

# 2025-2026 Handbook for Elementary Schools

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



*Approved by the Winchester School Committee: 8/21/25*

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*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*

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

## **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**

Ms. Karen Maruyama Bolognese, *Chair*  
 Dr. Timothy Matthews, *Vice Chair*  
 Ms. Stefanie Mnayarji, *Recording Secretary*  
 Ms. Michelle Bergstrom  
 Mr. Tom Hopcroft

Regular sessions of the School Committee are generally twice a 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](http://www.winchesterps.org)

### *Director of Finance & Operations*

Mr. Andrew Marron  
 781-721-7000 x1000

### *Director of Social Emotional Learning & Counseling*

Ms. Erin Kuehn  
 781-721-7000 x1011

### **Superintendent, Assistant Superintendents and Special Education**

161 Mystic Valley Parkway  
 Winchester, MA 01890  
 781-721-7000  
[www.winchesterps.org](http://www.winchesterps.org)

### *Superintendent of Schools*

Dr. Frank Hackett  
 781-721-7000 x1004

### *Assistant Superintendent of Schools*

Dr. Jennifer Elineema  
 781-721-7000 x1006

### *Assistant Superintendent for Elementary Education*

Ms. Laurie Kirby  
 781-721-7000 x1006

### *Director of Special Education*

Ms. Marlina Ysalguez  
 781-721-7000 x1005

## Elementary School Contact Information

<p><i>Ambrose Elementary School</i> 27 High Street Winchester, MA 01890</p> <p>Principal: Ms. Andrea Phelan <a href="mailto:aphelan@winchesterps.org">aphelan@winchesterps.org</a> Assistant Principal: Ms. Gina Keating <a href="mailto:gkeating@winchesterps.org">gkeating@winchesterps.org</a></p>	<p>School Hours: 8:05 - 2:25pm Office Hours: 8:00 - 3:00pm Early Dismissal: 11:25am</p>	<p>Phone: 781-721-7012 Fax: 781-721-5605</p> <p><a href="#">Ambrose School Website</a></p>
<p><i>Lincoln Elementary School</i> 161 Mystic Valley Parkway Winchester, MA 01890</p> <p>Principal: Ms. Ella Adams-MacLeod <a href="mailto:emacleod@winchesterps.org">emacleod@winchesterps.org</a> Asst Principal: Donna Guzman <a href="mailto:dguzman@winchesterps.org">dguzman@winchesterps.org</a></p>	<p>School Hours: 8:05 - 2:25pm Office Hours: 8:00 - 3:00pm Early Dismissal: 11:25am</p>	<p>Phone: 781-721-7017 Fax: 781-721-7040</p> <p><a href="#">Lincoln School Website</a></p>
<p><i>Lynch Elementary School</i>  10 Brantwood Road Winchester, MA 01890</p> <p>Principal: Ms. Christine Capodanno <a href="mailto:ccapodanno@winchesterps.org">ccapodanno@winchesterps.org</a> Asst Principal: Anna Nolty <a href="mailto:anolty@winchesterps.org">anolty@winchesterps.org</a></p>	<p>School Hours: 8:05 - 2:25pm Office Hours: 8:00 - 3:00pm Early Dismissal: 11:25am</p>	<p>781-721-7013 Fax: 781-721-4480</p> <p><a href="#">Lynch School Website</a></p>
<p><i>Muraco Elementary School</i> 33 Bates Road Winchester, MA 01890</p> <p>Principal: Ms. Leslie West <a href="mailto:lwest@winchesterps.org">lwest@winchesterps.org</a> Asst Principal: Alison Delory <a href="mailto:adelory@winchesterps.org">adelory@winchesterps.org</a></p>	<p>School Hours: 8:05 - 2:25pm Office Hours: 8:00 - 3:00pm Early Dismissal: 11:25am</p>	<p>781-721-7030 Fax: 781-721-0244</p> <p><a href="#">Muraco School Website</a></p>
<p><i>Vinson-Owen Elementary School</i> 75 Johnson Road Winchester, MA 01890</p> <p>Principal: Ms. Kathy Caron <a href="mailto:kcaron@winchesterps.org">kcaron@winchesterps.org</a> Asst Principal: Jenn Rich <a href="mailto:jrich@winchesterps.org">jrich@winchesterps.org</a></p>	<p>School Hours: 8:05 - 2:25pm Office Hours: 8:00 - 3:00pm Early Dismissal: 11:25am</p>	<p>781-721-7019 Fax: 781-721-2681</p> <p><a href="#">Vinson-Owen School Website</a></p>



## District Coordinators

Title 1 Coordinator	Ms. Katie Malone	<a href="mailto:kmalone@winchesterps.org">kmalone@winchesterps.org</a> 781-721-7030 x2155
Title II ADA Compliance Coordinator	Ms. Marlena Ysalguez	<a href="mailto:mysalguez@winchesterps.org">mysalguez@winchesterps.org</a> 781-721-7000 x1005
Title IV Civil Rights Coordinator & Title IX Coordinator	Ms. Anna Paradis	<a href="mailto:aparadis@winchesterps.org">aparadis@winchesterps.org</a> 781-721-7020 x4009
Director of English Language Education	Ms. Hannah Dingman	<a href="mailto:hdingman@winchesterps.org">hdingman@winchesterps.org</a> 781-721-7017 x2118
504 Coordinator & Homeless Education Coordinator	Ms. Erin Kuehn	<a href="mailto:ekuehn@winchesterps.org">ekuehn@winchesterps.org</a> 781-721-7000 x1011
Digital Learning and Innovation Coordinator	Ms. Lynne Peledge	<a href="mailto:lpeledge@winchesterps.org">lpeledge@winchesterps.org</a>

## Elementary Coordinators

Elementary Literacy	Ms. Melissa Newell	<a href="mailto:mnewell@winchesterps.org">mnewell@winchesterps.org</a>
Elementary Social Studies	Kerry Veritas	<a href="mailto:kveritas@winchesterps.org">kveritas@winchesterps.org</a> 781-721-7030 x2155
Elementary Math	Ms. Julie McElaney-Gorman	<a href="mailto:jmcelaney@winchesterps.org">jmcelaney@winchesterps.org</a> 781-721-7030 x2155
Elementary STEM	Ms. Lia Stelljes	<a href="mailto:lstelljes@winchesterps.org">lstelljes@winchesterps.org</a> 781-721-7030 x2155
Harassment Coordinator (student - Ambrose)	Ms. Andrea Phelan	<a href="mailto:aphelan@winchesterps.org">aphelan@winchesterps.org</a> 781-721-7012
Harassment Coordinator (student - Lincoln)	Ms. Ella Adams-MacLeod	<a href="mailto:emacleod@winchesterps.org">emacleod@winchesterps.org</a> 781-721-7017
Harassment Coordinator (student - Lynch)	Ms. Christine Capodanno	<a href="mailto:ccapodanno@winchesterps.org">ccapodanno@winchesterps.org</a> 781-721-7013
Harassment Coordinator (student - Muraco)	Ms. Leslie West	<a href="mailto:lwest@winchesterps.org">lwest@winchesterps.org</a> 781-721-7030



