

# MARBLEHEAD HIGH SCHOOL



2 Humphrey Street  
Marblehead, Massachusetts 01945  
TEL (781) 639-3100  
FAX (781) 639-3105

## **STUDENT HANDBOOK –2023-2024**

**ENGAGE EVERY PERSON, EVERY DAY.**  
COMMUNICATE CLEARLY AND WITH PURPOSE.  
ANALYZE, ORGANIZE, AND EVALUATE INFORMATION.  
HONOR PEOPLE, PLACE, AND TIME.  
**NAVIGATE YOUR OPPORTUNITIES;**  
**CHART YOUR FUTURE.**

*It is the policy of the Marblehead Public Schools not to discriminate on the basis of race, sex, color, religion, sexual orientation, national origin, age or handicap in its educational programs, services, or employment practices as required by Chapter 151 of the General Laws of 1947; Chapter 622 of the General Laws of 1971, Chapter 282 of the Acts of 1993; Title IX of the 1972 Educational Amendments; and Section 504 of the Rehabilitation Act of 1973.*

### **A Resource for Students and Parents**

This handbook is meant to be a guide to the general obligations the members of the MHS community have to one another; it is not possible to outline every aspect of that relationship and as such, circumstances and events that transcend what's written here will be resolved by MHS administration.

### **The Student Handbook**

#### ***Policy CHCA, from Marblehead Public Schools Policy Manual***

*The law directs that in each school building containing the grades nine to twelve, inclusive, the Principal, in consultation with the school council, shall prepare and distribute to each student a handbook setting forth the rules pertaining to conduct of students. The school council (site based management team) shall review the handbook each spring to consider changes in the disciplinary policy to take effect in September.*

*It is essential that the contents of all handbooks conform to School Committee policies. It is also important that all handbooks bearing the name of the school system or one of its schools be of a quality that reflects credit on the school department. Therefore, the Committee expects handbooks requiring approval to be approved prior to publication by the Committee and/or the Superintendent.*

*Committee approval will be necessary for any handbooks that pertain to required standards of conduct for employees or students so that their contents may be accorded the status of Committee-approved policy or regulation. The Superintendent will use his/her judgment as to whether other specific handbooks need Committee approval; however, all handbooks published will be made available to the Committee for informational purposes.*

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Appendix A – Summary of Laws Relative to Student Conduct  
and Discipline

WELCOME TO MHS  
 Main Office: 781-639-3100  
<https://www.marbleheadschoools.org/Domain/8>  
 (refer to website for contact names and email address)

	<u>Extension</u>
<b>PRINCIPAL</b>	#20108
<i>Secretary to Principal</i>	#20105
<b>ASSISTANT PRINCIPAL</b>	#20209
<b>ASSISTANT PRINCIPAL</b>	#20300
<i>Secretary to Asst. Principals</i>	#20103
<b>ABSENTEE LINE</b>	Press 2
<b>ATHLETIC DIRECTOR</b>	#26105
<i>Assistant AD</i>	#26115
<b>STUDENT COUNSELOR OFFICE</b>	
<i>Secretary to Student Counselors</i>	#20113
<i>Adjustment Counselor</i>	#20162
<i>Adjustment Counselor</i>	#20114
<b>METCO OFFICE</b>	x20202
<b>OFFICE STAFF</b>	
<i>Registrar/ Student Activities</i>	#20107
<i>Office/ Attendance Clerk</i>	#20199
<b>SCHOOL NURSE</b>	#20118
<b>SPECIAL EDUCATION</b>	
<i>Special Education Chairperson</i>	#20111
<i>Secretary to SPED</i>	#20103
<b>SEXUAL HARRASSMENT OFFICERS</b>	
<i>Superintendent</i>	781-639-3140, x 10114
<i>Director of Student Services</i>	781-639-3140, x10106
<b>DISTRICT SECTION 504 COORDINATOR</b>	781-639-3140, x10106
<i>Director of Student Services</i>	

## COMMUNICATION

### **Communication with Teachers**

#### **Step 1**

Students are encouraged to speak directly to their teacher if they have a concern about their grade, placement, and/or performance in the class.

#### **Step 2**

If parents have further questions about the discussion between the teacher and student, they should contact the teacher via email.

#### **Step 3**

If the issue is more involved, a meeting should be arranged with the teacher; it is imperative that the student and parent meet together with the teacher.

Guidance may be invited if the student's academic/personal history may be relevant to the discussion.

#### **Step 4**

In cases where the meeting may be contentious, parties should refer to and follow the conflict resolution guidelines outlined in this handbook.

