



LEXINGTON
PUBLIC SCHOOLS

Elementary Handbook

For Parents, Students, and Teachers

Lexington Public Schools
146 Maple Street

Lexington, Massachusetts

Revised: July 2025

Translation: If you need this information translated, please copy and paste it into Google Translate. The link to Google translate is <http://translate.google.com/>. You can also translate using Google Drive. [Here's](#) how.

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The Elementary Handbook is a publication of
Lexington Public Schools
Curriculum & Instruction

Dear Parents and Guardians,

Welcome to Lexington Elementary Schools. The information in this handbook is designed to provide you with pertinent information you should be aware of regarding your child's elementary education. We trust that you will share this useful information with your child in the most appropriate manner.

All Lexington Public Schools handbooks are located on the district's website <https://www.lexingtonma.org/>.

The Lexington Elementary Schools are full of knowledge, enthusiasm, fun, challenge, constructive play, creativity, support and encouragement. Our dedicated teaching staff and support personnel strive to provide for each student's individual needs. We encourage your support and assistance throughout the school year so that your child will have a successful and rewarding year.

Sincerely,

Julie Hackett

Superintendent

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Mission/Vision of the Lexington Public Schools

MISSION STATEMENT

“Joy in learning; curiosity in life; compassion in all we do.” The words were carefully chosen and intentional—joy over happiness; curiosity over achievement; and compassion over empathy. The word “joy” cultivates a sense of lasting inner peace that emanates from the individual; while happiness is fleeting and externally motivated. The word “curiosity” evokes a sense of wonderment that leads to deep intellectual engagement and attainment of knowledge and skills; while achievement evokes a superficial level of success, like getting a good grade or a perfect score. The word “compassion” extends beyond empathy, imploring us to not just feel, but to act on our sympathies and do something to improve the lives of others. In just twelve simple yet powerful words, we convey in our mission all that we aspire to do each day in the Lexington Public Schools.

VISION STATEMENT

A vision statement tells us what our school community will look like ten years from now, as a result of living our mission and achieving our goals. It gives us a glimpse into our future and lets us know what we can expect from the Lexington Public School community if we do what we say we will do. The vision is written in the present tense, as though it is the year 2029, when our vision has become a reality. ...Categorizing the bold ideas and adding detailed “snapshot paragraphs” is the best way to convey our school community’s preferred future to others. Five memorable snapshots to help you better visualize our new direction in the Lexington Public Schools include the following: (1) diversity, equity, and inclusion; (2) redefining success; (3) students as active agents; (4) authentic learning; and community partnership.

Source: Executive Summary of the Strategic Plan of the Lexington Public Schools
[https://drive.google.com/file/d/0B8tnJF-6mEszSLJjRmVDdkF3d2R5YTNQWjdtSmRPUDZh
bVRn/view](https://drive.google.com/file/d/0B8tnJF-6mEszSLJjRmVDdkF3d2R5YTNQWjdtSmRPUDZhbVRn/view)

Our Core Values

We all Belong

Use Your Mind

Be Curious and Have Fun

Care for Yourself and Others

Do Your Part

Be Courageous

Embrace Your Revolutionary Spirit

You are Enough

1. **We all Belong:** We are inclusive of all people, and we embrace and serve one another. We are dedicated to working towards mutual understanding of all cultures, backgrounds, identities, ideas, beliefs, learning styles, and abilities that are different from our own. In our community, we all bring unique skills, perspectives, and experiences. We create a safe and supportive learning environment when we work to ensure that everyone is honored and respected.
2. **Use Your Mind:** To learn and grow, we must continually seek new knowledge, think critically, know how to process information and apply skills to new situations. We seek out other points of view and work to understand the perspective of others. We recognize that all learning requires failure and making mistakes. We grow from these experiences and strive to continually challenge ourselves to our highest ability.
3. **Be Curious and Have Fun:** Joyful learning is fueled by an inquisitive mindset, a questioning attitude, and an imaginative, playful spirit. Mastery of facts and skills is not enough. Active inquiry, application of skills, good humor, and productive struggle are the hallmarks of deep, lifelong learning.
4. **Care for Yourself and Others:** We nurture empathy and compassion for one another and care for our own well-being and that of others. When we seek joy for ourselves and nurture our own mental, physical, and emotional health and well-being, we are able to share our gifts with others.
5. **Do Your Part:** As members of communities, both small and large, we are united in many purposes. When we encounter challenges or conflicts, we work together with confidence and humility. None of humanity's great accomplishments were done in isolation. Members of our community meet each other where they are and are invested in one another's success.
6. **Be Courageous:** Doing the right thing requires daily practice. When we act with integrity and moral courage, even our small actions can lead to big changes. We believe it is our obligation

to serve and care for others in our local and global communities and stand up for just causes, even when it might be unpopular to do so.

7. **Embrace Your Revolutionary Spirit:** We are pioneers and innovators with the power to make meaningful, lasting change. We take bold and thoughtful risks, and we do not shy away when it is our time to lead. We resist the urge to make changes for the sake of change, and we willingly embrace new ideas that hold long-term promise and help us grow.
8. **You are Enough:** We are all, at this moment, on unique paths. Life is a personal journey that is our own and not to be compared with others. Everyone has moments of doubt. Persevere. There is no one definition of success. We get to define and redefine success throughout our lifetime.

Elementary Schools

Bowman

9 Philip Road
Lexington 02421
781-861-2500
Jennifer Corduck, Principal

Bridge

55 Middleby Road
Lexington 02421
781-861-2510
Margaret Colella, Principal

Estabrook

117 Grove Street
Lexington 02420
781-861-2520
Gerardo Martinez, Principal

Fiske

55 Adams Street
Lexington 02420
781-541-5001
Brian Baker, Principal

Harrington

328 Lowell Street
Lexington 02420
781-860-0012
Jacqueline Daley, Principal

Hastings

7 Crosby Road
Lexington 02421
781-860-5800
Christopher Wai, Principal

The Lexington elementary schools provide a comprehensive education which encompasses a core curriculum enhanced by special program offerings. Teachers strive to create a stimulating and challenging learning environment that is sensitive to the needs of all students, and employ high-quality curriculum and instructional strategies to do so.

Children are given opportunities to assume responsibility for their own education and are guided to develop strong learning habits and social skills with peers and adults. We value each child's uniqueness and work to build on the child's strengths and develop their areas for growth.

Parents are our partners in the important job of educating the children of this community. Each school has an active Parent/Teacher Association that plans special programs, such as talent shows, school fairs, before- or after-school sports, and cultural enrichment programs that tie in to the curriculum.

Each school has a School Council that works as an advisory board to the principal.

Opportunities are provided for volunteers to work in the schools. Communication between home and school is vital, and newsletters are provided on a regular basis. Kidsborough, tuition-supported after-school program (that is not a part of the Lexington Public Schools) serves children from all six elementary schools in Lexington, and operates from school dismissal until 6:00p.m. For further information, visit their website <https://www.kidsborough.com/portfolio-item/lexington/>.

General Information

School Hours (8:55 am - 3:30 pm)

Coverage will not be available on the playground until 8:30am, for their safety we ask that students not arrive on school grounds before that time. Students can begin to arrive at school and congregate on the playground area from 8:30am - 8:45am. Students will be entering the building and heading to their classrooms at 8:45am. Because of school meetings or other morning obligations, teachers may not be in their classrooms before 8:45 a.m.

GRADES K - 5

Mon. Tues. Wed. Thurs.

8:45 a.m..... Enter classrooms

8:55 a.m..... Attendance is taken

3:30 p.m..... Dismissal

Friday

8:45 a.m.....Enter classrooms

8:55 a.m.....Attendance is taken

12:30 p.m.....Dismissal

All students are dismissed at 12:30 p.m. on Fridays in order that teachers may participate in town-wide meetings, curriculum committees, in-service professional learning workshops, planning sessions, staff meetings, team meetings, and parent conferences. Parents are encouraged to attempt to use this time for medical and dental appointments as well as other special appointments or classes.

Early Dismissal

If your child will be leaving during the school day, please send in a note to the homeroom teacher. Then, plan to pick up your child **at the office** where personnel will call the homeroom to notify the child and teacher.

Changing Dismissal Routine

If your child's normal dismissal routine is to be altered on a particular day, please send a note to the classroom teacher describing the change and indicating who will meet your child at school, if someone is to do so. If a child does not have a note and we cannot locate the parent/guardian, the child will be dismissed following his/her normal dismissal routine.

Family Vacations

Parents/Guardians and students are reminded that Massachusetts Law requires compulsory attendance for students. We strongly discourage family vacations when school is in session. In addition to compromising the attendance law, family vacations interrupt the educational process of each course in ways that make-up work cannot reverse.

Teachers are not required to give out homework assignments prior to a family vacation.

Student Temporary Record [FILE: JRA](#)

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 (applies to high school students) 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 his/her graduation, transfer, or withdrawal from the school system.

Instructional Program

Language arts instruction includes reading, writing, speaking, spelling and listening with an emphasis on connections among the skills. Mathematics instruction emphasizes real-life application and problem-solving skills. Science utilizes an inquiry approach to the study of the natural and physical world as well as practical applications of science and technology. Social Studies instruction examines the interrelationships of people and cultures to historic, geographic and economic environments. The curriculum meets the expectations of both the Common Core State Standards (guidelines for what students should know and be able to do in Mathematics and English language arts from Kindergarten through 12th grade), and the Massachusetts Curriculum Frameworks.

Arts instruction includes the visual and performing arts; instrumental music is offered beginning in grade four. Physical and health education emphasize physical fitness, motor skills and lifelong habits of healthy living. All aspects of the curriculum make use of information technologies and an extensive media center in each school.

[K-5 Core Curriculum Overview](#)

For more information on Massachusetts Curriculum Frameworks, and Massachusetts Family Guide check can be found on the [Lexington Public Schools PK-12 Curriculum & Instruction webpage](#).

Special Education Program

Special education services are available in all of the elementary schools to students with disabilities who meet state and federal regulations for such services. Before services can be provided, a student must have a team evaluation consisting of multi-source assessments to determine if the student has a disability as defined by the Commonwealth of Massachusetts; is not making effective progress in school; that the lack of progress is related to the identified disability and that the student requires specialized instruction and/or related services in order to access the general curriculum.

Upon completion of the evaluation, the evaluation team must answer the following questions:

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

There is a continuum of special education services available in the Lexington Public Schools. All of the elementary schools provide special education teaching and support in areas such as reading, math, writing, and organization, as well as related services such as speech/language, occupational therapy, physical therapy, counseling, and adaptive physical education. The school system also offers district-wide programs at individual elementary schools to service lower-incidence populations.

School districts are required to provide the student's parents an opportunity to consult with the Director of Special Education or their designee (e.g. Evaluation Team Supervisor, Principal) regarding the evaluators who will be used by the school district to conduct the assessments comprising the team evaluation, including the initial evaluation to determine eligibility and any subsequent reevaluations. This requirement may be met by meeting with the parent prior to an evaluation or by incorporating information on this consultation opportunity in the notice sent to the parents when a district is requesting permission to conduct an evaluation. The intent of this requirement, in conjunction with the requirement to consult with the parent on the types of assessments recommended by the school district, is to allow the parent to be involved in planning the evaluation conducted by the school district, so as to maximize parental satisfaction with the school district's evaluation.

Parents should contact their child's principal or their school's Evaluation Team Supervisor (ETS) if they believe their child has a special need that necessitates an evaluation

If you have any questions about special education regulations, please call the Director of Special Education at 781-861-2320 Ext. 68064.

Special Education Laws

The discipline of a student who has been identified as having special needs pursuant to Massachusetts General Laws Chapter 71B or the Individuals with Disabilities Education Act (IDEA) is subject to the requirements of the student's Individualized Education Plan. If it becomes apparent that a student identified as having special needs or referred for a special education evaluation may be excluded from school for a total of ten consecutive days or ten cumulative days (if infractions are close in proximity and similar in nature) in any school year (including both in-school and out-of-school suspensions), the student's special education TEAM must be convened prior to expulsion beyond the ten days and the requirements of Chapter 71B followed. (See School Committee Policy [JJC](#) Student Discipline)

The school principal shall comply with the requirements of Chapter 71B and its implementing regulations at 603 CMR 28.00 and IDEA in the case of regular education students who may be eligible for special education services.

METCO Program

The Metropolitan Council for Education Opportunity (METCO) Program is a voluntary urban/suburban educational desegregation program. It provides opportunities for urban students of color to attend school in suburban public school systems. It also provides suburban students and staff opportunities to interact with many minority students and to benefit from a culturally diverse learning environment. METCO provides additional resources to the schools and to our students throughout the year in order to facilitate learning and cultural experiences for everyone in the school system.

The METCO Program is funded by the Commonwealth of Massachusetts under the Racial Imbalance Act. Annually, each METCO community receives money from the State which pays for METCO staff, transportation of, and special education services for our Boston resident students. METCO funding also pays a portion of the salaries for classroom teachers in Lexington. The Program budget has enabled us to afford multicultural programs for our schools, workshops and seminars for students and parents, and professional development opportunities for school staff.

METCO exists in 36 suburban communities across the State. Lexington was one of the first communities to enter into the METCO urban/suburban partnership when it first began in 1966. Lexington is the third largest METCO community, enrolling 220 students in the school system. Boston resident students are usually placed into our METCO Program at the elementary school level. Occasionally, placements are made at the middle school level when space exists.

The METCO Family Friends Program is another supportive aspect of the METCO partnership wherein Lexington families volunteer to become “partners” with Boston families. When a student enters one of our schools via the METCO Program, they are paired with a volunteer Lexington family (preferably a family with a student in the same classroom or grade level as the Boston student). The Family Friends Program provides opportunities for Lexington and Boston children and their parents to broaden relationships through the sharing of family, cultural and social experiences in their respective communities. At the elementary level, Family Friend students participate in METCO Friends Visiting Days which are scheduled in advance on specified Thursday afternoons. Overnight visitations may occur (individually arranged, if desired) both in Lexington and in Boston. Open and regular communication between families in Lexington and Boston are encouraged throughout the year to help nurture the mutual development of relationships.

The METCO Program is committed to educational excellence for all students. METCO provides support services to students, staff and parents around educational, cultural and social issues. In addition, the program strives to provide opportunities for Lexington and Boston families (as well as staff) to learn together, to break down stereotypes, and to open lines of communication.

If you have any questions about the METCO Program, please feel free to call the building Principal or the Lexington METCO Academic Director at 781-861-2320, ext. 69122.

School Attendance

Lexington Public Schools require a high level of participation in engaged learning. Regular class attendance enables students to benefit from classroom discussions, presentations and interactive activities. These shared academic experiences are integral to the learning process and cannot be recreated or replicated.

Massachusetts Law requires compulsory attendance for all students. Chapter 76, section 1 of the Massachusetts General Laws requires all children between the ages of six and sixteen to attend school. The school must uphold state laws relative to student attendance.

Student Absences & Notifying your School

At the beginning of each school year, parents/guardians will be sent directions, instructing them how to inform their school of a student absence and the reason for such absence. Parents/guardians can access their school's online student absence form through their school website and also [here](#). If the school does not receive a student absence notification through the online form or other means from the parent/guardian by the designated time, school staff will call the telephone number(s) listed in the ASPEN Family Portal to inquire about the student's absence. For this reason, parents/guardians should also periodically verify their contact information, including emergency contact information, listed in the [ASPEN Family Portal](#) (Here are instructions on [how to view your current contact information](#) & [how to make changes](#)). Parents will be contacted within three (3) days of the student's absence if the parents/guardians have not contacted the school regarding the absence.