Harassment Coordinator (student - Vinson-Owen)	Ms. Kathleen Caron	<a href="mailto:kcaron@winchesterps.org">kcaron@winchesterps.org</a> 781-721-7019
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### **Elementary Special Education Supervisors**

Ambrose Elementary School	Tom Carco	<a href="mailto:tcarco@winchesterps.org">tcarco@winchesterps.org</a> 781-721-7017 x157
Lincoln Elementary School	Tom Carco	<a href="mailto:tcarco@winchesterps.org">tcarco@winchesterps.org</a> 781-458-0505
Lynch Elementary School	Lisa Mandaglio	<a href="mailto:lmandaglio@winchesterps.org">lmandaglio@winchesterps.org</a> 781-458-0505
Muraco Elementary School	Erin Yahoodik	<a href="mailto:eyahoodik@winchesterps.org">eyahoodik@winchesterps.org</a> 781-721-7030 x1221
Vinson-Owen Elementary School	Meaghan Dumas	<a href="mailto:mdumas@winchesterps.org">mdumas@winchesterps.org</a> 781-721-7019 x1105

## **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 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.

### **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.

### **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**

### **Breakfast**

Breakfast is offered each morning for K-5 students before the morning bell starting at 7:45AM.

### **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 (low fat, or chocolate) is included with the school lunch. Milk or water can also be purchased separately. Parents/Guardians may update their child's lunch account by visiting the website [myschoolbucks.com](http://myschoolbucks.com)

Menus and pricing can be found at: [www.fdmealplanner.com/#winchester](http://www.fdmealplanner.com/#winchester)

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

### **Snacks**

Elementary teachers 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.

## **Cell Phones / Smartwatches**

Students may bring cell phones and smartwatches to school, but they must be turned off and kept in backpacks throughout the school day. Students found using their cell phone / smartwatch during the school day may be required to turn the item over and disciplinary action may be assigned by an administrator.

## **Communication with Parents / Guardians**

The following methods have been developed to provide the best communications possible in our school.

- Parent Contact: Parents should contact teachers by email. A teacher's email address typically consists of the teacher's first initial and last name (one word) plus winchesterps.org. For example, John Smith's address is jsmith@winchesterps.org. In some cases, an additional number may be added to the email address.
- The Parents Association Newsletter: This is a regular electronic mailing.
- Elementary Handbook: This publication is available at all times on each elementary

school's website.

- Aspen: Aspen is an electronic communication and a student information system used between the school, teachers, students and parents/guardians with any school related information.
- ParentSquare: A messaging system/app that the WPS uses to communicate with staff, students, and families.
- Public Address: Announcements are made to the entire school during a designated period.
- Report Cards: Report cards contain course grades, attendance records, a summary of course credits, teacher comments, and course levels. All report cards are emailed home using the Aspen student information system.
- Progress Reports: Progress reports are reported on Aspen mid-way through each quarter.

## **Attendance**

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 start time. 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. Students who arrive late must check into the office with a parent/guardian.

### **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. Students are encouraged to read and journal. 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](http://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 [2025-2026 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**

The WPS Transportation Department is dedicated to ensuring students' safe, efficient, and reliable transportation to and from school every day. Detailed information about our Transportation Department policies, fees, frequently asked questions, and procedures for registering for the bus online are available at [winchesterps.org/transportation](http://winchesterps.org/transportation).

Registration for next-year bus transportation begins in May of each school year; students who register before the published deadline will receive their assigned bus stops and routes at least one week before the start of the next school year. Any registrations submitted after the published deadline will be placed on a waitlist and not assigned a bus until after the first week of school. Students in grade 6 who live two miles or more from their school are eligible for free bus transportation to the middle school. New students entering the district should contact the Transportation Department directly to help them register for the bus.

The Transportation Department can be contacted by emailing [transportation@winchesterps.org](mailto:transportation@winchesterps.org) or calling (781) 721-7039.

### **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)
  - 4 doses Polio
  - 3 doses of Hepatitis B vaccine
  - 2 doses Measles, Mumps, Rubella (MMR)
  - 2 doses Varicella vaccine or medical documentation of Chicken Pox disease
  - 1 Lead Screening - test date and test results: Required for all students entering kindergarten
  - 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.

### **Physical Examinations**

All new students entering WPS, 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 fourth grade students to have a complete physical exam before they enter their fourth 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.

### **Required Vision Screening**

All students entering kindergarten must have a completed vision screening, including stereopsis, by the child's primary care provider.



## **Illness**

- **Guidelines for the Exclusion of Children from School Due to Illness**

When a child is ill, no active learning can take place. Children who are not feeling well, and exhibit signs of illness, or are in discomfort from an injury or accident, should have the right to be cared for in a safe and comfortable home-like environment. We urge you to assess your child for illness and injury, and use common sense for keeping a child home from school. Sending an ill child to school also creates the opportunity for illnesses to spread rapidly around our classrooms, endangering other students and staff.

**The following conditions would be considered a reason for your student to not attend school:**

1. Temperature of 100 degrees F or greater within the past 24 hours (must be fever-free without fever-reducing meds for 24 hours before returning to school)
2. A severe cold, congestion, and/or stuffy or runny nose,
3. Persistent cough
4. Sore throat or swollen glands accompanied by a fever
5. Earache
6. Vomiting or diarrhea occurring within the past 36 hours
7. Strep infections of any kind, untreated ringworm, conjunctivitis, or impetigo. These are all contagious infections and must be treated with medication for at least 24 hours before returning to school
8. Rash of unknown origin - this may indicate many different things and should be checked by your pediatrician
9. Untreated lice infestation- child may return to school the following day after treatment.

If a child becomes ill at school, the 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 we strongly encourage parents to pick up their children from the school health office within 30 minutes.

**The following conditions would be considered reason for dismissal from school by the school nurse:**

1. Temperature of 100 F degrees or greater (must be fever-free without fever-reducing meds for 24 hours before returning to school)
2. Vomiting or diarrhea (must be symptom-free for 36 hours before returning to school)
3. A rash suspicious of infectious disease or unclear etiology
4. A positive strep culture that has not been under treatment with antibiotics for 24 hours
5. Inability of a child to move safely about in school due to an injury that has not had medical evaluation and intervention
6. A child with symptoms who is known to be a direct contact of a positive pertussis case, for five days from initiation of antibiotics
7. An injury, illness, or condition that requires, in the school nurse's judgment, further management by a parent/guardian or primary care provider
8. For Primary Students: Suspected infectious conjunctivitis based on nursing assessment
9. For confirmed Fifth's Disease: No exclusion necessary, but staff notification is recommended.