### **Classroom Concerns**

First, contact the teacher using the teacher's e-mail found on-line under the MHS website or use his/her school mailbox, located in the MHS front office. If after speaking with the teacher you have additional concerns, contact the department lead teacher. If you still have concerns after speaking with the lead teacher then please follow the appropriate chain of communication until the issue is resolved or appeals have been exhausted: assistant principal, principal.

### **Scheduling Concerns**

Contact the student's school counselor. (see website for counselor)

### **Curriculum & Placement Concerns**

Contact the appropriate lead teacher. (see website for lead teachers)

### **Special Education Concerns**

First, contact the appropriate teacher(s), then the student's special education liaison (typically their curriculum support teacher). If you have additional concerns, contact the MHS Special Education Chairperson. If you still have questions, please contact the Director of Student Services (781-639-3140, x10106).

### **Behavioral Concerns**

First, contact the classroom teacher. If you have further questions, please contact the Assistant Principal in charge of your student's grade.

### **Social, Emotional, Personal, or Family issues**

Contact your child's school counselor who will coordinate with appropriate person.

### **School Communication**

The primary pathway for the communication of important school events is through mass e-mail. MHS uses the contact information provided by parents for these e-mails; it is imperative that parents communicate any changes in their contact information to the front office to facilitate the effectiveness of our mass e-mail

system. Other channels of communication include department websites; links can be found through <https://www.marbleheadschoools.org/Domain/8>  
This website and its links provide important daily information for the students and parents of MHS.

#### **School Cancellation/Delay Announcements**

Radio: WBZ Boston – AM 1030

Television channels 4, 5 and 7

Marblehead Public Schools website:

<https://www.marbleheadschoools.org/Domain/4>

Marblehead Cable TV- Comcast Channel 8 and Verizon Channel 28

Main page of the MHS website

Reverse 911 call

Please **DO NOT** call the police or fire departments for school closing information.

**In the event of a cancellation, the school day rotation will move forward. (Ex.: If it is a Day 1 and the school day is cancelled, the day the students' return will be a Day 2.)**

### CONFLICT RESOLUTION PROTOCOLS

#### **Purpose**

Conflict is an inevitable consequence when groups of people work together. To foster a supportive environment in which interactions among students, teachers, parents, and administration are positive and promote a sense of community, when conflicts arise it is imperative that we follow some simple protocols.

\*Conflicts involving allegations of discriminatory harassment shall be addressed through the applicable Marblehead Public Schools' Grievance Procedures. Conflicts involving complaint of bullying shall be addressed in accordance with the Marblehead Public Schools' Bullying Prevention and Intervention Plan.

#### **Student – Teacher/Faculty Member**

##### **Step 1**

Discussion between student and teacher - at this level, parents should encourage students to take responsibility for the conversation.

**Step 2**

If the issue is not resolved (or student needs guidance approaching the discussion) student should consult with the school adjustment counselor, his/her school counselor, or a trusted faculty/staff member

**Step 3**

The student should contact his/her school counselor to schedule a team meeting.

Parents can become involved at this step. The school counselor acts as a neutral facilitator of discussion.

Timeline: school counselor will attempt to arrange a meeting within 5 school days

**Step 4**

Conference between student/parent, teacher, and assistant principal. Assistant principal acts as neutral facilitators of discussion.

Timeline: meeting will be arranged within 5 school days of request

**Step 5**

Conference between student/parent, teacher, and principal

Timeline: meeting will be arranged within 5 school days of request

**Student to Student****Step 1**

If possible, discussion occurs between the two students; either student may

request a neutral space in the building to hold the discussion.

**Step 2**

Peer mediation - contact Peer Mediation Coordinator (assistant principal or adjustment counselor) to arrange for a trained peer mediator to facilitate discussion as a neutral party.

Timeline: mediation should take place within 5 school days of receipt of request

**Step 3**

If conflict is not resolved or student does not feel comfortable or safe following steps 1 or 2, student should contact his/her school counselor, the school social worker or assistant principal/principal depending on severity of the issue

**Step 4**

Conference with students and vice principal

Timeline: meeting should be held within 5 school days of request

**Step 5**

Contact principal

Timeline: meeting should be held within 5 school days of request

***There will be no retaliation against any member of the school community for bringing up an issue or filing a complaint. If negative repercussions take place as a result of following the conflict-resolution policy, the assistant principal should be contacted.***

## **Tips and Guidelines for Conversations Aimed at Resolving Conflicts**

### **In preparing for the conversation, consider the following questions:**

- What is the conflict?
- What assumptions are you making?
- How would another person perceive the same situation?
  - Do you have any biases that would influence your perception of the situation?
- What was your role in the development of the conflict?
- What would the other person or a neutral party think your contribution to the development of the conflict was?
- How are you impacted by the conflict?
- How is the other person impacted by the conflict?
- What realistic results do you hope will come from the discussion?