Students arriving late to school must report to the main office with a parent/guardian to be signed in. A child is considered late for elementary school if they are not in the classroom by 9:00 a.m. ready to begin the school day.

Parents/guardians are encouraged to contact school staff and work collaboratively with them to correct the reasons that the student is missing school.

Attendance Policy for Absent and Tardy Students

A meeting will be scheduled with the building Principal (or his/her designee), the Parent(s)/Guardian and the student to develop an action plan to improve the student's attendance if a student has accrued any of the following:

- Five (5) or more unexcused absences in the school year
- Five (5) or more days tardy (unexcused)
- Two (2) or more classes/periods (unexcused)

Please note that when a student has been absent for five (5) or more consecutive days, parents must obtain a doctor's note and submit it to school.

If a student is absent for eight or more days in a quarter, school officials may file a CRA (Child Requiring Assistance) petition with the Juvenile Court, which could result in a hearing before a Juvenile Court

Judge. Prior to the filing of a CRA, Families and Students will be required to work with school administrators to improve the student's attendance.

An **Excused Absence/Tardy** includes:

- Documented illness or injury
- Bereavement/family funeral
- Major religious observations
- Extraordinary family circumstances (excused at the discretion of the principal)

An **Unexcused Absence/Tardy** is any absence or tardy that is not covered by the aforementioned definition of "Excused Absence/Tardy." Examples of an unexcused absence may include, but may not be limited to:

- Repetitive or chronic absence or tardiness due to illness or injury not documented by a doctor or other medical professional.
- Cutting class (suspendable offense)
- Truancy
- Family vacations
- Undocumented absences
- Non-emergency family situation

Inclement Weather or other Emergency Conditions

The Superintendent will consider a delayed opening of either one or two hours as a response to inclement weather or other emergency conditions. A decision to open with a delay will be communicated to the public and to staff in the same manner as a no school announcement.”

When a decision is made for a delayed opening or cancellation, or in the case of emergency closings, parents and guardians will be notified by telephone through our *Parent Square* notification system. Announcements will also be broadcast on radio stations WBZ (Radio AM/1030; TV Channel 4); WRKO/WHDH (Radio AM/680; TV Channels 7 and 56); WCVB (TV Channel 5) or WFXT (TV Channel 25) after 6:00 a.m.

In addition, parents and guardians may check the school district website <https://www.lexingtonma.org/> and click the “About Our District” tab and the School Cancellation link for updated information. Please do not call the school unless it is an emergency.

In the best interest of public safety, please do not call the police, fire, or public works departments for “No School” information as their lines need to be kept open for emergency purposes. The best practice is to listen to one of the radio or television stations listed above or check the [LPS district website](#) for information.

In the event that parents or guardians feel weather conditions will not allow their children to reach school safely, they are encouraged to keep their children home.

School Lunch Program

All new students receive a letter in August or during the school year (for mid-year registrations) from Lexington Public Schools' Food Service Department with information on purchasing meals in school. A convenient online lunch payment service allows families to securely pay for their child's school meals using a credit/debit card or electronic check (ACH).

Free and Reduced Lunch Applications are emailed in August to all registered student households. Further information on this process and the Lexington Public Schools Food Services program can be found by visiting [Lexington Public School Food Services](#).

Students have 45 minutes for lunch and recess. They are allowed to take as much time as necessary to eat lunch. Teacher aides supervise the lunch and playground periods. Behavior conducive to good eating habits is expected in the lunchroom. Children may bring a snack for the mid-morning or mid-afternoon recess.

Progress Reports and Parent/Teacher Conferences

- Progress reports for children in grades K-5 are sent home two times a year--in January and June.
- Parent conferences are held twice a year and are scheduled in the fall and again in the spring.

Reporting Possible Crime to Police

When school staff have a reasonable basis for believing that a crime has been or is being committed by a student on school property or at school related events, such matters shall be reported to the police. Reportable crimes include, but are not limited to, possession of a controlled substance or dangerous weapon, assault, vandalism, stalking, and hazing.

Lexington School Committee

Policies

For a complete list of School Committee Policies click [here](https://z2policy.ctspublish.com/masc/browse/lexingtonset/lexington/root), or copy and paste this URL address into your browser <https://z2policy.ctspublish.com/masc/browse/lexingtonset/lexington/root>

Animals in School Policy

[FILE: IMG](#)

No animal shall be brought to school or onto Lexington Public School property without prior permission of the building Principal.

Lexington Public Schools are committed to providing a high quality educational program to all students in a safe and healthy environment.

School principals, in consultation with the Health Services Providers in each building, shall utilize the Department of Public Health publication "Guidelines for Animals in Schools or on School Grounds" and review student health records to determine which animals may be allowed in the school building. The decision of the Principal shall be final.

Educational Program

Use of animals to achieve specific curriculum objectives may be allowed by the building Principal provided student health and safety is not jeopardized and the individual requesting that the animal be brought to school is responsible for adhering to the "Guidelines for Animals in Schools or on School Grounds" and any other conditions established by the Principal to protect the health and well-being of students.

Student Health

The health and well-being of students is the District's highest priority. Animals may cause an allergic reaction or otherwise impair the health of students. No animals may be brought to school or kept in the school, classroom, office or common area that may negatively impact the health of any student who must utilize that area. Animals that cause an allergic reaction or impair the health of students shall be removed from the school immediately so that no student shall have his/her health impaired and each student shall have full access to available educational opportunities.

Animals Prohibited from School

Rabies is a growing health problem and any fur-bearing animal is susceptible to this very serious fatal disease. Infected animals can transmit this disease to students and staff. Based on the Massachusetts

Departments of Health and Education recommendations the following animals are prohibited from schools within the Lexington Public Schools.

Wild Animals and Domestic Stray Animals - Because of the high incidence of rabies in bats, raccoons, skunks, foxes and other wild carnivores, these animals should not be permitted in school buildings under any circumstances (including dead animals).

Fur-Bearing Animals (pet dogs,* cats, wolf-hybrids, ferrets, etc.,) - These animals may pose a risk for transmitting rabies, as well as parasites, fleas, other diseases and injuries.

Bats - Bats pose a high risk for transmitting rabies. Bat houses should not be installed on school grounds and bats should not be brought into the school building.

Poisonous Animals - Spiders, venomous insects and poisonous snakes, reptiles and lizards are prohibited for safety reasons.

***Exception: Guide, Hearing and Other Service Dogs or Law Enforcement Dogs** - These animals may be allowed in school or on school grounds with proof of current rabies vaccination.

Exceptions may be made with the prior approval of the Superintendent of Schools.

Service Animals (Guide or Assistance Dogs)

The Lexington School Committee does not permit discrimination against individuals with disabilities, including those who require the assistance of a service animal. Lexington Public Schools will comply with Massachusetts law concerning the rights of persons with guide or assistance dogs and with federal law and will permit such animals on school premises and on school transportation.

For purposes of this policy, a “service animal includes any dog that has been individually trained to do the work or perform tasks for the benefit of an individual with a disability.” The regulations further state that “a public entity shall make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability if the horse has been individually trained to do work or perform tasks for the benefit of the individual with the disability.”

Service animals perform some of the functions and tasks that individuals with disabilities cannot perform themselves. Service animals are not pets.

There are several kinds of service animals that assist individuals with disabilities. Examples include, but are not limited to, animals that:

- assist individuals who are blind or have severe sight impairments as “seeing eye dogs” or “guide dogs;”
- alert individuals with hearing impairments to sounds;
- pull wheelchairs or carry and pick-up items for individuals with mobility impairments; and

- assist mobility-impaired individuals with balance.

The District shall not assume or take custody or control of, or responsibility for, any service animal or the care or feeding thereof. The owner or person having custody and control of the animal shall be liable for any damage to persons, premises, property, or facilities caused by the service animal, including, but not limited to, clean up, stain removal, etc.

If, in the opinion of the School Principal or authorized designee, any service animal is not in the control of its handler, or if it is not housebroken, the service animal may be excluded from the school or program. The service animal can also be excluded if it presents a direct and immediate threat to others in the school. The parent or guardian of the student having custody and control of the animal will be required to remove the service animal from District premises immediately.

If any student or staff member assigned to the classroom in which a service animal is permitted suffers an allergic reaction to the animal, the person having custody and control of the animal will be required to remove the animal to a different location designated by the Building Principal or designee and an alternative plan will be developed with appropriate District staff. Such plan could include the reassignment of the person having custody and control of the animal to a different classroom. This will also apply if an individual on school transportation suffers an allergic reaction. In this case, an alternate plan will be developed in coordination with appropriate school, District, and transportation staff including the involvement of the parents/guardian of the student.

When a student will be accompanied by a service animal at school or in other District facilities on a regular basis, such staff member or such student's parent or guardian, as well as the animal's owner and any other person who will have custody and control of the animal will be required to sign a document stating that they have read and understood the foregoing.

The Superintendent of Schools or his/her designee shall be responsible for developing procedures to accommodate a student's use of an assistance animal in District facilities and on school transportation vehicles.

LEGAL REF.:
28 CFR, Part 35

Lexington Public Schools, Lexington MA
Adopted by Lexington School Committee: July 2015

BULLYING PREVENTION AND INTERVENTION PLAN POLICY

[FILE: JICFB](#)

The Lexington Public Schools (LPS), in partnership with parents, guardians, and the community, and in keeping with the LPS core value of respect for human differences, believes that a positive, safe, and civil environment in school is necessary for students to learn and achieve. Bullying is conduct that can disrupt a student's ability to learn by preventing that student's full engagement with his or her education. Moreover, bullying compromises a school's ability to educate its students in a safe environment. The Lexington School Committee, therefore, prohibits acts of bullying or cyber-bullying throughout the Public Schools of Lexington.

"Bullying" shall include, but is not limited to, the repeated use by one or more students or a member of the school staff 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 him/herself, or of damage to his/her property;
- creates a hostile learning and/or social 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.

School staff includes but is not limited to: an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity, paraprofessional, clerical and technology staff.

"Cyber-bullying" means bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a:

- wire
- radio
- electromagnetic, photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages, facsimile communications, cell phone or texting.

Cyber-bullying shall also include the creation of a web page or blog in which the creator assumes the identity of another person or knowingly impersonates another person as author of posted content or

messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying.

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

Bullying and cyber-bullying can occur in and out of school, during and after school hours, at home and in locations outside of a home. When bullying and cyber-bullying are alleged, the full cooperation and assistance of parents or guardians and their 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, 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 LPS.

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

- create a hostile learning and/or social 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 or designee shall oversee the development of a prevention and intervention plan, in consultation with all district stakeholders, which may include parents and guardians, teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, and students, consistent with the requirements of

this policy, as well as state and federal laws. The bullying prevention and intervention plan shall be reviewed and updated at least biennially.

The Principal or designee is responsible for the implementation and oversight of the Plan except when a reported bullying incident involves the principal or the assistant principal as the alleged aggressor. In such cases, the Superintendent or designee shall be responsible for investigating the report and other steps necessary to implement the Plan, including addressing the safety of the alleged victim. If the Superintendent is the alleged aggressor, the School Committee or its designee shall be responsible for investigating the report and taking other steps necessary to implement the Plan, including addressing the safety of the alleged victim.

Reporting

Students who believe that they are a target of bullying are encouraged and urged to report the matter to a member of the school staff. Students who 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, and may be subject to discipline for failing to report such incidents. However, the target shall not be subject to discipline for failing to report bullying.

A school or district staff member shall immediately report any instance of suspected bullying or retaliation the staff member has witnessed or become aware of to the school Principal or designee. This includes bullying or retaliation of a student by another student or bullying or retaliation of a student by a staff member. If the Principal is the alleged aggressor, the report shall be made to the Superintendent or designee. If the Superintendent is the alleged aggressor, the report shall be made to the School Committee or designee. If the staff member fails to report, he or she may be subject to disciplinary action.

Parents or guardians, or members of the community, are encouraged to report an incident of suspected bullying as soon as possible to the school Principal or designee. This includes bullying of a student by another student or by a staff member. If the Principal is the alleged aggressor, the report shall be made to the Superintendent or designee. If the Superintendent is the alleged aggressor, the report shall be made to the School Committee or designee.

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

Any student who is found to have knowingly made a false accusation/report of bullying may be subject to disciplinary action.

Investigation Procedures

A school Principal or designee shall promptly investigate any report of bullying, using a Bullying/Cyber-bullying Report Form. It may include, but is not limited to, interviewing the alleged target, alleged aggressor, staff members, students and/or witnesses. The Principal or designee (or whoever is conducting the investigation) shall remind the alleged student aggressor, target, and witnesses of the importance of the investigation, their obligation to be truthful and that retaliation

against someone who reports bullying or provides information during a bullying investigation is strictly prohibited and will result in disciplinary action.

A Principal or designee, upon determining that bullying or retaliation has occurred, shall promptly contact the parents or guardians of the alleged target(s) and when the alleged aggressor(s) is a student, parents or guardians of the alleged aggressor(s). Actions being taken to prevent further acts of bullying shall be discussed.

The investigation shall be completed within a reasonable amount of time. The parents or guardians of both the student aggressor(s) and the target(s) shall be notified if there has been a finding that bullying has

occurred. They will be updated periodically during the investigation, and, upon its completion, shall be informed of the results, including whether the allegations were found to be factual, whether a violation of this policy was found, whether disciplinary action has or shall be taken, and whether or what steps will be taken to prevent retaliation or further acts of bullying.

If the alleged aggressor is a staff member, notice will be made to that individual in accordance with district policies and procedures, including in accordance with any applicable collective bargaining agreements. The individual will be updated periodically during the investigations and, upon its completion, shall be informed of the results, including whether the allegations were found to be factual, whether a violation of this policy was found, whether disciplinary action has or shall be taken, and whether or what steps will be taken to prevent retaliation or further acts of bullying.

A Principal or designee 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 maintained to protect all parties, which includes, but is not limited to, alleged aggressor(s) or target(s), a person who reports bullying, or provides information during an investigation of bullying, or is witness to or has reliable information about an act of bullying.

Disciplinary Actions

If a school principal or designee determines that bullying has occurred, he/she shall take appropriate disciplinary action, and if it is believed that criminal charges may be pursued against the aggressor, the Principal shall notify the appropriate local law, enforcement agency and notify the Superintendent.

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

Disciplinary actions for employees who are found to have committed an act of bullying or retaliation shall be in accordance with state law, any applicable Collective Bargaining Agreements, and Lexington Public School's policies and procedures.

Assistance

The LPS may provide appropriate counseling or referral to appropriate services, including, but not limited to, guidance, academic intervention, and protection to any affected students, as necessary.

Documentation

Each school shall document any incident of bullying that is reported per this policy, and the Principal or a designee shall maintain a file of these reports.

The Superintendent or designee shall inform the School Committee periodically of any trends or implications of these reports in order to give the School Committee the opportunity to review and amend this policy.

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

Retaliation

Reprisal or retaliation against any person associated with a report of bullying or the investigation thereof is prohibited. Disciplinary action for a person who is found to have engaged in reprisal or retaliation will reflect the extreme seriousness of such an act. Disciplinary action of an alleged student aggressor may include, but is not limited to, suspension or expulsion. If the Principal or designee decides that disciplinary action is appropriate for a staff member, the disciplinary action is determined on the basis of facts found by the Principal or designee and appropriate expectations in light of the staff member's role and responsibilities.