## **Medication**

All medications are stored in their original containers and dispensed from the health office.

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, with the exception of rescue medications such as EpiPens, inhalers and anti-seizure rescue medications. If a parent/guardian prefers, they may come to school and administer the medication.

### **Screening**

The following MDPH mandated 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 one week following appearance of rash. All eruptions must be dry and scabbed over. Those students with medical or religious exemptions to MMR will need to be excluded if they had contact with a positive case per MA DPH regulations.
- Strep Throat (including Scarlet Fever): Children may return to school after being on adequate antibiotic medication for 24 hours and also fever free for 24 hours, without the use of fever reducing medications.
- Rashes: Undiagnosed rashes are considered contagious and children should remain at home until a diagnosis has been made by a health care provider.

### **Pediculosis (Head Lice) Guidelines & Procedure**

- 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.
- If a child is found to be infested with Lice, they will be referred to the parent/guardian for appropriate treatment. The child may return to school after adequate treatment in consultation with the school nurse. The School nurse can provide support, education and updated resources to families. When a parent/guardian discovers head lice on their child, please notify the school nurse so appropriate precautions can be taken to prevent spreading to classmates.

### **Annual Health Update**

#### **NEW SNAP Parent Health Portal: Set up you students Snap Health Portal**

- All health forms (Updated Physicals, Immunizations, etc.) need to be uploaded to the **SNAP**

### **parent portal**

- **Permission to administer Over the Counter Medication is in the SNAP Parent portal.**
- **Majority of emails from the Health Office are being sent via Snap**
- **Please complete this section in the portal.**
  - Check your email prior to the start of school for: PSNI/SNAP with a no reply address [@studentehr.com](mailto:@studentehr.com)
    - Check your spam folder
    - Use a PC not a phone

**Link to sign up:** [Snap Parent Portal Info Guide.pdf](#)

[Helping Parents with Health Portal Login Issues](#)

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.

### **Medical Exemptions from Physical Education**

- If a student is temporarily unable to participate in the Physical Education program due to injury or illness, a health care provider's note is required. This is passed into the school nurse, and the nurse will notify the Physical Education department of the physician's orders. Keep in mind that dates for the absences for Physical Education should be clearly documented by the student's health care professional.
- Any student returning to school with a cast, crutches, braces, etc., must be readmitted to school by the school nurse. Students, with a doctor's note stating that they cannot use the stairs because of an accident, injury, etc., may obtain an elevator pass at the McCall Health Office.
- Students who are injured during school hours must report to the school nurse and file an accident report if necessary. If an injury occurs during an after school activity, it should be reported immediately to the advisor, trainer or coach.

## **Life Threatening Allergies**

It is the policy of the Winchester School Committee (WSC) to ensure access to a free and appropriate education for all students within the Town of Winchester. In order to insure full access for all students, the WSC will insure access to Preschool — Grade 12 education for students who present with life threatening allergies (LTAs).

The Winchester Public Schools cannot guarantee to provide an allergen-free environment for all students with LTAs, or prevent any harm to students in emergencies. The goal is to work towards minimizing the risk of exposure to food allergens that pose a threat to those students, educate the community, maintain and regularly update a system-wide protocol for responding to their needs. A system-wide effort requires the cooperation of all parties within the system. The goal of the Winchester Public Schools is to engage in a system-wide effort to:

- Prevent any occurrence of LTA reactions
- Prepare for any allergic reactions
- Respond appropriately to any allergy emergencies
- Conduct education and training to staff in the District

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. Additionally, the school physician has written the standing orders for treatment by the school nurse for individuals with unknown LTAs.

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. Should parents/guardians experience technical difficulties accessing report cards, an IT ticket can be placed online [here \(link\)](#).

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

### **Policy IKB: Homework**

The term "homework" refers to an assignment to be prepared during a period of supervised study in class or outside of class.

The purposes of homework are to improve the learning processes, to aid in the mastery of skills, and to create and stimulate interest on the part of the student.

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

## **Special Education**

Winchester Public Schools (WPS) is committed to supporting inclusive practices and the needs of all of our students within the least restrictive environment (LRE). We provide a full continuum of in-district services spanning full-inclusion, partial-inclusion, and substantially-separate programming. All special education services are determined by the student's IEP team depending on their individual needs.

Child Find is a federal program mandated by the Individuals with Disabilities Education Act (IDEA) that requires public school districts to locate, identify, and evaluate all children with disabilities who may need special education services. A student may be referred for an evaluation when there is suspicion of a disability and in-classroom/school-based supports are insufficient for them to access the general education curriculum.

If you suspect that your child may require special education services due to a disability, we recommend that you begin by reaching out to the special education supervisor in your building who will coordinate a pre-referral meeting to focus specifically on your concerns. At this meeting, the special education supervisor will also share information on the special education referral process and your rights as a parent.

After a comprehensive battery of assessments, special education, and service staff meet with the child's parents/caregivers to discuss the results and other information provided by parents and teachers as part of the referral process. Once the evaluation is complete, parents are invited to an evaluation team

meeting is called where team members review the evaluation results, collaborate/ elicit feedback and consider the following questions to determine if the child is eligible for special education services:

- Does the student have one or more disabilities?
- Is the student making effective progress in the general education program?
- Is the lack of progress a result of the student's disability
- Does the student require special education and/or related services to make effective progress or to access the general education curriculum?

If a disability is identified through the evaluation process and the student is deemed eligible for special education services, an Individualized Education Program (IEP) is developed. This plan is a collaborative effort involving the parents/caregivers, educators, and other appropriate staff to ensure the best possible support for the student.

For more information please visit the [Special Education website](#).

## **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:

*Director of Social Emotional Learning & Counseling / 504 District Coordinator*

Ms. Erin Kuehn

Central Office

80 Skillings Road

Winchester, MA 01890

[ekuehn@winchesterps.org](mailto: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**

*Director of Social Emotional Learning & Counseling / 504 District Coordinator*

Ms. Erin Kuehn

Central Office

80 Skillings Road

Winchester, MA 01890

[ekuehn@winchesterps.org](mailto: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 (Memorandum of Understanding)**

As reflected throughout this handbook, the police will be notified in cases when conduct relating to school may reasonably lead to criminal charges. 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. 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. Incidents including, but not limited to, the following will be reported to the police:

- Acts of bullying or retaliation relating to bullying in accordance with the provisions of 603 CMR 49.00;

- Student possession of weapons and illegal substances on school premises and during school-sponsored activities; 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.