### To begin the conversation

- Start with neutral comments about the situation, trying to avoid placing blame on the other person
- Discuss how you perceive the differences in the two views of the situation
- Identify mutual interests in coming up with a solution
- Questions to consider during the conversation
- Are assumptions, judgment, or blame impeding your ability to listen?
- How is what the other person is saying making you feel?
- How is the other person reacting to what you are saying?
- If the person seems to be reacting negatively, can you change the way you are speaking?

### To do during the discussion

- Try to understand the other person's perception of the situation rather than proving that your own perception is the correct one
- Paraphrase what the other person is saying to make sure you are correctly understanding him/her
- Present your side of the situation as feelings or opinions rather than facts
- Speak about yourself using "I" statements rather than "you" statements
- Explain why you act/acted the way you did

### Questions to ask during the conversation

- How did that make you feel?
- What leads you to think/say that?
- What could I have done differently?

Brainstorming solutions. The goal of the discussion is to understand one another's opinions and feelings and if possible, to reach a satisfactory compromise.

- Each person should suggest possible resolutions to the conflict
- Your proposal should incorporate what the other person has been saying in the discussion

- Consider all proposals, as parts of many ideas can be incorporated to create a final resolution
- Discuss how a similar situation can be avoided
- If one or both people need time to consider the suggested resolutions, the meeting can be reconvened in a few days
- If possible, create a written resolution together

Stepping away from the discussion

- If one or both people believe that a compromise cannot be reached during this conversation, a suggestion can be made to take some time to think about the situation.
- Both people can agree to meet at a later date, possibly with a neutral party (i.e., the school social worker, a guidance counselor, or a school psychologist) facilitating the discussion as a neutral party.

## SCHOOL SYSTEM MANAGEMENT

### **Marblehead School Committee**

The Marblehead School Committee (SC) generally meets on the first and third Thursday of each month during the school year. The Committee sets policy for the school district, works with the superintendent to develop, implement, and monitor a strategic plan, and develops a budget to present to town meeting in May. SC meetings are held at 7:00 p.m. in the Marblehead High School Library unless otherwise noted. Agendas are available 48 hours in advance of the meeting and are posted on the town website. The public is welcome to attend and may comment during the public comment period.

### **Central Administration**

*Superintendent of Schools*

781-639-3140, x10114

The Superintendent of Schools is appointed by the School Committee and acts as its Executive Officer in the operation of the schools. The superintendent has the responsibility for the appointment of all staff upon the recommendation of building principals for staff assigned to their schools.

In addition, the superintendent oversees the total operation of all programs at each of the Marblehead public schools.

<i>Director of Student Services</i>	<i>781-639-3140, x10106</i>
<i>Asst Superintendent for Finance</i>	<i>781-639-3140, x10108</i>
<i>Food Service Director</i>	<i>781-639-3100 x26116</i>
<i>Facilities Director</i>	<i>781-639-3140 x10103</i>
<i>Supervisor of Technology</i>	<i>781-639 3140, x10107</i>
<i>Lead Nurse</i>	<i>781-639-3120 x30218</i>

#### **School Advisory Council (SAC)**

Meetings and other events can be found in the school calendar. The calendar will also be available on the high school website,

<https://www.marbleheadschoools.org/Domain/8>. As mandated by the Massachusetts Education Reform Act of 1993, each school must have a Site Based Management Team (SBMT) with representatives in place. It is an advisory group to the principal. The principal has the building authority and responsibility of identifying the educational needs of the students, developing educational goals for the school, formulating a school improvement plan, and reviewing the annual school budget. Copies of the school improvement plan are available at your school office or at <https://www.marbleheadschoools.org/Domain/8>.

#### **Parent's Council (PCO)**

Meetings for the Parents Council will be held at Marblehead High School (typically in the library) and are open to the public. Please check school calendar for the meeting schedule.