Training and Assessment

The Superintendent or designee shall provide training annually for all staff, including but not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, paraprofessionals, clerical and technology staff so as to improve preventing, identifying, responding to, and reporting incidents of bullying. The faculty and staff at each school shall be trained annually on the bullying prevention and intervention plan applicable to the school.

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 in each school handbook to students and their parents or guardians, in age-appropriate terms.

The Superintendent or designee shall provide written notice annually of the bullying prevention and intervention plan to all school staff.

Relevant sections of the bullying prevention and intervention plan relating to the duties faculty and staff and bullying of students by school staff shall be included in faculty handbooks. The bullying prevention and intervention plan and policy shall be posted on the LPS 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](#)

M.G.L. [71:41](#); [71:42](#); [71:37O](#); [71:37H](#) and 37H ½; [265:43](#) and [43A](#); [268:13B](#); [269:14A](#)

Discipline of Special Education Students Under IDEA 2004

20 U.S.C. 1415(k)-and 34 CFR 300.530-300.536'

Collective Bargaining Agreements

CROSS REFS.: [AC](#), Policy Prohibiting Harassment(Approved: 2/15/03.)

JKF, Disciplining Special Needs Students Policy (Approved: on file.)

Consistent with Massachusetts regulations, 603 CMR 26.05(1), the Lexington 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.

Civil Rights Guidelines for Student Handbooks

August 2021

The Lexington Public Schools does not tolerate discrimination against students, parents, employees or the general public on the basis of sex. The Lexington Public Schools is also committed to maintaining a school environment free of harassment based on sex, including harassment based on gender, sexual orientation, gender identity, pregnancy or pregnancy status. The Lexington Public Schools' policy of nondiscrimination extends to students, staff, the general public, and individuals with whom it does business; no person shall be excluded from or discriminated against in employment, admission to a public school of Lexington Public Schools or in obtaining the advantages, privileges, and courses of study of such public school on account of sex.

How to Report Sexual Harassment: Individuals are encouraged to report allegations of sexual harassment to the Title IX Coordinator(s) identified below or the Principal. Any report of sexual harassment, as defined under Title IX of the Education Amendments of 1972, will be responded to promptly in accordance with the District's Title IX Sexual Harassment Grievance Procedures, available on the district [website](#). Reports of discriminatory harassment not constituting sexual harassment as defined under Title IX of the Education Amendments of 1972, will be initially addressed through the District's Title IX Sexual Harassment Grievance Procedure and may, if dismissed under that procedure, be investigated in accordance with the District's Civil Rights Grievance Procedures, available on the district [website](#).

Upon receipt of a report of sexual harassment, the Title IX Coordinator will: (1) promptly and confidentially contact the complainant to discuss the availability of supportive measures; (2) inform the complainant of the availability of supportive measures with or without the filing of a Title IX Formal Complaint; (3) consider the complainant's wishes with respect to supportive measures; (4) if the school district does not provide the complainant with supportive measures, document the reasons why such response was reasonable; and (5) explain to the complainant the process for filing a Title IX Formal Complaint.

Inquiries about the application of Title IX may be directed to the District's Title IX Coordinator and/or the Assistant Secretary of the U.S. Department of Education, Office for Civil Rights.

The District's Title IX Coordinator(s) is:
Andrea So, Director of Elementary Education
146 Maple Street, Lexington MA
aso@lexingtonma.org
781-861-2580 x68045

Hate Crimes

Students have the right to attend school without being the victim of physical violence, threats of harm, intimidation, or damage to their personal property. A hate crime has occurred when a student is targeted for physical assault, threat of bodily harm, or intimidation, at least in part because of his or her race, color, religion, ethnicity, national origin, gender, gender identity, sexual orientation, or because he or she has a disability.

Some indicators include:

- Use of racial, ethnic, religious, sexual, or anti-gay slurs;
- Use of symbols of hate, such as a swastika or a burning cross;
- Similar behavior by the wrongdoer towards other students from the same racial, ethnic, or religious group or against students of the same sexual orientation, gender identity, or gender;
- The victim was participating in an activity supporting a particular racial, religious, ethnic/national origin, disability, gender, gender identity or sexual orientation.

Reference: The Massachusetts Civil Rights Act, M.G.L. c. 12, s 11

Harassment

(Reference School Committee Policy: [JBA Student-to-Student](#))

Harassment in school occurs when a student's or an adult's behavior or inappropriate language creates a hostile, offensive, or intimidating school environment. A hostile, offensive, or intimidating school environment may be created by the following:

- Degrading, demeaning, insulting, or abusive verbal statements, or writings of a sexual or racial nature, or related to a student's race, color, religion, national origin, ethnicity, gender, gender identity, sexual orientation, or disability;
- Graffiti, slogans, or other visual displays which contain racial, ethnic, or religious slurs or insults based on the student's gender, gender identity, sexual orientation, or disability;
- Treatment of a student in a more or less favorable way because the student submitted to or rejected sexual advances or requests for a social relationship; and
- Unwelcome sexual advances, including same-gender harassment.

Reference: Massachusetts Student Anti-Discrimination Act (M.G.L. c. 76, s 5), Title II of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, Title VI of the Civil Rights Act of 1964 and Title IX of the Education Amendments Act of 1972.

Bullying

(Reference School Committee Policy: [JICFB: Bullying Prevention and Intervention Plan](#))

Bullying is a repeated pattern of behavior directed at a victim that results in the following:

Physical or emotional harm or reasonable fear of harm;

- Damage to personal property;
- A hostile environment at school for the victim; or
- Disruption of the education process or orderly operation of a school.

Bullying can take many forms, including verbal statements, writings, emails, text messages, on-line postings, and physical acts or gestures. It can be carried out by more than one student. Use the [Lexington Public Schools Incident Reporting Form](#) to report concerns about a student's ability to appropriately access their education due to the actions of another member of our community (e.g.,

bullying, harassment, etc.). For more information and reporting process see the Anti-Bullying policy on the [Lexington Public Schools website](#).

Discrimination

(Reference School Committee Policy: [JI](#): Student Rights and Responsibilities and [JB](#): Equal Educational Opportunities)

Every student is entitled to equal educational opportunities. A student may not be subjected to discipline or more severe punishment for wrongdoing nor denied the same rights as other students because of his or her race, color, religion, national origin, ethnicity, gender, gender identity, sexual orientation, or disability, including in:

- Course registration
- Counseling and course instruction; and
- Extracurricular activities and athletic programs.

Students may not be denied registration in public schools on the basis of their own citizenship or immigration status, or that of their parents or guardians.

Under state and federal law, students with disabilities are protected from discrimination and are eligible for reasonable accommodations or modifications in the school environment so that they may enjoy equal access to educational opportunities.

Reporting

(Reference School Committee Policy: [JII](#) Student Complaints and Grievances)

Victims of any violations of these laws should report to:

School Principal (serves as the building Non-Discrimination Coordinator), and

For students: Director of Equity and Student Supports, Director of Counseling or Superintendent of Schools

For employees: Director of Equity and Student Supports, Assistant Superintendent for Personnel & Staff supports, or Superintendent of Schools

In addition, the following agencies may also provide support and/or information:

Massachusetts Department of Elementary and Secondary Education (DESE)

www.doe.mass.edu/pqa/prs

781-338-3000

Massachusetts Department of Children and Families (DCF)

www.mass.gov/eohhs/gov/departments/dcf

1-800-792-5200

Massachusetts Office of the Attorney General; Civil Rights Division

www.mass.gov/ago

617-727-2200

Massachusetts Commission Against Discrimination (MCAD)

www.mass.gov/mcad

617-994-6000

U.S. Department of Education Office for Civil Rights

www.ed.gov/ocr

617-289-0111

These guidelines are taken from the Office of the Attorney General of Massachusetts “Guide to Civil Rights in Schools” June 2018.

Civil Rights Grievance Procedure

The Lexington Public Schools is committed to maintaining school environments free of discrimination, harassment or retaliation based on race, color, religion, ancestry, national origin, sex, sexual orientation, gender identity, age, or disability.

Harassment, discrimination, and retaliation in any form or for any reason is prohibited. This includes harassment or discrimination by administrators, personnel, students, vendors and other individuals in school or at school related events. Retaliation against any individual who has brought harassment or discrimination to the attention of school officials or who has cooperated in an investigation of a complaint under this Procedure is unlawful and will not be tolerated by the Lexington Public Schools.

Persons who engage in harassment, discrimination or retaliation may be subject to disciplinary action, including, but not limited to reprimand, suspension, termination/expulsion or other sanctions as determined by the school district administration, subject to applicable procedural requirements.

Non-Applicability of This Procedure to Title IX Sexual Harassment Allegations

The Civil Rights Grievance Procedure shall not apply to reports of sexual harassment as defined under Title IX of the Education Amendment of 1972 and its implementing regulations (“Title IX”) effective August of 2020.

Allegations of conduct that could, if proven, meet the definition of sexual harassment under Title IX shall be addressed through the District’s Title IX Sexual Harassment Grievance Procedure. Similarly, allegations of conduct that meet the definition of sexual harassment under Title IX, and simultaneously meet the definitions of sexual harassment under Title VII (employees), M.G.L. c. 151B

(employees), and/or M.G.L. c. 151C (students), will also be addressed through the [Title IX Sexual Harassment Grievance Procedure](#).

Allegations of conduct that do not meet the definition of sexual harassment under Title IX, but could, if proven, meet the definition(s) of sexual harassment under Title VII (employees), M.G.L. c. 151B (employees), and/or M.G.L. c. 151C (students), will be addressed through the Civil Rights Grievance Procedure.

Definitions

For the purposes of this Procedure:

1. “Discrimination” means discrimination or harassment on the basis of race, age, color, national origin, sex, sexual orientation, gender identity, disability or religion by which an individual is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any program or activity of the school district.
2. “Harassment” means unwelcome conduct on the basis of race, age, color, national origin, sex, sexual orientation, gender identity disability, or religion that is sufficiently severe, persistent or pervasive to create or contribute to a hostile environment for the individual at school. Harassment may include insults, name-calling, off color jokes, threats, comments, innuendoes, notes, display of pictures or symbols, gestures or other conduct which rises to the level of a hostile environment. A hostile environment is one which unreasonably interfered with an individual’s participation in, denied the individual the benefits of, or otherwise subjected the individual to discrimination under any program or activity of the District.

3. Non-Title IX Sexual Harassment

M.G.L. c. 151B, § 1 – the term “sexual harassment” is defined as sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; (b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual’s work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment. Discrimination on the basis of sex shall include, but not be limited to, sexual harassment.

M.G.L. c. 151C, § 1 – the term “sexual harassment” is defined as sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when: (a)) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of the provision of the benefits, privileges or placement services or as a basis for the evaluation of academic achievement; or (b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual’s education by creating an intimidating, hostile, humiliating or sexually offensive educational environment.

Title VII of the Civil Rights Act of 1964 – Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. A hostile environment on the basis of sex is created when the conduct is sufficiently severe or pervasive to alter the conditions of employment.

When determining whether an environment is hostile, the District shall consider the context, nature, frequency, and location of the incidents as well as the credibility of witnesses and the identity, number and relationships of the persons involved. The District must consider whether the alleged harassment was sufficient to have created such an environment for a reasonable person of the same age, gender, and experience as the Complainant, and under similar circumstances. Conduct does not constitute harassment where the incident occurs off-campus at a non-school sponsored activity and does not create a hostile environment at school for the victim.

3. Retaliation: Retaliatory acts against any individual who exercises his or her rights under the civil rights statutes covered by this Procedure or the Title IX Sexual Harassment Grievance Procedure are considered to be discrimination and are unlawful. Individuals are prohibited from coercing, intimidating, threatening, or interfering with an individual because the individual exercised any right granted or protected under these procedures and/or the Title IX Sexual Harassment Grievance Procedure.
4. Complainant: An individual who is alleged to be the victim of conduct that could constitute discrimination, harassment, or retaliation under this Procedure. Parents and/or legal guardians of a complainant are not considered a complainant but may file formal complaints on behalf of a minor child and act on behalf of the minor child in any civil rights matter.
5. Party or Parties: The complainant and/or respondent.
6. Principal: The Principal or Principal's designee.
7. Respondent: An individual who has been reported to be the perpetrator of conduct that could constitute discrimination, harassment, or retaliation under this Procedure.

How to make a complaint

Any student or employee who believes that he/she has been discriminated against or harassed should report their concern promptly to the Principal or Civil Rights Coordinator. Students may also report incidents of harassing conduct to a teacher, administrator, or guidance counselor. Any complaint received by a school personnel shall be promptly reported to the Principal or Civil Rights Coordinator. A complaint will not be dismissed because it was reported to the incorrect school personnel. Students or employees who are unsure whether discrimination, harassment, or retaliation has occurred are encouraged to discuss the situation with the Principal. There may be instances where another

third-party, who has not experienced but is aware of the occurrence of prohibited conduct, may bring a complaint under this Procedure. In such circumstances, that person is referred to as the “reporter.”

1. Any District employee who observes or receives a report of discrimination, harassment or retaliation shall promptly notify the Principal or Civil Rights Coordinator, identified below. Any District employee who observes discrimination, harassment or retaliation against a student should intervene to stop the conduct and report it to Principal. Upon receipt of a report of discrimination, harassment or retaliation, the Principal shall promptly inform the relevant Civil Rights Coordinator of the report, and the District will respond in a manner consistent with this Procedure. If the report involves an accusation against the Principal or Civil Rights Coordinator, the employee shall report the incident to the Superintendent or designee.
2. Informal Reports: Individuals may wish to file a formal complaint of discrimination, harassment or retaliation, or to report informally (i.e., without initiating a formal complaint). Such informal reports may be made to the Principal or Civil Rights Coordinator. The District shall inform anyone making an informal report that he or she may initiate a formal complaint at any time, regardless of what steps are being or have been taken in response to an informal report.
3. Anonymous Reports: Complainants and reporters should be aware that although the District will often be able to maintain confidentiality of reporting persons, the District may sometimes be required to take actions to protect the safety of the school community that may result in the identity of the reporting person being disclosed (to the police, for example). When reporters or Complainants seek to remain anonymous or have their identities kept confidential, they will be informed that honoring such a request may limit the ability of the District to respond fully to any reported event, including limitations on the ability to take disciplinary action against an Respondent.
4. Informal Process: If the District concludes that it is possible to resolve a matter, whether after formal complaint or an informal report, in a prompt, fair and adequate manner through an informal process involving, and with the consent of, the Complainant and Respondent, the District may seek to do so. The informal process is voluntary, and the Complainant and/or Respondent may terminate or decline any informal process at any time, without penalty.
5. Formal Process: A formal complaint shall state (if known to the reporter or Complainant) the name(s) of the persons involved and witnesses to the conduct, describe the conduct, and identify, to the extent possible, the dates and locations of the conduct. The complaint shall be signed and dated by the reporter and/or Complainant. Complaints will be investigated promptly and equitably by the Civil Rights Coordinator or Principal. Investigations may be initiated whenever warranted, in the absence of a formal complaint, or after a formal complaint has been withdrawn.
6. Initial Assessments: The Civil Rights Coordinator or Principal will make an initial assessment following a complaint. Based on that assessment, the Civil Rights Coordinator or Principal may:
(a) if the conduct, even if substantiated, would not constitute harassment, discrimination or retaliation, dismiss the complaint; (b) if the alleged conduct (or complaint) could not, even if true, constitute discrimination, harassment or retaliation, but is within the scope of another

procedure, the Civil Rights Coordinator shall refer the matter to the appropriate personnel; (c) if the Civil Rights Coordinator or Principal concludes that it is possible to resolve the complaint in a prompt, fair and adequate manner through an informal process involving and with the consent of both parties, the Civil Rights Coordinator or Principal may seek to do so in accordance with Section D, above; or (d) if the alleged conduct, if substantiated, would constitute discrimination, harassment or retaliation, the Civil Rights Coordinator or Principal will initiate an investigation. The Civil Rights Coordinator or Principal may also identify and initiate any interim measures. See Section G.