The full Memorandum of Understanding with the Winchester Police Department is available in the principal's office.

### **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](#).

## **Hazing**

In compliance with Chapter 269 of the General Laws of the State of Massachusetts, the School Committee prohibits any acts of hazing in connection with initiation into any student organization whether such acts are committed on school grounds or elsewhere. Upon receipt of a hazing report, the following process will be carried out, with referral to the police where appropriate.

### **Process:**

1. Inform the Administration of the incident
2. Investigation and due process hearing
3. Administrative action (see guidelines for penalties)

### **Potential Penalties:**

1. Out of school suspension of up to 10 days and/or removal from activity for the remainder of the year for minor infractions as determined by the administration.
2. Longer out of school suspension of up to 90 days in a school year for serious infractions as determined by the administration.

### **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 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.

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

## **Volunteers**

It is the policy of the School Committee to encourage volunteer efforts in the schools.

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

### **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 Public Schools 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.lincolnspea.net/>
- Lynch Elementary School: <http://lynchschoo.com/>
- Muraco Elementary School: <http://www.muracoparents.com/>
- Vinson-Owen Elementary School: <http://vinson-owen.com/>

## **Winchester Special Education Parent Advisory Committee (WinPAC)**

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**

The safety and security of our students, faculty/staff, and visitors are of the utmost importance to the Winchester Public Schools (WPS). The WPS continuously reviews our policies and procedures to ensure that recent research and data support the policies we have in place.

The WPS Incident Management Team (IMT) comprises faculty/staff members from each school in Winchester and members from the Winchester Police and Fire Departments. Likewise, each school has an IMT filled by administration, faculty, and staff members. The WPS has implemented the Standard Response Protocol (SRP) as developed by the [“I Love U Guys” foundation](#). The SRP is action-based, flexible, and easy to learn and provides rationally organized tactics for response to weather events, fires, accidents, intruders, and other threats to personal safety. The SRP has been incorporated into district training through our IMT and shared with our Winchester Police and Fire teams.

All Winchester Public Schools practice various safety drills and procedures throughout the school year. First, faculty are trained yearly about these procedures without students in the building and during after-school hours. Then, based on what is developmentally appropriate, we involve students in practice.

Additionally, during the first few weeks of school, elementary-level students participate in safety discussions with school leadership and their teachers. We use a common “Safe at School” slide set and visit school rally points. Students at the secondary level review emergency procedures and are made aware of their rally points.

Additional information regarding procedures, drills, and parent / guardian’s role in an emergency are located on the district website: [www.winchesterps.org/safety](http://www.winchesterps.org/safety)

### **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.

### **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](#).

## **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 ACAB: Sexual Harassment**

Sexual harassment in the education programs, activities and workplace of the Winchester Public Schools (“District”) is unlawful. All persons associated with the District including, but not limited to, School Committee members, District employees, volunteers, and students, are expected to conduct themselves at all times to maintain a workplace, education program and activity free from sexual harassment.

Any person who engages in sexual harassment while participating in the education program or activity or acting as a member of the school community will be in violation of this policy. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against any individual for cooperating in an investigation of a sexual harassment complaint is unlawful and will not be tolerated.

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 BGD: School Committee Review of Procedures**

It is expected that the Superintendent and administrative staff will need to issue procedures implementing policies of the School Committee. Many of these will be routine from year to year; others will arise in special circumstances; some will be drawn up under specific directions from the Committee.

The Committee may review the procedures developed by the Superintendent for the school system whenever they appear inconsistent with policy, goals, or objectives of the District, but it will revise or veto such procedures only when, in the Committee's judgment, they are inconsistent with policies adopted by the Committee.

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



## **Policy EEAJ: Motor Vehicle Idling on School Grounds**

No motor vehicle operator shall cause or allow any motor vehicle operated by them on school grounds to idle unnecessarily, except for any of the following reasons: traffic conditions; queuing at a school for the purpose of picking up or discharging students; turbo-charged diesel engine cool down or warm up; maintenance of appropriate temperature for school buses when accepting or discharging passengers not to exceed three minutes in any fifteen minute period or one minute in any fifteen minute period for other motor vehicles; for circumstances involving safety or emergencies and for servicing or repairing motor vehicles; and as these exceptions are more completely described in the below referenced regulations. The term “school grounds” shall mean in, on or within 100 feet of the real property of the school whether or not it is in session, and shall include any athletic field or facility and any playground used for school purposes or functions which is owned by the municipality or school district, regardless of proximity to a school building, as well as any parking lot appurtenant to such school athletic field, facility or playground. Reasonable efforts shall be made by the district to identify by signage all known and actual air intake systems, which may be within 100 feet of an idling motor vehicle. A motor vehicle operator shall not idle a motor within 100 feet of such an air intake system, unless the Winchester Public School District has determined that alternative locations block traffic, impair student safety or are not cost effective.

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

## **Policy IHAMA: Parental Notification Relative to Sex Education**

In accordance with General Laws Chapter 71, Section 32A, the Winchester School Committee has adopted this policy on the rights of parents and guardians of our students in relation to curriculum that primarily involves human sexual education or human sexuality issues.

At the beginning of each school year, all parents/guardians of students in our schools will be notified in writing of the courses and curriculum we offer that primarily involve human sexual or human sexuality issues. The Superintendent of Schools will determine the administrator(s) responsible for sending the notice(s). Parents/guardians of students who enroll in school after the start of the school year will be given the written notice at the time of enrollment. If planned curricula change during the school year, to the extent practicable, parents/guardians will be notified of this fact in a timely manner before implementation.

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 JI: Student Rights and Responsibilities**

The School Committee has the responsibility to afford students the rights that are theirs by virtue of guarantees offered under the federal and state constitutions and statutes. In connection with rights, there are responsibilities that must be assumed by students.

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 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 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](#).

## **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. 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 / guardian 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

CROSS REF: KDB: Public's Right to Know

ADOPTED BY SCHOOL COMMITTEE: June 16, 2015  
REVISED BY SCHOOL COMMITTEE: January 9, 2025

## **The Educational Rights of Children and Youth in Homeless Situations**

The Winchester Public School District complies with federal and state laws and regulations in the identification and education of children who are in homeless situations. The intent of this policy is to provide each child and youth equal access to the same free appropriate public education as provided to other children and youth. In accordance with requirements of the McKinney-Vento Act, the Superintendent has designated Erin Kuehn, Director of Social Emotional Learning & Counseling, as the Homeless Education Liaison.