#### **Special Education Parent Advisory Council (SEPAC)**

The Marblehead Special Education PAC (SEPAC) is a parent advisory council organization run by parents of children with special needs. SEPAC's purpose is to develop better understanding and communication among parents, teachers, and administrators. Membership includes parents, teachers, and the special education administration. Please refer to the school calendar for days and dates. For more information, please see: <https://www.mhdsepac.com/>

## SCHOOL SAFETY

#### **Security Cameras**

#### ***Policy ECAF, from Marblehead Public Schools Policy Manual***

*The Marblehead Public Schools (MPS) strives to maintain a safe and secure environment for its students, staff, visitors, and facilities. Security means more than*

*having locks and making certain that doors are locked at the proper times. Security also means:*

- *reducing the possibility of faulty equipment*
- *keeping records and funds in a safe place*
- *protection against vandalism and burglary*
- *the prosecution of vandals*
- *developing crisis plans*

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

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

### **Passes**

Students who are out of class must have a pass from their teacher.

### **Student Welfare**

***Policy JL, LEGAL REF: Chapter 159, section 363, from the Marblehead Public Schools Policy Manual***

### **Supervision of Students**

School personnel assigned supervision is expected to act as reasonable responsible adults in providing for the safety of the students in their charge. In keeping with this expected prudence, no teacher or other staff member will leave his/her assigned group unsupervised except when an arrangement has been made to take care of an emergency. During school hours or while engaging in school sponsored activities, students will be released only into the custody of parents/guardians or other persons authorized in writing by a parent or guardian.

### **Multi-Hazard Evacuation Plan**

The District shall cooperate with appropriate public safety departments to formulate a school specific multi-hazard plan which shall encompass, but not be limited to, evacuations for fires, hurricanes and other hazardous storms or disasters in which bodily injury might occur, shootings and other terrorist activities and bomb threats. Students and staff may be instructed in the plan developed and may participate in drills.

In the event of a physical or environmental crisis such as loss of heat or electricity, fire or explosion, air quality issues, natural disaster (hurricane, blizzard), or other grave event, the following steps will be taken:

In arriving at the decision to consider evacuation, where to place students who are evacuating from another school, etc., the following people will decide what the best method of handling the situation would be:

- > Superintendent of Schools
- > MHS Principal
- > Lead Nurse
- > MHS Registered Nurse
- > Guidance Counselors

If the situation cannot be contained by ordinary actions within the school, the Principal or his/her designee will activate emergency services @ 9-1-1.

In the event of a Town natural disaster, the Town's Emergency Management Protocol will be followed.

If the Principal is not in the building and cannot be contacted, the Assistant Principal(s) will assume control. If there is any question as to who is in charge, the Superintendent or his/her designee will be contacted directly.

The decision regarding evacuation of a room, a wing, or the building will be based on the safety of the students and staff. The choices are to move the students to another room, to another wing, or to move all of the students and staff to another school.

If there is consideration of evacuating the students to other school buildings, the school will contact the Facilities Director, to get bus assistance. Additional transportation is available through the Council on Aging and the Recreation and Parks Department.

## ACADEMIC AFFAIRS

### **School Day**

The building will open for students on school days at 7:30 a.m.

<u>Grades</u>			
94-100	A	74-76	C
90-93	A-	70-73	C-
87-89	B+	67-69	D+
84-86	B	64-66	D
80-83	B-	60-63	D-
77-79	C+	0-59	F

### **Advanced Placement (AP) Courses**

All students enrolled in Advanced Placement<sup>®</sup> courses are **required** to take the Advanced Placement<sup>®</sup> examinations in the spring.

AP courses are not required for graduation and as such are a choice not an obligation. By choosing to take an AP course, students are also committing themselves to taking the AP exam. A fee is charged for each test taken; students should plan accordingly. Students who can demonstrate financial need generally by qualifying for free and reduced lunch may request a scholarship to cover some or all of the AP exam fees.

### **Classroom Teachers' Expectations**

At the beginning of each course the teacher will give the students a written syllabus of academic and behavioral expectations. The syllabus will describe the relative weights to be assigned to different types of work and tests in determining the grade as well as the policy for make-up work.

### **Exams**

Mid-year and final exams are common exams; they are not typically returned to students. If students and/or parents would like to review an exam following the in-class review, please contact the teacher to make arrangements to do so.

### **Final Exams**

The school calendar is published prior to the start of each school year so that parents can more effectively plan family activities. The last day of school includes five snow days, and it is this date that should be used for planning purposes to ensure that students are present during final exams. Many exams are very difficult to administer outside of exam week due to their nature; therefore, students should not expect to be able to take their exams early.