7. Interim Measures: The District will provide prompt and reasonable interim measures during the pendency of the investigation, if appropriate, to support and protect the safety of the parties, the educational environment, and the District and/or school community; to deter retaliation; and to preserve the integrity of the investigation and resolution process. Any interim measures will be monitored to ensure they are effective based on the evolving needs of the parties. Violations of the restrictions imposed by interim measures could be considered a violation of school rules and may be considered in determining whether discrimination, harassment or retaliation has occurred.
8. Timeframes: The District will seek to complete any investigation within twenty (20) school days after receipt of a complaint and provide the written notice of the outcome of the investigation within twenty-five (25) school days. The investigator may impose reasonable timeframes on all parties to facilitate the timely completion of the investigation. The investigator may extend the investigation period beyond the time period identified due to extenuating circumstances, including but not limited to availability and cooperation of witnesses, complexity of the investigation, school vacation periods, and the involvement of law enforcement and other outside agency investigations. If a complaint or report of discrimination, harassment or retaliation is received within three (3) weeks of the end of the academic school year, the investigator will attempt to complete the investigation by the end of the school year. In the event that the investigation extends beyond the last day of school, the District will make reasonable efforts to complete the investigation within the above-referenced time frame, but may extend the investigation period to account for the availability of witnesses during the summer vacation period. If the investigator extends the investigation, he or she will notify the Complainant and Respondent of the extension. A report to the law enforcement will not automatically delay an investigation; however, a request from law enforcement to delay the investigation may require a temporary suspension of an investigation, and the District will promptly resume its investigation upon being advised that law enforcement's evidence gathering is completed. Any interim measures provided to the parties may continue during the period of postponement. See Section G.
9. Under the formal resolution procedure, the complaint will be investigated by the Principal, Civil Rights Coordinator or other individual designated by the Principal or Civil Rights Coordinator who has responsibility for seeking and gathering evidence relative to the investigation. A formal complaint against an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. During the formal resolution procedure:

1. The Complainant shall be provided with an opportunity to be heard and have the opportunity to identify witnesses and other relevant evidence to the investigator.
2. The Respondent will be provided with an opportunity to be heard as part of the investigation including the opportunity to provide relevant information and identify witnesses for the investigator's consideration.
3. The privacy rights of the parties shall be maintained in accordance with applicable state and federal laws.
4. The investigator will keep a written record of the investigation process.
5. The investigation will be completed within twenty (20) school days of the date of receipt of the complaint.
6. The notification of the outcome of the investigation, including, if appropriate, a description of the remedies taken, will be provided to the parties within twenty-five (25) school days of the receipt of the complaint, unless extended for good cause.
7. Nothing in this Procedure will preclude the investigator, in his or her discretion, from completing the investigation sooner than the time period described above.
10. Standard of Proof: The investigation shall make factual findings based on a preponderance of the evidence standard.
11. If the investigator determines that discrimination, harassment or retaliation has occurred, the District shall take steps to eliminate the discriminatory or harassing environment, which shall include but not be limited to:
 1. Identifying what steps are necessary to prevent recurrence of any discriminatory behavior, including but not limited to harassment or retaliation, and to correct its discriminatory effects if appropriate; and
 2. Informing the Complainant and Respondent or, in the case of minor children, the parties' parent(s)/legal guardian(s) of the results of the investigation (in accordance with applicable state and federal privacy laws) in accordance with the above timelines. The notification will include the notice of the opportunity for appeal; however, failure to provide notice of appeal shall not constitute a violation of this policy.

The school district administration may also refer the offender for disciplinary procedures to be conducted in accordance with federal and state law. Nothing in the Civil Rights Grievance Procedure shall be interpreted as limiting or prohibiting the District's ability to take appropriate disciplinary action against the offender in accordance with the applicable code(s) of conduct or employment contracts or policies, where appropriate, prior to completion of the investigation, in accordance with the due process rights of employees and students, as applicable. When informing the parties' parent(s)/legal guardian(s) about the results of the investigation, the school district may consider

appropriate notification processes when special circumstances may apply (e.g., disclosure of sexual orientation or gender identity/expression).

12. Appeal: If the Complainant or the Respondent is dissatisfied with the results of the investigation, an appeal may be made to the Superintendent or designee within seven (7) calendar days after receiving notice of the outcome of the investigation, except for circumstances in which the Respondent is subject to long-term suspension as a result of a finding of discrimination, harassment or retaliation. In such an instance, the appeal rights of the Respondent will be provided in a manner consistent with the disciplinary due process requirements applicable to the circumstances (e.g., M.G.L. c. 71, 37H, 37H ½ or 37H ¾). Appeals must be made in writing (email is sufficient) to the Superintendent, Lexington Public Schools, 146 Maple Street, Lexington, Massachusetts 02420. The Superintendent will decide the appeal within thirty (30) calendar days of the date of receipt of the written appeal.

Generally, a grievant may file a complaint with the U.S. Department of Education, Office for Civil Rights, JW McCormack POCH, Boston, Massachusetts 02109-4557, telephone (617)223-9662, TTY (617)223-9695 as follows:

1. within 180 calendar days of alleged discrimination or harassment, or
 2. within 60 calendar days of receiving notice of Lexington Public School's final disposition on a complaint filed through Lexington Public Schools, or
 3. within 60 calendar days of receiving a final decision by the Massachusetts Department of Education, Bureau of Special Education Appeals, or instead of filing a complaint within Lexington Public Schools.
13. Identification of Civil Rights Coordinators for complaints of discrimination, harassment, and retaliation under this Procedure is:

Christine Lyons
Assistant Superintendent for Personnel and Staff Supports
tel: (781) 861-2580 ext 68046
clyons@lexingtonma.org

Andrea So
Director of Elementary Education
781- 861-2580 ext 68045
aso@lexingtonma.org

14. Complaints or Concerns About Whether the District Is Following Special Education Requirements: A person who alleges discrimination on the basis of disability relative to the identification, evaluation or educational placement of a student who, because of an

identified disability or suspected disability, is believed to need specialized instruction or related services pursuant to Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, the Individuals with Disabilities Education Act of 2004 and/or Massachusetts Special Education Laws and Regulations is encouraged to attempt to resolve the matter with local school district officials, in accordance with the procedures outlined in Sections II – IV. If they prefer, or are not satisfied with the local Grievance Procedure outcome, they may contact the Massachusetts Department of Education at:

Program Quality Assurance Services
Problem Resolution System
Massachusetts Department of Education
350 Main Street
Malden, MA 02148
Tel: 781-338-3700A copy of the Massachusetts Department of Education's

Parents' Rights Brochure, which provides information about the complaint resolution process, is available from:

Laura Spear, Executive Director of Student Services
Special Education Office, School Administrative Building
146 Maple Street
Lexington, Massachusetts 02420
tel: 781-891-2490 X 68064
email: lspear@lexingtonma.org

A person with a complaint involving discrimination on the basis of a disability, not related to special education identification, evaluation or educational placement, may either use the Grievance Procedure as described or may file a complaint with the United States Department of Education at the address provided at the end of the Grievance Procedure.

15. Employment Agencies: The contact information for state and federal employment discrimination enforcement agencies is as follows: (1) Federal: United States Equal Employment Opportunity Commission (EEOC); John F. Kennedy Federal Building; 15 New Sudbury Street, Room 475; Boston, MA 02203-0506; 1-800-669-4000; [EEOC Boston Area Office Website: https://www.eeoc.gov/field-office/boston/location](https://www.eeoc.gov/field-office/boston/location); and (2) State: Massachusetts Commission Against Discrimination (MCAD); Boston Headquarters; One Ashburton Place; Sixth Floor, Room 601; Boston, MA 02108; (617)-994-6000; [MCAD Website: https://www.mass.gov/orgs/massachusetts-commission-against-discrimination](https://www.mass.gov/orgs/massachusetts-commission-against-discrimination).

Legal Ref: Section 504 of the Rehabilitation Act of 1973; Title II of the Americans with Disabilities Act of 1990; Title VI of the Civil Rights Act of 1964; Title VII of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; the Age Act; M.G.L. c. 151B and c. 151C; M.G.L. c. 76, § 5; SC Policy JICFB, Bullying Prevention; SC Policy AC, Nondiscrimination.

Revised April 2021

DISCIPLINING STUDENTS WITH SPECIAL NEEDS POLICY

[File: JKF](#)

One of the most difficult issues relating to student conduct in schools is the disciplining of students with special needs. School authorities have frequently requested guidance from the Department of Education regarding the protections that federal and state law affords these students. Parents and legal advocates have also sought clarification in cases where students with special needs are excluded from school for extended periods of time.

An underlying principle of Chapter 766 is that students with special needs must be treated in a manner that most closely resembles their peers in regular education, while at the same time considering their unique programming needs. In considering this policy, we have sought a balance between the overall maintenance of discipline and the assurance that students with special needs are not denied access to their educational programs due to suspension for behavior that is directly related to their identified special needs or the result of an inappropriate special education program.

For example, rather than excluding from school a student who is diagnosed as having emotional problems which lead to acting out behavior, the student's Individualized Educational Plan (IEP) should include appropriate programs and strategies for addressing potentially disruptive behavior. Continuation of these behaviors may indicate that the student's needs are not being met and a new I.E.P. may need to be developed. This notion is supported by numerous federal court decisions interpreting the requirements of the federal special education law (the Education for all Handicapped Children Act, "the EHA") and the federal law prohibiting discrimination based on handicap (Section 504 of the Rehabilitation Act of 1973).

The attached policy puts in place procedures which assure that: students receive the procedural protections to which they are entitled when suspension is proposed; special educators are involved in the decision to suspend students; the student's special education program is reviewed for implementation and appropriateness; an alternative form of education is provided whenever suspension is allowed; and the Department of Education assumes its approval responsibility in a consistent and sound manner. It does not prohibit school administrators from suspending students in all cases. However, where it is permitted, the policy requires that suspension be preceded by a more deliberate review of the causes for the proposed suspension and the development of an alternative program, consistent with federal and state law.

This policy supersedes the Policy on Disciplining Students with Special Needs that was adopted by the Board of Education on August 27, 1985 and effective January 1, 1986. It was necessary to revise the 1985 policy to reflect the U.S. Supreme Court decision, Honig v. Doe, 108 S.Ct. 592 (1988) (discussed in Section II). We also have used the opportunity to address some ambiguities that were revealed in implementation of the 1985 policy.

Honig v. Doe

On January 20, 1988, the U.S. Supreme Court issued a decision in Honig v. Doe, supra, the first U.S. Supreme Court case to interpret the EHA as it applies to the suspension or exclusion of students with special needs. The facts of the case involved two students with special needs who were suspended

indefinitely from school for violent and disruptive conduct related to their disabilities and who challenged their exclusion. The Supreme Court held that the "stay-put" provision of the EHA, 20 U.S.C. &1415 (e) (3), protects students with special needs from being excluded from the classroom for more than ten school days for dangerous or disruptive conduct unless school officials obtain parental consent to the exclusion or, where the parent does not consent, secure judicial approval.

The statutory "stay-put" provision provides that where a party has initiated administrative or judicial proceedings under the EHA, during the pendency of the proceedings "the child shall remain in the then current educational placement" unless the school district and the parent or guardian of the child agree on a different placement. In addressing the issue of school official's authority to exclude special education students, the Supreme Court also established the following principles under the EHA:

1. Suspension or exclusion for more than ten days constitutes a change of placement. School officials may not change any student's special education placement without providing his or her parent or guardian the procedural safeguards provided by the EHA. Among other things, the EHA requires school officials to give the parent or guardian advance written notice of the suspension or exclusion and of the parent's right to challenge the action in administrative hearing or in court. If the parent requests a hearing, the "stay-put" provision applies.
2. The "stay-put" provision is unequivocal; school officials do not have a unilateral authority to exclude special education students from school. However, school officials may suspend a special education student for up to ten days if the student's presence "poses an immediate threat to the safety of others." School officials may not suspend a special education student for more than ten days unless they obtain a court order authorizing the exclusion based on proof that the student's continued presence in school presents a "substantial likelihood of injury" to the student or to others.

In deciding Honig, the U.S. Supreme Court ruled consistently with along line of federal court decisions which held that a long-term suspension or expulsion of a student with special needs from a public school constitutes a change of placement, which may be accomplished only through the team evaluation and placement process specified in the law.

STATE LAW AND REGULATIONS

With respect to removal of students with special needs from public school, Massachusetts General Laws Chapter 71B, section 3 states: No school committee shall refuse a school age child with special needs admission to or continued attendance in public school without the prior written approval of the department (of education). No child who is so refused shall be denied an alternative form of education approved by the department.

To reconcile this and other provisions of state law with the EHA as interpreted by the U.S. Supreme Court in Honig, the Department of Education has developed procedures which protect students with special needs from suspensions of more than ten (10) cumulative days in a school year. Nothing in these procedures is intended to limit Section 331 of the Chapter 766 Regulations which provides for emergency evaluation and placement in "instances of dangerously assaultive or self-abusive behavior, ." subject to parental consent.

PROCEDURES APPLICABLE WHEN SUSPENSIONS WILL ACCUMULATE TO MORE THAN TEN DAYS FN A SCHOOL YEAR

A. DEFINITION OF SUSPENSION

Suspension shall be defined as any action, which results in the removal of a student from the program, which is prescribed in his/her IEP. This includes in-school suspensions as well as any exclusion from transportation services, which prohibits the student's participation in his-her prescribed program.

B. GENERAL REQUIREMENTS

Each school committee and educational collaborative shall ensure that:

1. its Code of Conduct is on file with the Department of Education. The Code and all student handbooks must contain the specific procedures noted herein for the suspension of a student with special needs;
2. it has an appropriate procedure to notify the Administrator of Special Education or designee of the misconduct for which suspension of a student with special needs is proposed so that the required procedures under this policy can be implemented consistently;
3. the number and duration of suspensions of students with special needs is recorded and maintained by school officials; (Principal or Asst Principal).
4. the EBP of every student with special needs indicates whether the student can be expected to meet the regular discipline code or if a modification is required. If a modified discipline code is required, it is written into the IEP; and
5. No student with special needs is suspended for more than ten cumulative days in the school year except as provided in this policy or court order.

C. INDIVIDUALIZED EDUCATIONAL PLAN REVIEW

When it is known that the suspension¹) of a student with special needs will accumulate to ten days in a school year, a review of the IEP, as provided in Section 333 or the Chapter 766 Regulations, will be held. Participants in the meeting shall include, but not be limited to, individuals who are trained in the area of the student's special needs. At that review, the review TEAM will determine whether the student's misconduct is related to the student's special needs, or results from an inappropriate special education program/placement or an D3P that was not fully implemented. Depending on the result of that determination, suspension may or may not be implemented as provided in paragraphs D and E.

If the student has demonstrated repeated instances of dangerously assaultive or self-abusive behavior, an emergency evaluation and placement may be made with parental approval pursuant to Section 331.0 of the Chapter 766 Regulations. No such evaluation and placement may be made without parental consent.