*Director of Social Emotional Learning & Counseling*

Ms. Erin Kuehn

Central Office

80 Skillings Road

Winchester, MA 01890

[ekuehn@winchesterps.org](mailto:ekuehn@winchesterps.org)

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

The District has adopted and implements a Title IX Grievance Procedure to ensure the prompt and equitable resolution of complaints of sex discrimination, including sex-based harassment. A copy of the Winchester Public Schools Title IX Grievance Procedure may be accessed on the [Required Federal Notifications page on the District website](#) or through the office of the Title IX Coordinator.

For questions related to the District's Non-Discrimination policy or grievance procedures, to make a report or complaint of sex discrimination, including sex-based harassment, or for information relative to accommodations and services for individuals based on pregnancy and pregnancy-related conditions, please contact Anna Paradis, who serves as Winchester Public School's Title IX Coordinator:

*Title IX Coordinator*  
Ms. Anna Paradis  
Winchester High School

80 Skillings Road  
Winchester, MA 01890  
781-721-7020 x4163  
[aparadis@winchesterps.org](mailto:aparadis@winchesterps.org)

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

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

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

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:

*Director of Social Emotional Learning & Counseling*  
Ms. Erin Kuehn  
Central Office  
80 Skillings Road  
Winchester, MA 01890  
[ekuehn@winchesterps.org](mailto:ekuehn@winchesterps.org)

## 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 ACAB: Sexual Harassment

Sexual harassment in the education programs, activities and workplace of the Winchester Public Schools (“District”) is unlawful. All persons associated with the District including, but not limited to, School Committee members, District employees, volunteers, and students, are expected to conduct themselves at all times to maintain a workplace, education program and activity free from sexual harassment.

Any person who engages in sexual harassment while participating in the education program or activity or acting as a member of the school community will be in violation of this policy. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against any individual for cooperating in an investigation of a sexual harassment complaint is unlawful and will not be tolerated.

Because the District takes allegations of sexual harassment seriously, it will respond promptly to complaints of sexual harassment, and where it is determined that inappropriate conduct, whether or not such conduct constitutes sexual harassment, has occurred, we will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

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

### Definitions:

*Complainant* – An individual who is alleged to be the victim of conduct that could constitute sexual harassment.

*Respondent* – An individual who has been reported to be the perpetrator of conduct that could constitute

sexual harassment or a violation of this policy.

*Sexual Harassment* – Conduct on the basis of sex that satisfies one or more of the following:

- (1) A district employee conditioning the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct;
- (2) Unwelcome conduct by a Committee member, employee, district volunteer or student determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
- (3) Sexual assault, dating violence, domestic violence and/or stalking by a Committee member, District employee, volunteer or student.

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

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

*Supportive Measures* – Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to education programs or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment or to deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, school building/campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the building/campus, and other similar measures.

*Formal Complaint* – A document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment.

### **Title IX Coordinator**

The Superintendent will annually appoint one or more Title IX Coordinators who will be vested with the authority and responsibility of managing all sexual harassment complaints. The District will annually notify applicants for employment, students, parents/guardians, and unions of the Title IX Coordinator's name(s), and the title, address, email address and phone number for each Title IX Coordinator.



Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment). Reports may be made at any time including during non-business hours. Reports may be made in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

### **Complaint Procedure:**

#### *Receipt of Formal Complaint*

Upon actual knowledge of allegations of sexual harassment, the Title IX Coordinator will promptly and confidentially contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

The Title IX Coordinator shall respect a complainant's wishes that the allegations not be investigated unless the Title IX Coordinator determines that it would be unreasonable in light of the known circumstances not to initiate a formal complaint. The Title IX Coordinator must investigate the complaint and take appropriate action where required by state law.

The District may remove a respondent on an emergency basis after undertaking an individualized safety and risk analysis and determining that an immediate threat to the physical health or safety of any student or other individual arising from the allegations justifies removal. The District will provide the respondent with written notice and an opportunity to challenge the decision immediately following the removal in accordance with any applicable laws, collective bargaining agreements and student handbooks.

After a formal complaint has been filed, the Title IX Coordinator will provide written notice to all parties of the investigation process and sufficient details of the allegations known at the time. If the allegations are against more than one respondent or by more than one complainant, the District may consolidate multiple formal complaints where the allegations of sexual harassment arise out of the same facts or circumstances.

The Title IX Coordinator shall assign an individual to investigate the matter. The investigator shall have no conflicts with or biases against either the complainant or the respondent. If the District has appointed more than one Title IX Coordinator, the individual not assigned to be the Title IX Coordinator in the matter may serve as the investigator. The investigator will collect and review evidence, interview parties and witnesses, and complete an investigative report.

#### *Informal Resolution*

After a formal complaint is filed, the District may offer and facilitate an informal resolution process (such as but not limited to mediation or restorative justice) before a determination is made. This process is not available when the complaint alleges sexual harassment by a Committee member, District employee or volunteer towards a student.

The parties must give voluntary, written consent to participate in this informal process. When both parties consent to an informal process, the District shall facilitate a resolution-based meeting within ten (10) school days, subject to the availability of the involved parties and any mediator or facilitator.



If informal resolution is unsuccessful, the complainant may choose to continue the investigation process by providing written notice to the Title IX Coordinator within five (5) school days of the unsuccessful informal resolution meeting. In this event, the investigator will commence or resume the investigation generally within five (5) school days from receipt of notice.

### *Investigation*

All evidence will be weighed objectively using the preponderance of the evidence standard. Credibility determinations are not based on an individual's status as a complainant, respondent or witness. The investigator will presume that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the investigation process. However, nothing in this paragraph will limit the right of the District to remove a respondent on an emergency basis as provided in the Complaint Procedure of this policy.

The investigator shall strive to complete investigations within twenty-five (25) school days of the filing of the formal complaint or resumption of the investigation after an unsuccessful informal resolution meeting.

During the investigation, the investigator shall take the following steps:

- (1) The investigator will interview the complainant to obtain a clear understanding of the complainant's allegations within five (5) school days of the filing of the formal complaint provided that the complainant is available to be interviewed by the investigator.
- (2) The investigator will interview the respondent to obtain a response to the complainant's allegations from the respondent within five (5) school days of the interview with the complainant provided that the respondent is available to be interviewed with the investigator.
- (3) The investigator will interview witnesses identified by the complainant or respondent within five (5) school days of being identified as a potential witness by the complainant or respondent provided the witness is available. The investigator will interview witnesses as the investigator deems necessary.
- (4) The investigator will hold as many meetings or interviews with the parties and any witnesses as is necessary to make factual findings.

The timelines above are subject to the District's goal to complete investigations generally within twenty-five (25) school days, but may be extended for good cause upon written notice to the complainant and respondent. The timeline for investigation may be suspended during any informal resolution procedure or meeting. Each party is entitled to be accompanied in interviews by an advisor, who may be a parent/guardian or an attorney, but who may only have limited participation in interviews. Translators will be provided upon request.