Any student who misses an exam for an excused reason must immediately, upon their return to school, make arrangements to take the exam with his/her teacher. Make-up exams, by nature, are difficult to cope with and if delayed may cause the student to receive an "incomplete" at the end of the term.

- Missed exams should be made-up during exam week and must be taken during a regularly scheduled exam period. If this is not possible, students will receive an incomplete for the course and must take the exam during the summer or at the start of the next school year. The determination of when the exam can be taken, over the summer or at the start of the following year, is at the discretion of each academic department. In all cases, it is the student's responsibility to pursue the arrangements for a make-up exam.
- Summer make-up exams can be taken in the high school main office by appointment. These exams may not be graded until the teachers return in the fall.
- Students will receive a grade of zero for any exam not made-up by the end of the first week of school.

### **Return of Student Work**

The following protocol will be considered *Best Practice* in regard to the return of tests and/or student work at Marblehead High School. It seeks to balance the very real need for students to have feedback on their work against the need to preserve the integrity of the testing instruments teachers and departments have spent a great deal of time to create.

All testing and assessment materials will be returned to students so that they may use the corrective feedback provided to improve their understanding of course material. Tests and assessments that meet any of the conditions listed below are exempt from this rule:

- Any summative test or assessment that covers four or more weeks of material as long as the students had formative assessments (i.e., tests, quizzes, projects, or other work designed to *monitor student learning* in order to provide ongoing feedback that can be used by instructors to improve their teaching and by students to improve their learning) during that time which were returned and which collectively covered the same material.

Students and/or their parents have the right to review any test or assessment at school that is not returned under the criteria above.

### **Extended Time for Testing**

Unless otherwise stated in an academic support plan, IEP or Section 504 Plan, students who, as an accommodation, have extended time for testing will be allowed to finish their work in academic support, after school with a faculty member, or during a study hall with a faculty member. Students with extended time will not be required to miss another class or curricular activity to complete an assessment. Teachers who give students with extended time one-page of an assessment at a time may continue to do so unless it puts the students at a disadvantage relative to other test takers. Please remember that student-athletes are students first and have a responsibility to attend academic business after school if needed.

## GRADUATION & PROMOTION REQUIREMENTS

### ***English - 4 years***

Grade 9:	required year program
Grade 10:	required year program
Grade 11:	required year program
Grade 12:	required year program

### ***Math - 4 years***

Whatever sequence a student takes it must include the completion of Algebra II or its equivalent.

### ***Science - 4 years***

Biology	Required
Chemistry	Required
Physics or Engineering	Required
One additional year	Required

### ***Social Studies - 4 years***

*(Courses below are required)*

Grade 9: World Cultures
Grade 10: Western Traditions
Grade 11: U.S. History
Grade 12: 1/2 year of Civics

One additional semester elective is required. It may be taken any time in Grades 9-12

### ***World Languages - 2 years***

- Two years in the same language required for all students
- Optimal college preparation recommends more

### ***Visual, Performing, and Applied Arts – Two semesters***

One year (five credits) required during Grades 9 – 12

### ***Wellness Education – Four semesters***

One semester required each year in Grades 9-12.

### ***Important Notes:***

1. *All students are required to take the equivalent of six (6) full-time credit bearing courses as a minimum each semester. A minimum of 120 credits are required to receive a Marblehead High School diploma.*
2. *Credits are earned only when courses are fully completed. Partial credit will not be assigned when courses are dropped or when students are removed.*
3. *If a student is placed in a full-year course any time after the first quarter, the credits earned for that course will be determined by the principal.*
4. *In addition to the above requirements, students must earn qualifying scores on the English, science, and mathematics MCAS exams to receive a Marblehead High School diploma.*
5. *Participation in all senior activities including the graduation ceremony is contingent upon completing all obligations; the “Senior Obligation Sheet” is distributed at the end of the year senior class meeting.*

Credits are awarded only if final course grade is A, B, C, D, or P.  
NOTE: MHS is happy to accept for credit pre-approved courses from other institutions, from independent study, from dual enrollment and/or from accredited on-line providers; however, such courses will not count towards any graduation requirement other than total credits earned.

### **Credit Recovery/Summer School**

Credit recovery is designed to give students a method to regain credit lost due to a previous unsuccessful grade. Credit recovery courses must be approved by the guidance counselor and administration. MHS does not offer a summer school program but will accept courses from recognized schools. Students may not substitute a summer school course for a regular school course but they may make-up a failing grade in a course unless the failure is due to absences or tardies.