1 Wherever used in this policy, the term "school" shall include "educational collaborative."

D. CIRCUMSTANCES UNDER WHICH THE STUDENT MAY NOT BE SUSPENDED FOR MORE THAN TEN CUMULATIVE DAYS IN THE SCHOOL YEAR

1. If the TEAM concludes that the student's misconduct is related to the student's handicapping condition or results from an inappropriate special education program/placement or an IEP that was not fully implemented, the student may not be suspended. Instead, the student's EBP must be amended to reflect a new program designed to meet the student's needs more effectively, or, if the misconduct resulted from an appropriate

IEP that was not fully implemented, all necessary steps must be taken by the school to ensure that the IEP is fully implemented.

2. If a new program is designed for the student as a result of the review, the new program must be implemented immediately following parental approval of the IEP. If the parent refuses consent to the IEP, the school committee or parent may request a hearing before the BSEA to determine the appropriateness of the program, pursuant to Section 401.0 of the Chapter 766 Regulations. Alternatively, the parties may seek mediation to resolve the dispute.

If a hearing is requested, during the pendency of the hearing, the student must remain in the last agreed upon educational placement (the placement in effect when the dispute arose), unless another placement is agreed to by the school district and the student's parent or • guardian, or a court order permits the school district to change the student's placement based on proof that the student's continued presence in school presents a substantial likelihood of injury to the student or to others.

E. CIRCUMSTANCES UNDER WHICH SUSPENSION MAY BE IMPOSED

1. If the school wishes to impose a suspension which will result in more than ten days suspension in the school year and the TEAM concludes that the student's misconduct is not related to the student's special needs and is not the result of an inappropriate special education program/placement and that the current EBP was fully implemented, the school must:

- a. amend the student's IEP to provide for the delivery of special education services to the student during the period of suspension ("the alternative plan");
- b. secure the approval of the alternative plan by the Division of Special Education through the appropriate Regional Education Center.

Equal Educational Opportunities

[FILE: JB](#)

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

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

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

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

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

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

CROSS REF.:

[AC: Non-Discrimination](#)

Lexington Public Schools, Lexington MA

Adopted by Lexington School Committee: July 2015

The Family Educational and Privacy Act (FERPA)

The Family Education and Privacy Act: Annual Notice & Massachusetts Student Records Regulations

The Family Educational Rights and Privacy Act (FERPA) and the Massachusetts Student Records Regulations (“Regulations”) together provide parents and eligible students (those who have reached that age of 14 or who have entered ninth grade) certain rights with respect to the student's education records. A general overview of those rights is provided below. Parents and students may obtain a complete copy of their rights under the Massachusetts Student Record Regulations [here](#).

- **The right to access the student's education records.** Parents or eligible students should submit their request for access to the school principal. Access is generally provided within ten days of a request. However, Massachusetts General Laws c. 71, §34H (“Section 37H”) law provides [specific procedures](#) that must be followed prior to release of records to a parent who does not have physical custody of a child. Information about these procedures can be found [here](#).
- **The right to request amendment of the student's education records.** Parents or eligible students should direct their request to the principal, clearly identifying the part of the record they wish to have amended, and why.
- **The right to consent to disclosures of personally identifiable information contained in the student's education records,** except to the extent that FERPA and the Massachusetts regulations authorize disclosure without consent. One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests in the records. Such school officials include professional, administrative and clerical staff who are employed by or under agreement with the Lexington Public Schools and who need access to a record in order to fulfill their duties. Such school officials may also include a volunteer or contractor outside of the school who 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 regard to the use and maintenance of education records. The Lexington Public Schools also discloses student records without parent/eligible student consent to officials of other elementary or secondary schools in which a student enrolls, or seeks, intends, or is instructed to enroll upon receipt of a request from such school officials, so long as the disclosure is for purposes related to the student’s enrollment or transfer.
- **As another exception, the Lexington Public Schools may release directory information without consent.** Directory information is information that is generally not considered

harmful or an invasion of privacy if released. The Lexington Public Schools has identified the following information as directory information:

- Student's name
- Degrees, honors, and awards received
- Participation in recognized LPS activities and sports
- Dates of attendance/enrollment
- Grade level and year of graduation
- Homeroom and/or middle school Team
- Most recent school attended
- Post-high school plans, including major field of study
- Parent/guardian name(s), primary email address and telephone number

If you do not want the Lexington Public Schools to disclose directory information without your prior written consent or you would like to change your media permissions, you must notify the District. You can do this through the Permissions and Consents workflow through the Aspen Family Portal. Absent receipt of an objection within the first two school weeks of the school year or student's start date, directory information will be released without further notice.

- **As required by law, the Lexington Public Schools routinely releases the name, address and telephone listing of secondary school students to military recruiters.** *If you do not want the Lexington Public Schools to release any of the above information, you must notify the District. You can do this through the Permissions and Consents workflow through the Aspen Family Portal. Absent receipt of an objection within the first two school weeks of the school year or student's start date, this information will be released without further notice.*
- **The right to file a complaint concerning alleged failures by the Lexington Public Schools to comply with the regulations and laws governing student records.** Complaints may be filed at the Massachusetts Department of Elementary and Secondary Education, 75 Pleasant Street Malden, MA 02148. In addition, complaints relative to federal statutes and regulations governing student records may be filed with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington DC.

Parental Notification Relative to Sex Education

[FILE: IHAMA](#)

In accordance with General Laws Chapter 71, Section 32A, the Lexington School Committee has adopted this policy on the rights of parents and guardians of 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 Lexington Public 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 1 of each year.

REF.:
Dept. of Elementary and Secondary Education

Lexington Public Schools, Lexington MA

School Cancellation

[FILE: EBCE](#)

It is the general policy of the Lexington School Committee that schools shall be kept open in accordance with the established school calendar. The Superintendent shall, however, have the authority to close any school or schools whenever conditions in his/her judgment are such as to endanger the health and/or welfare of the pupils.

In case of inclement weather, the Superintendent shall exercise his/her best judgment as to whether or not the schools shall be kept open. The Superintendent will consider a delayed opening as a response to inclement weather or other emergency conditions. A decision to open with a delay will be communicated to the public and to the staff in the same manner as a no-school announcement.

Lexington Public Schools, Lexington MA

Adopted by Lexington School Committee: July 2015

School Volunteers

[FILE: IJOC](#)

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

It is a privilege, not a right, to volunteer. All volunteers will comply with the following:

- Volunteers are present to serve all students.
- Volunteers shall abide by confidentiality principles and will not repeat information about students.
- Volunteers work under the supervision and authority of staff members.
- Staff members alone are responsible for managing a class and students.
- At no time will a volunteer engage in any form of discipline.
- Volunteers who observe and learn of anything that concerns them regarding a student-school matter will bring these concerns to the attention of the classroom teacher or school principal in a timely fashion.
- Volunteers will comply with CORI registration as well as school building sign-in, safety, and other required procedures.

CROSS REF.:

[ADDA, Background Checks](#)

Lexington Public Schools, Lexington MA
Adopted by Lexington School Committee: July 2015

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). If you have any questions concerning the CORI process please contact the Director of Human Resources.

Staff Standards for the Acceptable Use of Technology

[FILE: IJNDB](#)

Purpose

The Lexington Public School (LPS) district provides and maintains sophisticated computer systems and network resources to support the delivery of education and the administration of the District's operation. The computer systems and network resources provided by LPS includes all devices, software, networks, and peripheral systems including the Internet, all of which are referred to hereinafter as "computing systems."

This policy defines the educational and administrative purpose for the use of computing systems in the Lexington Public Schools and applies to all LPS staff and, where applicable, guests and adult learners. The uses of LPS computing systems described herein are not exhaustive lists of all acceptable or unacceptable uses. LPS will provide this policy to all staff annually as part of mandatory training.

Roles and Access

The **Director of Technology** is responsible for overseeing all computing activities and systems in the Lexington Public Schools. The Director will ensure that staff are educated on and uphold the acceptable use of computing systems in the District.

School Administrators, in partnership with the Director of Technology and applicable curriculum leaders, will coordinate building-based technology activities, including staff training, technology integration to support curriculum, and ensuring student safety and responsible use of technology resources.

Educators are responsible for using technology that supports curriculum objectives and, when using the Internet for instruction, they should preview all sites and resources to ensure their appropriateness for students. Educators are responsible for modeling effective and appropriate use of technology.

Staff members will have access to LPS computing systems that are appropriate for them to complete their assigned work. Resources may change as technology develops and any new technologies will fall within the purview of this policy. The policy applies to staff who are actively employed in Lexington Public Schools. Access may be restricted for those staff who are not actively employed.

Interim Staff, Guests and Others may be provided accounts or temporary access (e.g. long term substitutes, service vendors, interns, student teachers, community education instructors). A guest's access may be limited.

Disclaimer

LPS makes no guarantees of any kind, either express or implied, that the services provided through its computing systems will be error-free or without defect. LPS is not responsible for the accuracy or

quality of the information obtained through the system. Users of LPS's computing systems assume full responsibility for their use of the system including, but not limited to, loss of data, interruptions of service, costs, liabilities, or damages.

Ownership/Privacy

The LPS computing systems are the property of the Lexington Public Schools. As such, a user's activities and files are subject to inspection by the administration at any time. LPS has the right to monitor and log any and all aspects of its computing systems including, but not limited to, monitoring Internet usage, file downloads, and all communications.

Users should not have an expectation of privacy regarding any use of the LPS computing systems, including the use of personal devices on school networks.

E-mail or other electronic communication that is created or received by a public school employee is a matter of public record and may be subject to public production in accordance with the Massachusetts public records law.

Data and Control

The District has the following rights and responsibilities:

1. LPS provides all users with accounts and storage as necessary for instructional and administrative purposes.
2. LPS is responsible for the provision, installation and maintenance of all software and for maintaining proper licensure.
3. LPS has the right to re-image (i.e., reset to factory standard, including any and all files on the device being deleted) any computer as necessary.
4. The District conducts regularly scheduled backups and maintains a disaster recovery plan to prevent loss or corruption of data and/or services; however, the school district cannot guarantee that all information can be recovered in the event of a catastrophic failure.

Users are responsible for the following:

1. Users will ensure that all files and data are stored on the network servers or other cloud-based storage systems.
2. No personal data or files should be stored on a local machine that is the property of LPS.
3. Responsibility for backing up any handheld or mobile device issued to a District user falls upon the user. LPS is not responsible for providing backups for these devices.
4. Upon leaving the District, staff members should be sure that any student data saved on any used device are destroyed and deleted in order to maintain student and staff data security.

5. Users will follow District policies and procedures that are intended to protect student and staff personally identifiable information and data privacy.
6. Users may have access to a wide variety of confidential information through their use of technology. It is expected that they will maintain the highest level of confidentiality in compliance with State and Federal laws (i.e., FERPA) and District policies and procedures.

Hardware/Software

The District has the following rights and responsibilities:

1. LPS may upload, download, or install software on the District network and user devices as needed for instructional purposes, administrative purposes, or to ensure the safety of staff and students.
2. The District reserves the right to remove and/or disable any outside equipment that interferes with the operation of the network, systems, or provided services.
3. LPS is not responsible under any circumstances for damage to, or loss of, equipment brought in from the outside.

Users are responsible for the following:

1. Users should treat any and all equipment issued by LPS with due care in an effort to ensure that equipment is not damaged or stolen. Abuse, damage, or improper use should be reported immediately to a Building Administrator and the Director of Technology.
2. Users must report any and all issues or problems related to any hardware, software, system, or network to the technology department using the LPS reporting system.
3. Users who wish to borrow and take any LPS owned (or leased) computers or devices off the District's premises must submit a request to the Technology Department prior to doing so and will assume full responsibility for any equipment borrowed.
4. Users who bring personal equipment into the District must recognize that LPS does not support or accept any liability for such equipment. LPS staff will be asked to sign a laptop computer agreement form upon being loaned a District-owned laptop computer.
5. Users shall reimburse the District for repair or replacement of LPS property lost, stolen, damaged or vandalized while under their care as determined by the District.

Unacceptable Uses

1. **To ensure a respectful digital learning environment**, the following activities and uses of technology are prohibited:

- a. Users may not use the LPS computing systems to obtain or share information about staff, students, or families for any non-school purposes.
 - b. Users shall not access, send, or forward materials or communications that are defamatory, pornographic, obscene, sexually explicit, threatening, harassing, profane, or inflammatory.
 - c. It is unacceptable to attempt to read, delete, copy, or modify the electronic communications of other users or to interfere with other users' ability to send or receive communications.
 - d. Users shall not pretend to be someone else when sending or receiving electronic communications, including but not limited to forgery or attempted forgery.
 - e. Use of another person's password or account is strictly prohibited.
2. **To ensure a secure digital learning environment**, the following activities and uses of technology are strictly prohibited
- a. Users shall not attempt to gain unauthorized access to files or accounts using LPS computing systems or networks.
 - b. Users shall not vandalize the LPS computing systems by any means, including, but not limited to: causing physical damage, reconfiguring the computer system, attempting to degrade or disrupt the computing systems, or destroying data by spreading computer viruses. Anyone who vandalizes LPS computing systems may be responsible for the costs associated with hardware, software, and/or system restoration.
 - c. Users shall not download or install any commercial software, shareware, freeware, or similar types of materials on the LPS computing systems without prior approval and authorization from the technology department.
3. **To ensure a responsible digital learning environment**, the following activities and uses of technology are strictly prohibited:
- a. LPS computing systems may not be used for political or social advocacy or solicitation. This prohibition includes fundraising or advocacy for any non-school organization or group.
 - b. LPS computing systems may not be used for entertainment, illegal purposes (or support of illegal activities), or commercial purposes such as, but not limited to: offering, providing, or purchasing goods and/or services for personal use or gain. The District reserves the right to place reasonable restrictions on the materials users can access or post through the LPS computing systems.

- c. Users are prohibited from copying copyrighted material without authorization from the copyright holder.
- d. The District permits its staff to use the LPS computing systems for incidental personal use as long as the computing systems are not used in a manner that violates this policy or the staff laptop computer agreement, and such use is limited to times before or after work hours, during non-assigned teaching or duty time, and lunch periods.

Internet Safety

All users are granted individual accounts and agree to keep passwords secure. Users are responsible for their accounts, credentials, security codes, and passwords and will not share or allow others access to them. Users are responsible for keeping passwords secure and for reporting any suspected breach to a Building Administrator and the Technology Department. Staff members will be required to regularly change passwords, as directed by the District, to help ensure the safety and security of online accounts, student and staff data, and District digital resources.

Filtering, blocking or other protective technologies will be used to decrease the likelihood that users of the District systems and equipment might access materials or communications, other than visual depictions, that are inappropriate. All employees and guests are encouraged to report any complaints or concerns regarding user access or exposure to any content, activities, or communications that may be harmful, deceptive, or otherwise inappropriate or objectionable.

When accessing school resources and data from any systems (including outside the LPS network), staff will use due caution to protect the privacy and integrity of student data.

When using outside software and applications which require student information, users will ensure compliance with COPPA (Children's Online Privacy Protection Act), CIPA (Children's Internet Protection Act) and FERPA (Family Educational Rights And Privacy Act) as a means of protecting student privacy by vetting software with appropriate District technology personnel. This includes getting the appropriate data privacy agreements and includes not using software in which an agreement is not able to be secured, unless otherwise permitted by the Director of Technology and the Superintendent of Schools.