After all interviews are conducted and evidence is obtained, the parties and if applicable, their advisors, will have an equal opportunity to inspect, review and respond to any evidence obtained. Prior to completion of the investigative report, the investigator will send each party all evidence subject to inspection and review and provide each party at least ten (10) business days to provide a response to the investigator. Evidence to be shared may be redacted to protect confidential information under the Family and Educational Rights and Privacy Act ("FERPA") or other federal or state laws and regulations.

The investigator will draft an investigation report that fairly summarizes the relevant evidence including, but not limited to, interviews with parties and witnesses, written evidence, audio/video recordings, and site visits. The investigator will then send the completed investigation report to each party and: (1) afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness; (2) provide each party with the answers; and (3) allow for limited follow-up questions. The investigator may limit the number of questions and, if certain questions are submitted that are not relevant to the investigation, may choose not to provide those questions to the other party. If the investigator chooses not to provide certain questions, the investigator will inform the party who submitted such questions that they will not be asked as they are not relevant.

### **Determinations**

The investigator will provide the decision-maker, with a report including all evidence obtained during the course of the investigation. The decision-maker assigned will have no conflicts with or biases against either the complainant or the respondent and the decision-maker will not be the Title IX Coordinator assigned in the matter or the investigator for the complaint. The decision-maker shall review all of the evidence and issue a written determination within fifteen (15) school days of receipt of the matter from the investigator, absent extenuating circumstances. If the decision-maker substantiates the allegations of sexual harassment, the decision-maker may recommend or impose discipline against the respondent. If the decision-maker does not substantiate the allegations of sexual harassment, the complaint will be dismissed.

The decision-maker shall provide the written determination to the parties simultaneously. The written determination shall include: (1) identification of the allegations potentially constituting sexual harassment; (2) a description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather evidence; (3) findings of fact supporting the determination; (4) conclusions as to whether District policies were violated; (5) a statement of the result of each allegation, including a determination regarding responsibility, disciplinary action to be imposed on the respondent, and whether remedies designed to preserve equal access to the District's education program or activity will be provided to the complainant; and (6) the District's procedures and permissible bases for appeal. Confidential student record information and personnel information may be redacted consistent with and as required by state and federal law.

An employee found responsible for engaging in sexual harassment is subject to discipline up to and including termination. A student found responsible for engaging in sexual harassment is subject to discipline consistent with state law and applicable student handbook.

### **Dismissals under Title IX**

If the conduct alleged in the formal complaint would not constitute sexual harassment even if proved, did not occur in the District's education program or activity or workplace, or did not occur in the United States, then the District will dismiss the formal Title IX complaint with regard to that conduct for purposes of sexual harassment under Title IX. However, such a dismissal does not preclude the investigation or imposition of disciplinary action pursuant to state law, other District policies and/or the student handbook.

The District may dismiss the formal Title IX complaint or any of the allegations in the complaint, if at any time during the investigation or hearing: a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations in the complaint;

the respondent is no longer enrolled or employed by the District; or specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations.

Upon a dismissal of this section, the District will promptly send written notice of the dismissal and reason(s) to the parties.

### **Withdrawal**

While Title IX allegations may be withdrawn, the District may investigate under other state and federal laws and District policies.

### **Appeals**

Either party may appeal the outcome of the investigation for one of the following reasons:

- (1) Procedural irregularity affected the outcome;
- (2) New evidence that was not reasonably available at the time that the determination was made which could affect the outcome;
- (3) The Title IX Coordinator, investigator, and/or decision-maker had a conflict of interest or bias.

Appeals must be submitted to the Title IX Coordinator within five (5) business days of receipt of the written determination and contain a written statement in support or challenge of the outcome.

When an appeal is filed, the District shall notify the other party and ensure that the individual deciding the appeal is not the same person as the decision-maker who reached the determination regarding responsibility and that the individual has no conflicts of interests and is free of bias. The non-appealing party shall have five (5) school days from the date of receipt of the notice of the appeal to submit a written statement to support or oppose the outcome.

The individual deciding the appeal shall issue a written decision describing the result of the appeal and rationale for the decision and provide the decision to both parties generally within ten (10) school days of receipt of the non-appealing party's written statement, or in the event no statement is submitted, the date the statement would have been due.

In addition to the above, if you believe you have been subjected to sexual 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  
U.S. Department of Education  
8th Floor  
5 Post Office Square  
Boston, MA 02109

-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

LEGAL REFS.: Title VII, Section 703, Civil Rights Act of 1964 as amended 45  
Federal Regulation 74676 issued by EEO Commission  
Education Amendments of 1972, 20 U.S.C. 1681 et seq. (Title IX)  
Board of Education 603 CMR 26:00

SOURCE: MASC

REVISED: September 14, 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 BGD: School Committee Review of Procedures**

It is expected that the Superintendent and administrative staff will need to issue procedures implementing policies of the School Committee. Many of these will be routine from year to year; others will arise in special circumstances; some will be drawn up under specific directions from the Committee.

The Committee may review the procedures developed by the Superintendent for the school system whenever they appear inconsistent with policy, goals, or objectives of the District, but it will revise or veto such procedures only when, in the Committee's judgment, they are inconsistent with policies adopted by the Committee.

The Committee will not officially approve procedures except as required by state law or in cases when strong community attitudes, or possible student or staff reaction, make it necessary or advisable for a procedure to have the Committee's advance approval.

### **Rules Pertaining to Staff and Student Conduct**

Under Massachusetts law, the Superintendent is required to publish "rules and regulations pertaining to the conduct of teachers and students which have been adopted." Codes of discipline, as well as procedures used to develop such codes, shall be filed with the Dept. of Elementary and Secondary Education for information purposes only. Standards of conduct will be included in staff and student handbooks. These handbooks will be reviewed and approved as needed (when changes occur) by the School Committee.

SOURCE: MASC

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

CROSS REFS.: CHA: Development of Regulations  
CHCA: Approval of Handbooks and Directives

## **Policy EEAJ: Motor Vehicle Idling on School Grounds**

No motor vehicle operator shall cause or allow any motor vehicle operated by them on school grounds to idle unnecessarily, except for any of the following reasons: traffic conditions; queuing at a school for the purpose of picking up or discharging students; turbo-charged diesel engine cool down or warm up; maintenance of appropriate temperature for school buses when accepting or discharging passengers not to exceed three minutes in any fifteen minute period or one minute in any fifteen minute period for other motor vehicles; for circumstances involving safety or emergencies and for servicing or repairing motor vehicles; and as these exceptions are more completely described in the below referenced regulations. The term “school grounds” shall mean in, on or within 100 feet of the real property of the school whether or not it is in session, and shall include any athletic field or facility and any playground used for school purposes or functions which is owned by the municipality or school district, regardless of proximity to a school building, as well as any parking lot appurtenant to such school athletic field, facility or playground. Reasonable efforts shall be made by the district to identify by signage all known and actual air intake systems, which may be within 100 feet of an idling motor vehicle. A motor vehicle operator shall not idle a motor within 100 feet of such an air intake system, unless the Winchester Public School District has determined that alternative locations block traffic, impair student safety or are not cost effective.