In order to receive credit for courses taken in summer school in which a passing grade has been earned, the following conditions apply:

1. The course must have been originally taken and completed with at least 50% of the marking quarters passed (two marking quarters for a full-year course, one marking quarter for a semester course), the student must have earned a final average of not less than fifty (50%), and the student must have not missed more than 25% of the class meetings during the school year.
2. A maximum of two (2) courses may be taken per academic year for recovery credit.

A parent/student should not sign up for a course until the course has been approved. Outside or online courses and tutoring must be approved by administration and must include a final exam proctored by an MHS faculty member. Currently, the school accepts online courses from Educere, Edmentum, North Shore Community College, B.Y.U., and Salem State University. A student who wishes to complete an online course must receive a credit recovery approval form from their guidance counselor. The cost of any course for credit recovery shall be borne by the student.

### **School Counseling**

The staff of the School Counseling Department is available to help with academic and social counseling. Please get to know your school counselor who will become a trusted advisor.

### **Applying to College**

This is a challenging process for every student. Please start early and avail yourself of the resources in the School Counseling Department. By far the best resources are the School Counselors. Use them; don't be shy. Please be sure to check out the Naviance software (also accessed via the internet) in the School Counseling Department. It can truly help you narrow down your choices. Please start early; it helps to lower the stress.

The School Counseling Department schedules meetings for juniors and their parents and for seniors and their parents regarding the college application process. These meetings are extremely informative and are highly recommended.

Students will be required to pay a \$5.00 fee per college application for postage and processing. Students must submit the fee, transcript request form, and completed application materials to the School Counseling Secretary. There will be no charge for transcripts required for scholarship applications.

### **Course Load**

According to the Massachusetts Department of Elementary and Secondary Education's Time and Learning requirements, enrolled high school students MUST be scheduled to receive a minimum of 990 hours of structured learning time in a minimum of 180 student school days. Time not counting toward the 990 hours of structured learning includes time spent in homeroom, passing between classes, at recess, at lunch, at breakfast, *as well as* time in non-directed study, receiving school services, and in optional school programs. For seniors at MHS, meeting the Time and Learning requirements may mean taking courses that exceed minimum graduation requirements as set forth in MPS Policy IKF.

### **Course Placement Review Process**

The purpose of the review process is not to limit student or parent choice, but to ensure that such choices are based on the best available information about a student's tenacity and perseverance relative to the curricula challenges they will encounter in the coming year. If a student believes he/she would like to change course levels, the first step is to discuss his/her concerns with the classroom teacher. Students wishing to override a teacher's recommendation must complete a Placement Review Form, available in the school guidance office; once complete and signed by a parent or guardian, the form should be turned in to the school counseling office by the due dates outlined in the spring course selection materials. The School Counseling office will forward the forms to the principal for a decision. If a student overrides a teacher's placement recommendation on appeal, s/he will be expected to remain at the selected level for at least one academic quarter. A level change may be made earlier, but only in extreme circumstances with the approval of the lead teacher and an administrator. In all cases, a student's grades in the previous level of the course will be directly translated to the new level of the course. A change may not be granted if moving the student causes sections to be over or under enrolled.

### **Home/Hospital Educational Services**

A public school student who, due to documented medical reasons, is confined to his/her home or a hospital for not less than fourteen (14) school days during the school year, is entitled to receive home/hospital educational instruction as described under 603 CMR 28.03(3)(c). Parents must present a completed Physician's Affirmation (DESE Form 28R/3) or equivalent written statement signed by the student's physician to the building principal stating a diagnosis, the length of time student is expected to be out of school, and the expected return date. This form can be digitally downloaded by following the link above or by going to the following address: <http://www.doe.mass.edu/sped/28MR/28r3.pdf>

The Physician's Affirmation or equivalent document must be fully completed and signed by the student's attending physician and returned to the building principal, who will then authorize and/or arrange necessary home/hospital educational services for the student. The principal shall coordinate with the Director of Student Services relative to the provision of home/hospital educational services to an eligible student with a disability.

### **Monitoring Academic Progress**

A key element in student success is excellent communication between school and home. Parents and students should use the Aspen portals to monitor grades and progress. If there are questions or concerns the student should connect directly with their teacher.

### **Homework**

Homework is the study of a subject outside of classroom time. When properly assigned, homework helps to improve study habits and develops initiative. It provides essential practice and reviews that reinforce basic skills. Homework is a learning activity that should increase in complexity the student. With increased maturity, learning should become an independent activity. This should be established through consistent assignments which encourage students to investigate for themselves and to work independently as well as with others.