Violations

Access to LPS's computing systems is a privilege not a right. LPS reserves the right to deny, revoke, or suspend specific user privileges and/or to take disciplinary action up to, and including, suspension, and dismissal of employees for violations of this policy.

The District will advise appropriate law enforcement agencies of any illegal activities conducted using LPS's computing systems. LPS will cooperate fully with local, state and/or federal officials in any investigation related to any illegal activities conducted through the LPS computing system.

Any user who has a question regarding whether or not a particular activity is acceptable should seek guidance from a Building Administrator, the Director of Technology, or the Superintendent.

CROSS REFS.: [IJNDBA](#) - Student Standards for the Acceptable Use of Technology

[IJNDD](#) - Staff Electronic Communication and Social Media Use Policy

LEGAL REFS.: M.G.L. Chapter 66: [Section 10](#). Inspection and copies of public records; requests; written responses; extension of time; fees

Lexington Public Schools, Lexington MA

Student Conduct

[FILE:JK](#)

The Massachusetts General Laws require the School Committee to adopt written policies, rules and regulations not inconsistent with the law, which may relate to study, discipline, conduct, safety and welfare of all students, or any classification thereof, enrolled in the public schools of the District.

Each school within the District shall also develop and publish its own specific rules for its students that are an extension of the District policies. The implementation of those rules is the responsibility of the Principal and the professional staff of the building.

Students violating any of the policies on student conduct will be subject to disciplinary action. The purpose of disciplinary action is to restore acceptable behavior. When disciplinary action is necessary, it shall be administered in accordance with the Code of Conduct with fairness and shall relate to the individual needs and the individual circumstances. The degree, frequency, and circumstances surrounding each incident shall determine the method used in enforcing these policies. Ideally, most of the situations which require disciplinary action will be resolved within the confines of the classroom or as they occur by reasonable verbal communication, and/or by teacher conferences with the student and/or parents or guardians. Some situations, however, may require additional disciplinary action.

If a situation should arise in which there is no applicable written policy, the staff member shall be expected to exercise reasonable and professional judgment.

LEGAL REF.:

M.G.L. 71:37H; 71:37H 1/2; 71:37H 3/4; 71:37L; 76:16; 76:17 603 CMR 53.00

Lexington Public Schools, Lexington MA

Adopted by Lexington School Committee: July 2015

Student Conduct on School Buses

[FILE: EEAEC](#) (ALSO [JICC](#))

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

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/guardians 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 procedures published in the student handbooks.

Lexington Public Schools, Lexington MA

Adopted by Lexington School Committee: July 2015

Student Discipline

[File: JIC](#)

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 are expected to respect constituted authority and to conform to school rules and those provisions of law that apply to their conduct.

Each Student Handbook shall include prohibited conduct and procedures to ensure due process when discipline is contemplated with respect to violation of the school rules or applicable law. Administrators shall adhere to the due process procedures in accordance with Massachusetts General Laws and procedures providing for due process. Student Handbooks will be made available to students and parents electronically. Original printed copies will be made available in each school principal's office and the Superintendent's office.

In every case of student misconduct, the administrator shall consider ways to re-engage the student in learning and, when appropriate, avoid using short and long-term suspension from school as a consequence. Alternatives may include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and positive behavioral interventions and supports.

The administrator may, as a disciplinary measure, remove a student from privileges, such as internet privileges, extracurricular activities, and attendance at school-sponsored events, based on the student's misconduct. Such a removal is not subject to due process procedures, unless explicitly provided for in Student Handbooks and/or rules of the Massachusetts Interscholastic Athletic Association (MIAA). Principals and staff shall not use academic punishment of any form as a consequence to inappropriate behaviors/actions by students.

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.

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 a 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 provided in a manner consistent with the academic standards and curriculum frameworks established for all students under the law.

Reporting

The school district shall collect and annually report data to the Department of Elementary and Secondary Education ("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 DESE.

The Principal of each school shall periodically review discipline data by selected student populations, including but not limited to race and ethnicity, gender, socio-economic status, disability, and English language learner status in accordance with state laws and regulations.

Students with Special Needs

The Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973 provide eligible students with certain procedural rights and protections in the context of student discipline. When disciplining eligible students, administrators shall adhere to the procedural rights and protections in accordance with federal and state laws and regulations.

LEGAL REF: M.G.L. [71:37H](#); [71:37H ½](#); [71:37H3/4](#); [76:17](#); 603 CMR [53.00](#)

Student Records

[FILE: JRA](#)

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 his/her 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 his/her 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.

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](#)

Lexington Public Schools, Lexington MA
Adopted by Lexington School Committee: July 2015

Students Records

[FILE: JRA-R](#)

603 CMR 23.00 is promulgated by the Board of Education pursuant to its powers under M.G.L.c.71, s.34D which directs that “the board of education shall adopt regulations relative to the maintenance of student records by the public elementary and secondary schools of the Commonwealth,” and under M.G.L.c.71, s.34F which directs that “the board of education shall adopt regulations relative to the retention, duplication and storage of records under the control of school committees, and except as otherwise required by law may authorize the periodic destruction of any such records at reasonable times.” 603 CMR 23.00 was originally promulgated on February 10, 1975, and was reviewed and amended in June 1995. 603 CMR is in conformity with federal and state statutes regarding maintenance of and access to student records, and is to be construed harmoniously with such statutes.

Application of Rights

603 CMR 23.00 is promulgated to insure parents’ and students’ rights of confidentiality, inspection, amendment, and destruction of students’ records and to assist local school systems in adhering to the law. 603 CMR 23.00 should be liberally construed for these purposes.

1. These rights shall be the rights of the student upon reaching 14 years of age or upon entering the ninth grade, whichever comes first. If a student is under the age of 14 and has not yet entered the ninth grade, these rights shall belong to the student’s parent.
2. If a student is from 14 through 17 years or has entered the ninth grade, both the student and his/her parent, or either one acting alone, shall exercise these rights.
3. If a student is 18 years of age or older, he/she alone shall exercise these rights, subject to the following. The parent may continue to exercise the rights until expressly limited by such student. Such student may limit the rights and provisions of 603 CMR 23.00 which extend to his/her parent, except the right to inspect the student record, by making such request in writing to the school Principal or Superintendent of Schools who shall honor such request and retain a copy of it in the student record. Pursuant to M.G.L. c.71, s.34E, the parent of a student may inspect the student record regardless of the student’s age.
4. Notwithstanding 603 CMR 23.01(1) and 23.01(2), nothing shall be construed to mean that a School Committee cannot extend the provisions of 603 CMR 23.00 to students under the age of 14 or to students who have not yet entered the ninth grade.

Definition of Terms

The various terms as used in 603 CMR 23.00 are defined below:

Access: shall mean inspection or copying of a student record, in whole or in part.

Authorized school personnel: shall consist of three groups:

1. School administrators, teachers, counselors and other professionals who are employed by the School Committee or who are providing services to the student under an agreement between the School Committee and a service provider, and who are working directly with the student in an administrative, teaching, counseling and/or diagnostic capacity. Any such personnel who are not employed directly by the School Committee shall have access only to the student record information that is required for them to perform their duties.
2. Administrative office staff and clerical personnel, including those who assist in data entry and management, who are either employed by the School Committee or are employed under a School Committee service contract, and whose duties require them to have access to student records for purposes of processing information for the student record. Such personnel shall have access only to the student record information that is required for them to perform their duties.
3. The evaluation team which evaluates a student.

Eligible student: shall mean any student who is 14 years of age or older or who has entered 9th grade, unless the School Committee acting pursuant to 603 CMR 23.01(4) extends the rights and provisions of 603 CMR 23.00 to students under the age of 14 or to students who have not yet entered 9th grade.

Evaluation Team: shall mean the team, which evaluates school-age children pursuant to M.G.L.c.71B (St. 1972, c.766) and 603 CMR 28.00.

Parent: shall mean a student's father or mother, or guardian, or person or agency legally authorized to act on behalf of the child in place of or in conjunction with the father, mother, or guardian. Any parent who by court order does not have physical custody of the student, is considered a non custodial parent for purposes of M.G.L. c. 71, s.34H and 603 CMR 23.00. This includes parents who by court order do not reside with or supervise the student, even for short periods of time.

Release: shall mean the oral or written disclosure, in whole or in part, of information in a student record. School-age child with special needs: shall have the same definition as that given in M.G.L. c. 71B (St. 1972, c.766) and 603 CMR 28.00.

School committee: shall include a school committee, a board of trustees of a charter school, a board of trustees of a vocational-technical school, a board of directors of an educational collaborative and the governing body of an M.G.L. c.71B (Chapter 766) approved private school.

Student: shall mean any person enrolled or formerly enrolled in a public elementary or secondary school or any person age three or older about whom a school committee maintains information. The term as used in 603 CMR 23.00 shall not include a person about whom a school committee maintains information relative only to the person's employment by the School Committee.

The student record: shall consist of the transcript and the temporary record, including all information, recording and computer tapes, microfilm, microfiche, or any other materials, regardless of physical form or characteristics concerning a student that is organized on the basis of the student's name or in a way that such student may be individually identified, and that is kept by the public schools of the Commonwealth. The terms as used in 603 CMR 23.00 shall mean all such information and materials regardless of where they are located, except for the information and materials specifically exempted by 603 CMR 23.04.

The temporary record: shall consist of all the information in the student record which is not contained in the transcript. This information clearly shall be of importance to the educational process. Such information may include standardized test results, class rank (when applicable), extracurricular activities, and evaluations by teachers, counselors, and other school staff.

Third party: shall mean any person or private or public agency, authority, or organization other than the eligible student, his/her parent, or authorized school personnel.

Log of Access. A log shall be kept as part of each student's record. If parts of the student record are separately located, a separate log shall be kept with each part. The log shall indicate all persons who have obtained access to the student record, stating: the name, position and signature of the person releasing the information; the name, position and, if a third party, the affiliation if any, of the person who is to receive the information; the date of access; the parts of the record to which access was obtained; and the purpose of such access. Unless student record information is to be deleted or released, this log requirement shall not apply to:

1. authorized school personnel under 603 CMR 23.02(9)(a) who inspect the student record;
2. administrative office staff and clerical personnel under 603 CMR 23.02(9)(b), who add information to or obtain access to the student record; and
3. school nurses who inspect the student health record.

Access of Eligible Students and Parents. The eligible student or the parent, subject to the provisions of 603 CMR 23.07 (5), shall have access to the student record. Access shall be provided as soon as practicable and within ten days after the initial request, except in the case of non-custodial parents as provided in 603 CMR 23.07 (5). Upon request for access, the entire student record regardless of the physical location of its parts shall be made available.

1. Upon request, copies of any information contained in the student record shall be furnished to the eligible student or the parent. A reasonable fee, not to exceed the cost of reproduction, may be charged. However, a fee may not be charged if to do so would effectively prevent the

parents or eligible student from exercising their right, under federal law, to inspect and review the records.

2. Any student, regardless of age, shall have the right pursuant to M.G.L. c. 71, section 34A to receive a copy of his/her transcript.
3. The eligible student or the parent shall have the right upon request to meet with professionally qualified school personnel and to have any of the contents of the student record interpreted.
4. The eligible student or the parent may have the student record inspected or interpreted by a third party of their choice. Such third parties shall present specific written consent of the eligible student or parent, prior to gaining access to the student record.

Access of Authorized School Personnel. Subject to 603 CMR 23.00, authorized school personnel shall have access to the student records of students to whom they are providing services, when such access is required in the performance of their official duties. The consent of the eligible student or parent shall not be necessary.

Access of Third Parties. Except for the provisions of 603 CMR 23.07(4)(a) through 23.07(4)(h), no third party shall have access to information in or from a student record without the specific, informed written consent of the eligible student or the parent. When granting consent, the eligible student or parent shall have the right to designate which parts of the student record shall be released to the third party. A copy of such consent shall be retained by the eligible student or parent and a duplicate placed in the temporary record. Except for information described in 603 CMR 23.07(4)(a), personally identifiable information from a student record shall only be released to a third party on the condition that he/she will not permit any other third party to have access to such information without the written consent of the eligible student or parent.

1. A school may release the following directory information: student's name, degrees, honors, and awards received, participation in recognized Lexington Public Schools activities and sports, dates of attendance/enrollment, grade level and year of graduation, homeroom and/or middle school team, most recent school attended, post-high school plans, and including major field of study, parent/guardian name(s), primary email address and telephone number without the consent of the eligible student or parent; provided that the school gives public notice of the types of information it may release under 603 CMR 23.07 and allows eligible students and parents a reasonable time after such notice to request that this information not be released without the prior consent of the eligible student or parent. Such notice may be included in the routine information letter required under 603 CMR 23.10.
2. Upon receipt of a court order or lawfully issued subpoena the school shall comply, provided that the school makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance.
3. A school may release information regarding a student upon receipt of a request from the Department of Social Services, a probation officer, a justice of any court, or the Department of Youth Services under the provisions of M.G.L. c. 119, sections 51B, 57, 69 and 69A respectively.

4. Federal, state and local education officials, and their authorized agents shall have access to student records as necessary in connection with the audit, evaluation or enforcement of federal and state education laws, or programs; provided that except when collection of personally identifiable data is specifically authorized by law, any data collected by such officials shall be protected so that parties other than such officials and their authorized agents cannot personally identify such students and their parents; and such personally identifiable data shall be destroyed when no longer needed for the audit, evaluation or enforcement of federal and state education laws.
5. A school may disclose information regarding a student to appropriate parties in connection with a health or safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. This includes, but is not limited to, disclosures to the local police department and the Department of Social Services under the provisions of M.G.L. c.71, section 37L and M.G.L. c. 119, section 51A.
6. Upon notification by law enforcement authorities that a student, or former student, has been reported missing, a mark shall be placed in the student record of such student. The school shall report any request concerning the records of the such child to the appropriate law enforcement authority pursuant to the provisions of M.G.L. c. 22A, section 9.
7. Authorized school personnel of the school to which a student seeks or intends to transfer may have access to such student's record without the consent of the eligible student or parent, provided that the school the student is leaving, or has left, gives notice that it forwards student records to schools in which the student seeks or intends to enroll. Such notice may be included in the routine information letter required under 603 CMR 23.10.
8. School health personnel and local and state health department personnel shall have access to student health records, including but not limited to immunization records, when such access is required in the performance of official duties, without the consent of the eligible student or parent.

Access Procedures for Non-Custodial Parents. As required by M.G.L. c. 71, § 34H, a non-custodial parent may have access to the student record in accordance with the following provisions.

(a) A non-custodial parent is eligible to obtain access to the student record unless:

1. the parent has been denied legal custody or has been ordered to supervised visitation, based on a threat to the safety of the student and the threat is specifically noted in the order pertaining to custody or supervised visitation, or
2. the parent has been denied visitation, or
3. the parent's access to the student has been restricted by a temporary or permanent protective order, unless the protective order (or any subsequent order modifying the protective order) specifically allows access to the information contained in the student record, or
4. there is an order of a probate and family court judge which prohibits the distribution of student records to the parent.

(b) The school shall place in the student's record documents indicating that a non-custodial parent's access to the student's record is limited or restricted pursuant to 603 CMR 23.07(5)(a).

(c) In order to obtain access, the non-custodial parent must submit a written request for the student record to the school principal.

(d) Upon receipt of the request the school must immediately notify the custodial parent by certified and first class mail, in English and the primary language of the custodial parent, that it will provide the non-custodial parent with access after 21 days, unless the custodial parent provides the principal with documentation that the non-custodial parent is not eligible to obtain access as set forth in 603 CMR 23.07 (5)(a).