The Winchester Public School District shall erect and maintain in a conspicuous location on school grounds “NO IDLING” signage. All such signage shall contain appropriate sized font so as to be visible from a distance of 50 feet.

The prohibitions contained in M.G.L. c. 90, § 16B shall be enforced by state or local law enforcement agencies.

SOURCE: MASC February 2010

LEGAL REFS.: M.G.L. c. 71:37H, c. 90:16B and 540 CMR 27.00

ADOPTED BY SCHOOL COMMITTEE: June 16, 2015

REVIEWED BY SCHOOL COMMITTEE: January 9, 2025

## **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.

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 / guardians 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

REVISED BY SCHOOL COMMITTEE: January 9, 2025

## **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 IHAMA: Parental Notification Relative to Sex Education**

In accordance with General Laws Chapter 71, Section 32A, the Winchester School Committee has adopted this policy on the rights of parents and guardians of our students in relation to curriculum that primarily involves human sexual education or human sexuality issues.

At the beginning of each school year, all parents/guardians of students in our schools will be notified in writing of the courses and curriculum we offer that primarily involve human sexual or human sexuality issues. The Superintendent of Schools will determine the administrator(s) responsible for sending the notice(s). Parents/guardians of students who enroll in school after the start of the school year will be given the written notice at the time of enrollment. If planned curricula change during the school year, to the extent practicable, parents/guardians will be notified of this fact in a timely manner before implementation.

Each such notice to parents/guardians will include a brief description of the curriculum covered by this policy, and will inform parents/guardians that they may:

- (1) Exempt their child from any portion of the curriculum that primarily involves human sexual education or human sexual issues, without penalty to the student, by sending a letter to the school Principal requesting an exemption. Any student who is exempted by request of the parent/guardian under this policy may be given an alternative assignment.
- (2) Inspect and review program instruction materials for these curricula, which will be made reasonably accessible to parents/guardians and others to the extent practicable. Parents/guardians may arrange with the Principal to review the materials at the school and may also review them at other locations that may be determined by the Superintendent of Schools.

A parent/guardian who is dissatisfied with a decision of the Principal concerning notice, access to instructional materials, or exemption for the student under this policy may send a written request to the Superintendent for review of the issue.

The Superintendent or designee will review the issue and give the parent/guardian a timely written decision, preferably within two weeks of the request. A parent/guardian who is dissatisfied with the Superintendent's decision may send a written request to the School Committee for review of the issue. The School Committee will review the issue and give the parent/guardian a timely written decision, preferably within four weeks of the request. A parent/guardian who is still dissatisfied after this process may send a written request to the Commissioner of Education for review of the issue in the dispute.

The Superintendent of Schools will distribute a copy of this policy to each Principal by September 1st of each year.

SOURCE: MASC

REF.: Department of Elementary and Secondary Education

ADOPTED BY SCHOOL COMMITTEE: June 16, 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 IJOC: School Volunteers**

It is the policy of the School Committee to encourage volunteer efforts in the schools. Parents/guardians, business representatives, senior citizens, and other community volunteers are recognized as important sources of support and expertise to enhance the instructional program and vital communication links with the community. The volunteer program will be coordinated in cooperation with building administrators.

SOURCE: MASC

CROSS REFS.: ADDA: Background Checks

ADOPTED BY SCHOOL COMMITTEE: June 16, 2015

## **Policy IKB: Homework**

The term "homework" refers to an assignment to be prepared during a period of supervised study in class or outside of class.

The purposes of homework are to improve the learning processes, to aid in the mastery of skills, and to create and stimulate interest on the part of the student.

Homework is a learning activity which should increase in complexity with the maturity of the student. With increased maturity, learning should become an independent activity. This should be established through consistent assignments which encourage students to investigate for themselves and to work independently as well as with others.

The information for any homework assignment should be clear and specific so that the student can complete the assignment.

Homework assignments should take into consideration individual differences of students such as health, ability, conditions at home, and educational resources at home. Homework should not require the use of reference materials not readily available in most homes, school libraries, or the public library, and should require the use of those materials only when the student has had instruction in the use of them.

There are many other learning activities in the life of a student besides homework. Such things as participating in school activities, pursuing cultural interests, participating in family living, and exploring personal interests should be considered by teachers when planning consistent assignments. Homework is not to be used as a form of punishment under any circumstances.

The School Committee has adopted homework policies and practices for each of the grade levels: Grade K-5; Grade 6-8; Grade 9-12. These more specific homework policies can be found in the School Handbook.

SOURCE: MASC

ADOPTED BY SCHOOL COMMITTEE: June 16, 2015

## **Policy JI: Student Rights and Responsibilities**

The School Committee has the responsibility to afford students the rights that are theirs by virtue of guarantees offered under the federal and state constitutions and statutes. In connection with rights, there are responsibilities that must be assumed by students.

Among these rights and responsibilities are the following:

- (1) Civil rights--including the rights to equal educational opportunity and freedom from discrimination; the responsibility not to discriminate against others.
- (2) The right to attend free public schools; the responsibility to attend school regularly and to observe school rules essential for permitting others to learn at school.
- (3) The right to due process of law with respect to suspension, expulsion, and decisions the student believes injure his rights.
- (4) The right to free inquiry and expression; responsibility to observe reasonable rules regarding these rights.
- (5) The right to privacy, which includes privacy with respect to the student's school records.

It is the School Committee's belief that as part of the educational process students should be made aware of their legal rights, and of the legal authority of the School Committee to make and delegate authority to its staff to make rules regarding the orderly operation of the schools.

Students have the right to know the standards of behavior that are expected of them, and the consequences of misbehavior.

The rights and responsibilities of students, including standards of conduct, will be made available to students and their parents through handbooks distributed annually.

SOURCE: MASC

LEGAL REFS.: M.G.L. 71:37H; 71:82 through 71:86

ADOPTED BY SCHOOL COMMITTEE: June 16, 2015

## **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 JIC: Student Discipline**

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

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

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

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

The Superintendent shall provide each Principal with a copy of the regulations promulgated by DESE and shall have each Principal sign a document acknowledging receipt thereof, which shall be placed in their personnel file.