Homework assignments should be consistent in terms of the amount given each day and the time required for each assignment so that a pattern of meaningful homework can be established by the teacher and/or the student. The information for any homework assignment should be clear and specific so that the student can complete the assignment. It is recommended that homework include practice assignments (drill type), preparation assignments (preparation for class), extension assignments (follow-up to class), creative assignments, and work on ongoing projects or long-term assignments.

**Average daily time requirements for all subject areas combined shall be:**

- Grades 9-12: Core academic classes will be assigned meaningful significant homework every school night. The quality, not quantity, of the assignment is the object.

Homework should not require the use of reference materials not readily available in most homes, school libraries, or the public library, and should require the use of those materials only when the student has had instruction in the use of them. Any written homework assigned should be reviewed in class or collected and corrected by the teacher. All homework will be returned in a timely manner.

At the beginning of each school year, the principal will issue homework regulations in the Student's Handbook which will be available on-line at each school site. Each teacher will issue in writing his/her homework guidelines to parents and students at the beginning of each course taught. A parent's signature of acknowledgement will be required.

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

#### **Student Absences and School Work**

Students who are absent are held accountable for homework and are responsible for making arrangements to make up their work with their teachers on the day they return to school whether the class meets that day or not. On the second day of absence if parents know their child will be absent three or more days, the parents may request teacher-prepared homework for students. Please contact the teacher by email. Students are strongly encouraged to record all homework assignments in the assignment notebook provided by the school and to make an earnest effort to accomplish their homework. A student should never leave school without understanding his/her assignments.

A student who is absent from school without excuse for reasons other than disciplinary exclusions, or a student who is absent from a class without excuse, will receive no credit for work in each class missed. Students will be responsible to take tests or quizzes and to turn in any projects immediately upon their return to school if the date for such assessments was known by the student prior to their absence.

Student absences, tardies and dismissals cannot be excused "after the fact."

#### **MCAS**

The Massachusetts Comprehensive Assessment System (MCAS) is the Commonwealth's statewide testing program for public school students, developed in response to the Education Reform Act of 1993. MCAS is based exclusively on the rigorous academic learning standards contained in the Massachusetts Curriculum Frameworks. Together, the MCAS and the Frameworks are designed to raise the academic achievement of all students in the commonwealth.

Successful completion of the state required MCAS exams are requirements for graduation.

If you would like more information about the MCAS, including sample tests or which tests your student is required to take, please visit the official website at <http://www.doe.mass.edu/mcas/>.

#### **Massachusetts' Curriculum Frameworks**

The MCAS tests are based on a statewide curriculum referred to as the "Massachusetts Curriculum Frameworks". To review the state frameworks for any subject area, please visit [www.doe.mass.edu/frameworks](http://www.doe.mass.edu/frameworks)

#### **Report Card Grading Scale**

- A -Exceptional, work
- B - Commendable work
- C - Satisfactory work
- D - Unsatisfactory work but still passing the course
- F - Unsatisfactory work and failing the course

A student may also receive an "M" for medical, an "I" for incomplete work, or a "P" for passing, where there exist individual and extenuating circumstances. Incomplete work must be made up within 10 school days of the assignment's due date and is the responsibility of the student. Otherwise, the course grade will revert to an "F." Students are issued a quarterly report card through the Aspen portal.

#### **Accommodations and Services for Students with Disabilities**

Some students with disabilities require specialized instruction, supportive services and/or accommodations to ensure their free appropriate public education. These services can include, but are not limited to, speech therapy, physical therapy, occupational therapy, specialized instruction, or placement in a special classroom. Parents or teachers may refer students they are concerned about to the Director of Student Services (781-639-3140, x11). Within five (5) school days of such a referral, a consent form authorizing an evaluation of the student will be forwarded to the parent(s). Upon receipt of the parent(s)' consent, an evaluation will be conducted and a TEAM meeting will be held to determine if the student is eligible for special education services. If the student is found eligible for special education services, the team will develop an Individualized Education Program (IEP) identifying the necessary services. In some cases, the evaluation team determines that a student with a disability may require only individual accommodations as opposed to specialized instruction and/or

related services. Such students are then referred for an evaluation of their eligibility for an individual accommodation plan in accordance with Section 504 of the Rehabilitation Act of 1973. A Student may also be referred directly for an evaluation of eligibility under Section 504. The District will respond promptly to any such Section 504 evaluation request and shall conduct an evaluation of the student.

For more information regarding the services available to students with disabilities please contact the school counselor, Special Education Chairperson, or the Marblehead Public Schools Director of Student Services.