(e) The school must delete all electronic and postal address and telephone number information relating to either work or home locations of the custodial parent from student records provided to non-custodial parents. In addition, such records must be marked to indicate that they shall not be used to enroll the student in another school.

(f) Upon receipt of a court order that prohibits the distribution of information pursuant to G.L. c. 71, §34H, the school shall notify the non-custodial parent that it shall cease to provide access to the student record to the non-custodial parent.

At least once during every school year, the school shall publish and distribute to students and their parents in their primary language a routine information letter informing them of the following:

(a) The standardized testing programs and research studies to be conducted during the year and other routine information to be collected or solicited from the student during the year.

(b) The general provisions of 603 CMR 23.00 regarding parent and student rights, and that copies of 603 CMR 23.00 are available to them from the school.

In those school systems required under M.G.L. c. 71A to conduct a bilingual program, all forms, regulations, or other documents regarding 603 CMR 23.00 that a parent receives or is required to receive shall be in the language spoken in the home of the student, provided that it is a language for which the school system is required to provide a bilingual program.

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 71:34 A, B, D, E, H

Board of Education Student Record Regulations adopted 2/10/75, as amended June 2002

603 CMR: Dept. of Elementary and Secondary Education 23.00 through 23:12 Mass Dept. of Elementary and Secondary Education publication Student Records; Questions, Answers and Guidelines, Sept. 1995

CROSS REF:

[KDB: Public's Right to Know](#)

Student Rights and Responsibilities

[FILE: JI](#)

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.

LEGAL REFS.:

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

Lexington Public Schools, Lexington MA

Adopted by Lexington School Committee: July 2015

Student Standards for the Acceptable Use of Technology

FILE: IJNDBA

Purpose

Lexington Public Schools offers a wide range of technologies to support teaching and learning and is committed to promoting a respectful, secure, and responsible digital learning environment for all. The Student Technology Acceptable Use Policy (AUP) provides students, parents, caregivers, and legal guardians (hereafter referred to as "parents") with the rules, expectations, and guidance for a student's appropriate use of District technology. LPS believes that digital devices are essential instructional tools integral to the student's learning experience; therefore, the District does not seek permission from parents to use these devices. Students (and parents, if applicable) will be notified annually of the Student Acceptable Use Policy, and schools will annually review applicable Responsible Use Guidelines with students at each grade level. The acceptable and unacceptable uses described herein are not exhaustive lists.

District technology includes all tools and resources, including but not limited to: District-owned computing devices and hardware (e.g., computers, laptops, tablets, removable storage devices, wearable technology, interactive classroom projection systems, etc.); District network and communication devices/services (e.g., telephones, wired and wireless networks, including WiFi access points, emergency radios, email systems, file servers, etc.); District-managed online services (e.g., G-Suite/Google Apps For Education, ASPEN, etc.); and all online collaboration and information tools/sources; and all future technological innovations.

Scope of Use

Those using technology in the District shall comply with all LPS School Committee policies and administrative procedures at all times, including on school grounds, off-campus, and at home. When students are permitted to take home District-provided mobile devices and are provided with online accounts, they should consider it a school-sponsored activity. Whether in or out of school, students shall adhere to the rules and expectations herein while utilizing online school accounts and devices.

Lexington Public Schools supports and encourages students to exercise their First Amendment right to free speech. However, should a student's communication adversely impact a school's learning environment (e.g., making others feel unsafe at any time while using a District-managed online collaboration), the individual's speech may not be protected by the Constitution, even if it occurs off campus and/or outside of school hours.¹ Students are cautioned to communicate respectfully and responsibly while online to ensure that the school environment remains safe and welcoming for all.

District Responsibility

As school and district leaders work to fulfill the District mission of preparing students for higher education and an evolving workforce, they will increasingly utilize tools and resources that are housed online and accessed through the Internet. Online accounts are necessary for web-based file storage and online collaboration and communication tools (e.g., Google Drive, Google Classroom, Gmail, etc.), as well as other educational web-based resources. Web- and cloud-based services permit online

distribution and submission of student assignments, online class discussions, collaboration activities, web-based curricula or learning resources, and student email in some grade levels. Students under the age of 13 will not be given access to email services that allow them to communicate with accounts outside the Lexington Public Schools domain.

District-provided student accounts will comply with State and Federal student data privacy requirements. The Federal Child Online Privacy and Protection Act (COPPA) allows school districts to provide consent on behalf of parents to create online accounts that may collect student information limited to educational purposes and for no other commercial purpose. This means that directory information may be collected but not shared for marketing purposes or with other entities without permission from families and guardians.

District Use of Digital Content and Images

The digital content that students create, store, and transmit using LPS-issued devices are not private and are considered the property of the District. Any content created by students (e.g., texts, posts, comments, images, or video) may be shared online by the District, the school, or the student's teacher through email, online collaboration tools, or other social media avenues for District purposes only. The District may use images and videos of students for marketing and community outreach, including on the school and District's website and in print materials. Parents who do not wish to give the District consent for such use must complete an annual opt-out notification.

Student and Parent Responsibility

Students and parents are responsible for abiding by the Acceptable Use Policy (AUP) as a condition for using District technology. Students and parents agree to the following:

1. The District can, at any time, review and monitor any and all electronic communication and electronic device information created with, stored on, or transmitted via District technology, regardless of whether it is done using a personal or District-owned device.
2. The District reserves the right to monitor or access any and all student use of District technology without advanced notice. This AUP establishes that there is no reasonable expectation of any right to privacy while using District technology, including any and all files and communications sent from or stored on the District's network, or at any time while using District-provisioned accounts and online resources, including email and online collaboration tools.
3. As outlined in the Student Handbooks, Students must abide by all school policies and procedures when using District technology. The inappropriate use of District technology on- or off-campus or through district-managed accounts may result in disciplinary actions.
4. Electronic devices issued by the District are only permitted for educational uses while on campus. Students should not engage in non-educational uses (e.g., games, text messaging, or

social networking) during class time without a teacher or staff member's consent, direction, and supervision.

5. The District may act as an authorized agent for the creation of online student accounts solely for educational purposes in accordance with State and Federal student information privacy laws (i.e., COPPA, FERPA, CIPA, etc.). District-managed student accounts may include but are not limited to, accounts created to access online communication and productivity tools, as well as access to other apps, programs, or online services and digital curriculum resources.

Cell Phones and Personal Devices

Students who bring cell phones or other personal electronic devices (such as smart watches, tablets, augmented reality/virtual reality, etc.) to school do so at their own risk. Students and parents release the District from liability due to loss, damage, or theft, even if confiscated.

Students must use all cellular phones and personal electronic devices brought to campus in accordance with school and District student handbooks. Lexington Public Schools does not offer a BYOD (Bring Your Own Device) computing environment; therefore, students should only use District-issued devices in class, unless otherwise permitted to do so.

An electronic device with a camera or recording capability (i.e., cell phones, tablets, Chromebooks, personal and school-issued) may not be turned on or removed from its covered carrying case/bag in a bathroom or locker room. If a student is found with a device turned on or out in the open in either of these locations, the device will be confiscated immediately and will likely result in more severe disciplinary consequences.

Personally owned cell phones and other electronic devices can be searched in cases where there is a reasonable suspicion that the student is violating school rules, District policy, or the law.

1. Grades: PreK-8

The use of personal electronic devices in all school buildings during the school day is strictly prohibited without express permission from the teacher. Internet or phone enabled personal electronic devices may only be used if their primary function is in keeping with class and school approved uses such as telling time, visual aid, or for a medical or instructional need as permitted by the teacher.

In accordance with school handbooks, students may be required to turn off all personal electronic devices upon arrival at school and place them in areas and locations designated by the Principal or designee, including but not limited to phone holders, vaults, lockers, or locking pouches. A student's instructional time matters to their educational growth and development. Parents should not send personal electronic devices to school with their child(ren), expecting they will have access to them anytime during the school day.

The "school day" is defined as the moment the student enters the District's care including transportation to and from school and school building and grounds, and ends when they are dismissed for the day. Additionally, school-run before and after school activities, school meetings, activities, events, and trips are considered extensions of the school day, and this policy applies to these activities as prescribed by the Principal or designee. It is expected that the students will adhere to this policy during these school-run activities, unless explicit permission is granted by a teacher or administrator.

2. Grades: 9-12

The use of personal electronic devices during academic class time is strictly prohibited.

All personal electronic devices must be placed in a holding area designated by the teacher during class time. Smartwatches may be visible on the wrist but not used during instructional time. Students may not access personal electronic devices if leaving the classroom during class time. It is only acceptable to use any personal electronic device during class time with explicit permission from teachers. Students may use cell phones during class time only if under the direct supervision of an educator or administrator. Students are prohibited from accessing school and district networks with personal cell phones or personal devices. Issues related to misuse will be addressed by building administrators.

Non-academic periods may be designated as a time for personal electronic device use at the discretion of the teacher. As appropriate, principals or their designee will determine and publish the guidelines for the acceptable use of personal electronic devices during non-academic time in the handbook.

3. All Students

Students should only use electronic devices provided and managed or approved by the District for all learning and schoolwork.

Personal electronic devices may not be used during tests or exams unless given express permission from their teacher and/or proctor.

Personal electronic devices are strictly prohibited from being used or accessed in restrooms or locker rooms at all times.

No photographs, pictures, videos, or electronic images may be taken or transmitted without the express consent of the individuals whose photograph, picture, video, or electronic image is taken. Such unauthorized capturing and/or transmission is strictly prohibited and may violate the Student Standards for Acceptable Use Policy or school handbooks. Moreover, such actions may be subject to disciplinary action and could constitute a legal violation or have other consequences.

Exceptions: Teachers may grant exceptions for personal electronic device use based on need and appropriate documentation. Exemptions will be made for students who require personal

electronic devices for accessibility or as an accommodation, as set forth in a document created in accordance with applicable federal and state special education and nondiscrimination laws (for students on 504 or IEP). Exceptions can also be made for health or medical reasons as documented or advised by a medical professional.

Violations: School administration or staff members may confiscate and impound personal electronic devices used or accessed in violation of this policy. Students are subject to disciplinary consequences as set forth in the student handbook.

Loss or Damage: The District shall not be responsible for the theft, loss, damage, or destruction of personal electronic devices brought onto school or District property or while the student attends District or school-sponsored events or activities.

Unacceptable Uses of Technology

1. To ensure a respectful digital learning environment, the following activities or uses of technology are strictly prohibited:

- a. Using technology to threaten, bully, or harass others by sending, accessing, uploading, downloading, or distributing text, images, or other materials or means that are offensive, threatening, profane, obscene, or sexually suggestive or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion or political beliefs
- b. Recording video, audio or taking still photos of students or staff without their permission, and/or sharing the video or audio recording or photos with others, posting it online, distributing it through social media, or otherwise providing access to others without permission
- c. Searching for, accessing, creating, or possessing lewd, sexually suggestive, graphically violent, or derogatory/demeaning images and/or media files, or creating such material with a 3D printer
- d. Bypassing (or attempting to) the District's Internet content filter through a web proxy, anonymizers, or other means from a District or personal device
- e. Posing online as someone other than themselves, creating fictional identities or misrepresenting events, and using digital tools that go against LPS policies and guidelines.
- f. Publishing personal information and/or images/videos from private events

2. To ensure a secure digital learning environment, the following activities or uses of technology are strictly prohibited:

- a. Circumventing network and device security measures, bypassing web filters, or attempting to access confidential, private, or restricted information on the District's network or District-managed online services
 - b. Sharing one's passwords or access to online accounts with anyone other than the student's parent/guardian or trusted adult
 - c. Logging into a device or service with the account of another student or a staff member or otherwise gaining access to their files and accounts without their permission. Students are strictly prohibited from accessing or using a teacher's account to view, modify, or input information into ASPEN or other online systems used as the teacher's portal into the student information system. This includes entering attendance or grades into the portal, a function only teachers can do. The teacher portal provides access to information restricted to staff and protected by State and Federal laws.
 - d. Sharing or publishing personal information online such as a phone number, home address, financial information, social security numbers, family issues, login credentials, and passwords
 - e. Destroying, damaging, defacing, or rendering unusable any property (both physical property like a computer or online property such as web page) belonging to the District or another person
 - f. Altering a District device's settings to cause confusion, frustration, or loss of use to other users (e.g., network configurations, account logins, etc.)
 - g. Using or installing viruses, malware, keyloggers, spyware, or other software/hardware that can be used to damage the District's network, harvest other users' login information and other data, or propagate unwanted messages or files
3. To ensure a responsible digital learning environment, the following activities or uses of technology are strictly prohibited:
- a. Engaging in plagiarism or other forms of academic dishonesty
 - b. Illegally downloading, storing, installing, or transmitting copyrighted materials without the proper license or permissions. The District explicitly forbids student use of torrenting software or services on the District network.
 - c. Stealing others' intellectual property, including text, music, movies, and software, or using them without the appropriate citation or expressed permission in accordance with Copyright Laws and Fair Use guidelines or any other applicable laws
 - d. Visiting or using social networking sites (e.g., Facebook, Instagram, Twitter, Snapchat, etc.) for non-educational purposes during class time

- e. Using instant messaging or chat rooms not required by the District or educator or directly related to instruction (including texting, picture messaging, audio, and video messaging) during class time
- f. Employing communication tools (e.g., Google, Zoom) to intentionally disrupt the learning of others during class time or outside of class/instructional time through unruly behavior and/or offensive, threatening, obscene, sexually suggestive, or disparaging language, images, or actions
- g. Using District-issued devices or networks to search for and/or access repositories of illegal content; any content that may cause harm to the District's network or content that promotes, encourages, or teaches students how to commit an illegal act (e.g., bomb-making, drug making, etc.)
- h. Creating 3D-printed objects that represent weapons, drug paraphernalia, or things of a sexual nature.

Digital Footprint

Everything students publish or post online can create a permanent digital footprint that remains out of their control, taught explicitly through the Digital Literacy Curriculum. As we teach through the Digital Literacy Curriculum, students should be mindful of the digital trail they create for themselves, as it may be almost impossible to erase. Apps, websites, and software that claim to delete information may still leave a permanent record accessible to others. Students should not assume their online presence will remain private. They should conduct themselves online at all times as though any data they furnish could be accessible to a wider audience (e.g., admissions officers and future potential employers).

Disciplinary Action

All LPS academic and behavioral policies and expectations apply to technology use on campus while using District technology or personal devices and any off-campus use of technology that may cause serious disruption at school. The District reserves the right to intervene when off-campus (including online) issues that have the potential to impact school climate and safety are brought to the Administration's attention. Students are encouraged to immediately report any inappropriate online behavior by a Lexington Public Schools student or staff member to a trusted adult. Incidents involving bullying or harassment should be reported through the LPS Bullying Prevention and Intervention Incident Reporting Form. The form can be found on the District website, as well as each school's website.

Students whose behavior or device repair record indicates careless use or abuse of school-issued devices or other District technology will be referred for appropriate disciplinary action consistent with this AUP or respective school handbook. The District can impose disciplinary action as a result of any violation of School Committee policy or this AUP including but not limited to one or more of the following:

- An increase in the supervision of a student's use of District technology
- The confiscation of a device
- Limitation or cancellation of a student's user privileges
- Discipline, including, but not limited to, detention, suspension and expulsion in accordance with the student behavior and discipline policies outlined in the school Student Handbook or applicable law
- Legal action in accordance with School Committee or District policy or law
- Reimbursement of expenses

CROSS REFS.: [IJNDB](#) - Staff Standards for the Acceptable Use of Technology

[IJNDD](#) - Staff Electronic Communication and Social Media Use Policy

Oak Park School District. Oak Park, California. Full OPUSD Student Technology Acceptable

Use Agreement, <https://www.oakparkusd.org/StuTechAUA>.