### **Suspension**

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

#### *Notice of Suspension*

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

#### **Emergency Removal**

A Principal may remove a student from school temporarily when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the Principal's judgment, there is no alternative available to alleviate the danger or disruption. 1 Except for offenses referenced in the note at the end of this policy.

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

The temporary removal shall not exceed two (2) school days following the day of the emergency removal, during which time the Principal shall: Make immediate and reasonable efforts to orally notify the student and the student's parent of the emergency removal, the reason for the need for emergency removal, and the other matters required in the notice as referenced in the applicable regulation; Provide written notice to the student and parent as required above; Provide the student an opportunity for a hearing with the Principal that complies with applicable regulations, and the parent an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the Principal, student, and parent; Render a decision orally on the same day as the hearing, and in writing no later than the following school day, which meets the requirements of applicable law and regulation.

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

#### **In School Suspension – not more than 10 days consecutively or cumulatively**

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

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

#### **Principal's Hearing – Short Term Suspension of up to 10 days**

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

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

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

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

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

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

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

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

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

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

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

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

If the Principal decides to suspend the student, the written determination shall: Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing; Set out the key facts and conclusions reached by the Principal; Identify the length and effective date of the suspension, as well as a date of return to school; Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school as required by law and regulation; Inform the student of the right to appeal the Principal's decision to the Superintendent or designee, but only if the Principal has imposed a long-term suspension. Notice of the right of appeal shall be in English and the primary language of the home if other than English, or other means of communication where appropriate, and shall include the following information: The process for appealing the decision, including that the student or parent must file a written notice of appeal with the Superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent may request and receive from the Superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days; and that the long-term suspension will remain in effect unless and until the Superintendent decides to reverse the Principal's determination on appeal.

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

### **Superintendent's Hearing**

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

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

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

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

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

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

### **Expulsion**

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

Any student expelled from school for such an offense shall be afforded an opportunity to receive educational services and make academic progress.

### **Academic Progress**

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

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

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

The Principal shall notify the parent and student of the opportunity to receive education services at the time the student is expelled or placed on long-term suspension. Notice shall be provided in English and in the primary language spoken in the student's home if other than English, or other means of communication where appropriate. The notice shall include a list of the specific education services that

are available to the student and contact information for a school district staff member who can provide more detailed information.

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

### **Reporting**

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

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

SOURCE: MASC October 2014

LEGAL REFS.: M.G.L. 71:37H; 71:37H  $\frac{1}{2}$ ; 71:37H  $\frac{3}{4}$ ; 76:17; 603 CMR 53.00

ADOPTED BY SCHOOL COMMITTEE: June 16, 2015

NOTE: The DESE regulations on student discipline and this policy, consistent with law, set forth the minimum procedural requirements applicable to the suspension of a student for a disciplinary offense other than: possession of a dangerous weapon; possession of a controlled substance; assault on a member of the educational staff; or a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a Principal determines that the student's continued presence in the school would have a substantial detrimental effect on the general welfare of the school, as provided in M.G.L. c. 71, S. 37H or 37H $\frac{1}{2}$ . The Principal, pursuant to the previously referenced statute may remove a student who has committed any of the disciplinary offenses above referenced from school for more than 90 days in a school year. Except that the removal from school for such offenses is subject to the provision of continuing educational services needed to make academic progress and, the requirement that all school districts regardless of the type of offense shall report school discipline data and analysis to DESE. Also, the prohibited actions above referenced are subject to the provision that allows the Commissioner to investigate each school that has a significant number of students suspended and expelled for more than 10 cumulative days in a school year and to make recommendations thereon.

### **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 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.

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

### **Family Educational Rights and Privacy Act (FERPA)**

Parent/Guardian Annual Notice

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

1. The right to inspect and review the student's education records within 45 days after the day the student's school or district receives a request for access.

Parents or eligible students who wish to inspect their child's or their education records should submit to the school principal a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

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

Parents or eligible students who wish to ask the school or district to amend their child's or their education record should write the school principal, clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to provide written consent before the school discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest must be set forth in the school's or school district's annual notification for FERPA rights. A school official typically includes a person employed by the school or school district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the school board. A school official also may include a volunteer, contractor, or consultant who, while not employed by the school, performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, medical consultant, or therapist; a parent or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the school discloses education records without consent to officials of another school or school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer. The Winchester Public Schools will forward student records on request unless notified in writing the principal not do so prior to the student's enrollment in the new school.

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

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

[NOTE: In addition, a school may want to include its directory information public notice, as required by § 99.37 of the regulations, with its annual notification of rights under FERPA.]

### **Disclosures of Personally Identifiable Information without Consent**

FERPA permits the disclosure of PII from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in § 99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, § 99.32 of the FERPA regulations requires the school to record the disclosure. Parents and eligible students have a right to inspect and review the record of disclosures. A school may disclose PII from the education records of a student without obtaining prior written consent of the parents or the eligible student –

- To other school officials, including teachers, within the educational agency or institution whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in § 99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(3) are met. (§ 99.31(a)(1))
- To officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of § 99.34. (§ 99.31(a)(2))
- To authorized representatives of the U. S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State educational agency (SEA) in the parent or eligible student's State. Disclosures under this provision may be made, subject to the requirements of § 99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf, if applicable requirements are met. (§§ 99.31(a)(3) and 99.35)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§ 99.31(a)(4))

- To State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to § 99.38. (§ 99.31(a)(5))
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction, if applicable requirements are met. (§ 99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§ 99.31(a)(7))
- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§ 99.31(a)(8))
- To comply with a judicial order or lawfully issued subpoena if applicable requirements are met. (§ 99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to § 99.36. (§ 99.31(a)(10))
- Information the school has designated as "directory information" if applicable requirements under § 99.37 are met. (§ 99.31(a)(11))
- To an agency caseworker or other representative of a State or local child welfare agency or tribal organization who is authorized to access a student's case plan when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student in foster care placement. (20 U.S.C. § 1232g(b)(1)(L))
- To the Secretary of Agriculture or authorized representatives of the Food and Nutrition Service for purposes of conducting program monitoring, evaluations, and performance measurements of programs authorized under the Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966, under certain conditions. (20 U.S.C. § 1232g(b)(1)(K))

**Further information regarding FERPA can be found at:**

General Information: <https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

Guidance for Parents:

<https://studentprivacy.ed.gov/resources/parent-guide-family-educational-rights-and-privacy-act-ferpa>

## **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:
- Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing;
  - Set out the key facts and conclusions reached;
  - Identify the length and effective date of the suspension, as well as a date of return to school;
  - Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school (if more than 10 cumulative days);
  - 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:
    - 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
    - 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.

See also [Policy JIC: Student Discipline](#).

### **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  $\frac{3}{4}$  (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:
  - o Did the student’s disability cause or have a direct and substantial relationship to the conduct in question?
  - o 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.