like any other non-disabled student.

However, if the student is going to be suspended for ten (10) or more consecutive days, expelled or suspended for more than fifteen (15) cumulative days and there is a change in placement as a result, then a manifestation determination review shall be conducted. The student's 504 team shall convene, and answer two questions, after reviewing relevant documents and the misconduct of the student:

- Is the misconduct the result of failure to implement the student's 504 plan?
- Is the misconduct caused by or does it have a direct and substantial relationship to the student's disability

A summary of the manifestation determination review will be written and a copy provided to the parent(s)/guardian(s) as soon as possible after the review but no later than five (5) school days after the review.