LEGAL REFS.: M.G.L. [Chapter 66: Section 10](#). Inspection and copies of public records; requests; written responses; extension of time; fees

U.S. Supreme Court, Tinker v. Des Moines Unified School District

U.S. Supreme Court, New Jersey v. T.L.O.

Lexington Public Schools, Lexington MA
Adopted by Lexington School Committee

Student Transportation Policies

[FILE: EEA](#)

1. School children in grades K-6 shall be transported without charge if they live two miles or more from the school to which they are assigned according to the current school assignment map.
2. School children in grades K-6 students who live two miles or less from the school associated with their assignment area and all students in Grades 7-12 will not be transported at Town expense.
3. Students who are not entitled to transportation between home and school free of charge may purchase a pass to ride the bus for the school year in accordance with rates approved by the Lexington School Committee, on a space available basis.
 - a. Lexington families who purchase passes after the designated registration period will be subject to availability of space on existing routes at existing stops.
 - b. Procedures for requesting a waiver of the bus fee for financial reasons shall be made available to all interested persons.
 - c. When a special transfer is granted under policy [JCAC](#): Student Transfer, school bus transportation will not be provided for students attending schools outside their school assignment area, unless they can be accommodated on existing bus routes and schedules, or unless a student's educational needs qualify them for special education transportation.
4. Distances will be measured from the sidewalk or public way in front of or nearest to the homeowner's property, to the closest entrance door of the school to the homeowner's property.
5. The responsibility of escorting children across the street when sidewalks are only on one side and/or where the bus stop is on the opposite side of the street shall rest with the parents of the child involved.
6. The procedure for handling behavior problems, including bad language, on school buses shall be published in each student handbook.

LEGAL REFS.: M.G.L. [40:5](#); [71:7A](#), [B](#) and [C](#); [71:37D](#); [71:48A](#); [71:68](#); [71:71A](#); [71B:4](#); [71B:5](#); [71B:8](#); [74:8A](#); [76:1](#); [76:12Bj](#); [76:14](#)

Procedures and Guidelines

Conduct and Discipline

Procedures and Guidelines

The Lexington Public Schools strive to provide all students with a quality education in a safe school environment. Students are expected to conduct themselves in a manner which promotes a safe, orderly learning environment within the schools and may be subject to disciplinary action up to and including the possibility of expulsion for serious offenses if they fail to do so. In imposing disciplinary action, school staff should consider the need to maintain or restore an orderly learning environment, the overall disciplinary record of the individual student, and the need to improve the student's behavior where appropriate. Because effective discipline involves the participation of staff, parents or guardians, and students, school officials are required to contact parents or guardians of students under age 18 for offenses of this discipline policy which may result in a student's suspension or expulsion.

A student whose safety or learning at school is jeopardized by other students is expected to report the matter to a professional staff member. Retaliation in any form against a person who makes a complaint is forbidden. Staff members who are aware of disruptive students should take appropriate action, including immediately reporting matters which cannot be appropriately handled in the classroom to the school administration.

Procedural Due Process

A student will not be excluded from school without being afforded appropriate due process as set forth below. If, however, a student's continued presence in school 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, a student who is charged with a disciplinary offense may be removed temporarily from school before receiving due process pursuant to an Emergency Removal (see below for more information).

Suspensions

Suspensions may be short term or long term. Short term suspension means the removal of a student from the school premises and regular classroom activities for ten (10) consecutive school days or less. Long term suspension means the removal of a student from the school premises and regular classroom activities for more than ten (10) consecutive school days, or for more than ten (10) school days cumulatively for multiple disciplinary offenses in any school year.

Suspensions may also occur in-school or out-of-school. In-school suspension is the removal of a student from regular classroom activities, but not from the school premises, for no more than ten (10) consecutive school days, or no more than ten (10) school days cumulatively for multiple infractions during the school year. Long-term suspension means the removal of a student from the school

premises and regular classroom activities for more than ten (10) consecutive school days, or for more than ten (10) school days cumulatively for multiple disciplinary offenses in any school year. A principal may, in his/her discretion, allow a student to serve a long-term suspension in school.

During the course of any suspension, a student is ineligible to participate in any school-related activities, including athletic activities. The student and his/her parents are expected to meet with a school administrator prior to the student's return to class. During the course of an out-of-school suspension, a student may not be on school premises.

I. In-School Suspension

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 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 after making and documenting at least (2) attempts to do so, such attempts will constitute reasonable efforts for purposes of orally informing the parent of the in-school suspension.
3. The administrator will send written notice to the student and parent about the in-school suspension, including the reason and the length of the in-school suspension, and inviting the parent to a meeting with the principal for the purpose set forth above, if such meeting has 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 for school communications, or by other method of delivery agreed to by the administrator and the parent.

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

The Principal may remove a student from privileges, such as extracurricular activities and attendance at school-sponsored events, based on the student's misconduct. Such a removal is not subject to such due process procedures.

II. Short Term, Out-of-School Suspension

Except in the case of an Emergency Removal, prior to imposing a short term out-of-school suspension (10 days or less in a school year) for conduct not covered by M.G.L. c. 71, §37H and 37H ½, an administrator will provide the student and his/her parent oral and written notice and an opportunity to participate in an informal hearing.

1. Notice: The written notice to the student and the parent 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 to attend the hearing;
 - e. the date, time, and location of the hearing;
 - f. the right of the student and the student's parent to interpreter services at the hearing if needed to participate;

Written notice to the parent may be made by hand delivery, first-class mail, certified mail, email to an address provided by the parent for school communications, or any other method of delivery agreed to by the school and parent.

2. Efforts to Involve Parent: The administrator will make reasonable efforts to notify the parent of the opportunity to attend the hearing. To conduct a hearing without the parent present, the administrator must be able to document reasonable efforts to include the parent. 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 in the manner specified by the parent 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, 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, parent, and superintendent of his/her 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.

III. Long Term Suspension

Except in the case of an Emergency Removal, 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:

1. Notice: The notice will include all of the components for a short-term suspension in Section II 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 expense;
- c) the right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so;
- 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 upon request; and
- f) the right to appeal 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, 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 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 school and the parent. If the administrator decides to suspend the student on a long-term basis, the written determination will:

1. Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing;
2. Set out the key facts and conclusions reached;
3. Identify the length and effective date of the suspension, as well as a date of return to school;
4. 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);
5. 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:
 - a) 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
 - b) 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 extend beyond the end of the school year in which such suspension is imposed.

IV. Expulsion

Students are subject to expulsion (i.e, permanent exclusion) by the Principal for the conduct listed below. (See also, M.G.L. ch. 71, §§37H

- Possession of a dangerous weapon*
- Possession of a controlled substance (such as marijuana, cocaine, or prescription drugs not authorized by the school nurse)
- Assault on teachers, administrative staff or other educational personnel

*This includes not only knives and guns, explosive devices and realistic replicas of such weapons/devices, but also other objects used to assault another person or to otherwise create a dangerous situation, such as a baseball bat, a pair of scissors, matches or a lighter. While such objects would not always constitute "dangerous weapons," administrators and educational professionals will review the circumstances of each case and make a reasonable determination about whether a particular object in a student's possession constitutes a dangerous weapon in the school setting. Any illegal weapon will be turned over to the Police Department. Any student who brings a firearm to school must be expelled for a minimum of one school year, with exceptions granted only by the superintendent. (The definition of a firearm includes but is not limited to guns (including a starter gun), bombs, grenades, rockets, missiles, mines and similar devices.)

Students are also subject to long term suspension/expulsion by the Principal when charged/convicted of a felony based upon the standards and procedures set forth in M.G.L. c.71, §37H1/2.

Any student who is removed from school for a disciplinary offense under G.L. c. 71, §37H or §37H½ for more than ten consecutive days will have an opportunity to receive educational services and make academic progress during the period of removal under a school-wide education service plan, and will be so informed at the time of the suspension/expulsion.

V. Procedures Applicable To Conduct Covered by M.G.L. C. 71, §37H AND 37H ½

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.

- a) 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, (2) shall be given the opportunity to present his or her 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.
- b) Prior to putting a suspension into effect, the Principal or designee shall make a reasonable effort to telephone and inform the student's parent or guardian of the impending suspension; this shall include attempts to contact the parents or guardian at home and at work. Parents may contact the school for additional information regarding the suspension.
- c) 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
 - c) 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

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. In addition, prior to initiating such procedures, the Principal may meet informally with the student and/or his parents to review the charge and the applicable standards if the Principal deems appropriate.

VI. Exception for Emergency Removal

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] 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 of the emergency removal, the reason for the need for emergency removal, and other applicable matters;
- Provide written notice to the student and parent as provided in Section II or III above, as applicable;
- Provide the student an opportunity for a hearing with the administrator, as applicable, 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 administrator, student, and parent.
- 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.

VII. Appeal to the Superintendent

If a decision by an administrator, following the parent 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 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 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 his or her discretion, for good cause.

The following apply:

- The Superintendent will make a good faith effort to include the parent in the hearing. The superintendent will be presumed to have made a good faith effort if he or she has made efforts to find a day and time for the hearing that would allow the parent and Superintendent to

participate. The Superintendent will send written notice to the parent 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 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 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 III 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 III 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.

VIII. Dangerous Weapons, Controlled Substances & Assaults on Educational Staff

Massachusetts General Laws Chapter 71, section 37H requires that all student handbooks contain the following provisions:

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

matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section.

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

Students should note that the definition of “assault” includes not only harmful or offensive contact, but also threatening such contact.

Additionally, students should be aware that the federal Gun Free Schools Act mandates that any student who brings a firearm to school be expelled for a minimum of one year, with exceptions granted only by the Superintendent. Under this Act, a firearm includes not only a gun but also an explosive device.

IX. Felony Complaints or Convictions

Massachusetts General Laws Chapter 71, section 37H 1/2 provides that:

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

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

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

- 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.

Emergency School Closing

Procedures and Guidelines

It is a rare occurrence that school is canceled because of an emergency during the day, e.g., mid-day snow storm, no heat, etc., but when this happens, the principal initiates a *Parent Square* phone call, text, and/or email to alert parents that the children are coming home earlier than usual.

We ask every parent to discuss with his/her child what to do in case of an emergency school closing. You, too, need an emergency plan.

We ask you not to suggest that the child call you because our telephone lines are jammed on these days and very few calls can get in or go out.

Inclement Weather

Procedures and Guidelines

In the spring of 1993, the Lexington School Committee adopted a new policy to deal with inclement weather. It states that, “In the case of inclement weather, the Superintendent shall exercise his/her best judgment as to whether or not school shall be kept open. The Superintendent will consider a delayed opening of either one or two hours as a response to inclement weather or other emergency conditions. A decision to open with a delay will be communicated to the public and to staff in the same manner as a no school announcement.”

When a decision is made for a delayed opening or cancellation, or in the case of emergency closings, parents and guardians will be notified by telephone through our *Blackboard Connect* notification system. Announcements will also be broadcast on radio stations WBZ (Radio AM/1030; TV Channel 4); WRKO/WHDH (Radio AM/680; TV Channels 7 and 56); WCVB (TV Channel 5) or WFXT (TV Channel 25) after 6:00 a.m.

In addition, parents and guardians may check the school district website <http://lps.lexingtonma.org> and click the “About Our District” tab and the School Cancellation link for updated information. Please do not call the school unless it is an emergency.

In the best interest of public safety, please do not call the police, fire, or public works departments for “No School” information as their lines need to be kept open for emergency purposes. The best practice is to listen to one of the radio or television stations listed above or check the LPS website for information.

In the event that parents or guardians feel weather conditions will not allow their children to reach school safely, they are encouraged to keep their children home.

Student Conduct on School Buses

Procedures and Guidelines

The school bus is an extension of the school itself, and rules regarding behavior are the same as in the school. School bus safety is a primary concern of the Lexington Public Schools and we reserve the right to take whatever action is necessary to maintain a high level of safety. The right of a pupil to school bus transportation is a qualified right, dependent of good behavior.

In cases where a pupil seriously or continuously misbehaves, the principal or designee of the school will notify parents. The bus pass will be revoked if, in the opinion of the principal, such action is necessary for the general safety and well-being of students.

STUDENTS WHO RIDE A SCHOOL BUS ARE EXPECTED TO BE FAMILIAR WITH THE FOLLOWING:

At Your Bus Stop

- Arrive at your bus stop on time.
- Pupils shall stand on the sidewalk or another designated place while waiting for the school bus. They shall respect other people's property, respect the right of other people to pass on the sidewalk, and display manners that indicate consideration and safety for others.
- Pupils shall never approach a school bus until it has completely stopped and the door is opened. In boarding the bus, they should proceed in an orderly manner, single file. Younger students should board and alight first from the bus.
- In crossing the roadway after alighting from the bus, cross only in front of the bus when the blinking lights are on and the stop sign is extended. Pass at least 10 feet in front of the bus and look for traffic in both directions before crossing the roadway. Never run beside a bus, chase after a bus, or pick up anything that has fallen near the wheels of a bus.

On Your Bus

- All students are issued a bus pass that they must show each day upon entering the bus. A student who allows another student to use his/her bus pass or sells his/her bus pass is subject to having the bus pass privileges revoked.
- The bus driver has full authority as well as responsibility for control of the conduct of pupils while they are on the bus. Pupils should not annoy the operator or distract his/her attention from driving. The bus drivers should be treated with courtesy and respect at all times.
- The safety of students, and particularly those who suffer from life threatening allergies, is a major concern. It is because of this that food (including any type of candy or gum) and drinks are strictly prohibited from consumption on the school bus. All food, drink, and candy must remain contained while on the school bus.
- Vandalism, destruction, or defacing of property will not be tolerated.
- Pupils who witness the destruction of property have a responsibility to report such misbehavior to the driver or school authorities.

- Due to the width of the school bus aisle (12" at the knees and 15" at the waist/chest) and the height of the seat backs (44" from the floor to the top of the seat back), no large instruments (e.g., cellos, French horns), large projects or large objects may be brought on the bus. In addition, a child must be able to carry and contain any and all items between his/her legs or on his/her lap. Cellos, French horns, large projects, or other large objects cannot be accommodated in the one seat in which a child is sitting.
- Do not block the aisle.
- Find a seat quickly. No saving seats.
- Two or three children permitted in a seat, no more.
- Stay seated while the bus is moving. Wait until the bus stops before getting up.
- Pupils shall not open windows without permission. Do not throw anything out of the window. Do not put your hands, arms, or any parts of your body out the window at any time. Do not open the rear exit emergency door unless there is an emergency or the driver directs you.
- There shall be no pushing, striking, or general fooling. Pupils are not allowed to use profane or abusive language.

Behavior

The procedure for handling behavior problems, including bad language, on school buses shall be as follows:

- a. First Offense: A letter and the Bus Conduct Form shall be sent from the principal of the school or transportation coordinator to the parents of the student advising the parents of the offense.
- b. Second Offense: Bus privileges may be revoked for a two-week period, and parents shall be so notified by the principal of the school the student attends.
- c. Third Offense: Transportation privileges may be taken away from the student for the remainder of the year, and the parents shall be so notified by the principal of the school the student attends. There are no refunds if privileges are revoked.

Other Resources

[Family Resources Guide](#)

[Curriculum & Instruction](#)

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