## STUDENT ACTIVITIES

### **Ability to Participate in Extracurricular Activities**

All students are encouraged to participate in school sponsored student activities and athletics. Eligibility requirements are published in the Student Handbooks as School Committee policy annually. For the High School, a student must pass all courses. Second quarter marks, not semester grades, determine third quarter eligibility. The other current High School eligibility rules and those of M.I.A.A. remain in force. Chemical Health policy applies as well for extracurricular activities. Additionally, all components of good citizenship apply for leadership position eligibility including academics and school discipline.

**(MHS Handbook information)** If there is one thing that will ensure success at MHS it is the single word “join”; make friends, have some fun, and become a part of something greater than yourself.

***NOTE:*** Assigned detentions must be served before a student attends a club, organization, activity and or sport. Students will not be allowed to tryout, sign up, attend, nor participate in clubs, activities and sports if they have not served their detentions. Students must pay the appropriate user fee prior to participation in the activity. Please see the MHS website/athletics for the current fee schedule. Student who owe past obligations may not be allowed to participate until those obligations are fulfilled.

## NATIONAL HONOR SOCIETY SELECTION PROCESS

The object of the National Honor Society at Marblehead High School is to create an enthusiasm for scholarship, to stimulate a desire to give service, to promote able leadership, and to encourage the development of character in our students.

Scholastically eligible (3.75 GPA) juniors will be notified of their eligibility after the 1st Semester (usually in March). Seniors will be notified in mid-September. In addition to the minimum scholarship average, there will be an application process in where eligible students will have an opportunity

to demonstrate the other core standards of the National Honor Society: leadership, service, and character. A student must have demonstrated the following:

**Leadership:**

All elected or appointed leadership positions held in school, community, or work activities in which the candidate is directly responsible for directing or motivating his/her peers will be considered. Examples of leadership include: holding or running for class office or officer position in a club, being an athletic team captain, student-director in drama, section leader in the band, demonstrating initiative in promoting school activities-founder/co-founder of a new activity, etc.

**Service:**

Service is generally considered to be those actions undertaken by the student that are done in or outside of school with or on behalf of others without any direct financial or material compensation. Any service performed in school, the community, or with religious organizations will be considered. A candidate must have been involved in a significant form of service during his/her freshman year onward. This does not necessarily mean community service, but a student must show that he/she has given up time to help others in an unselfish manner.

**Requirements:** At least twenty (20) hours of community service must be performed in the high school years by the end of the 1st semester of the student's junior year. Examples of service include: community/civic organizations, tutoring, volunteering services to those in need, etc.

**Character:**

The candidate should have displayed outstanding character. A person of character demonstrates the following qualities: trustworthiness, respect, responsibility, fairness, caring and citizenship. A candidate may demonstrate this by taking criticism willingly, accepting responsibility graciously, and complying with school regulations and staff instructions both in and outside of the classroom. An applicant's character is determined through 2 teacher recommendations that are a required part of the NHS application. The recommendation form will be sent out by the advisers around the times of the application process. In addition, any previous suspendable disciplinary offense, infraction of school rules and /or improper conduct may be cause for rejection of a candidate. All candidates must display academic integrity (avoid plagiarism, cheating, etc.).

Candidates must fill out an NHS Application that demonstrates/describes their leadership, service, and character. Students who submit the application by the established deadline should understand that review of this information by the Faculty Advisory Committee DOES NOT guarantee election.

**APPEAL PROCESS**

The description below describes the process for requesting an appeal in cases of non-selection to NHS. Membership is granted only to those

students selected by the Faculty Council on the condition of their having met the standards for selection established at the local level and based on the provisions of the national constitution (Article IV, Section I, NHS Handbook, 17th Ed., NASSP).

Inevitably, some student candidates are not selected. In seeking to understand the reasons for non-selection, a student may request a meeting for clarification. Below is the proper procedure that must be followed when seeking clarification or before an appeal can be granted.

**1. Consult first with the Chapter Adviser.** Your first inquiry should always be with the faculty member assigned to serve as the adviser of the chapter at your school. This individual facilitates the selection process (but does not vote) and may be able to clarify the nature of the selection process or the decisions that were made. The adviser can also inform you on the formal process for appeals on procedural grounds only.

**2. Consult with the Principal.** The principal is your second recourse should you feel your concerns were not answered or addressed. This person can supply you with the criteria for selection and answer other questions you may have. This should be your second avenue for inquiry.

**3. Filing a formal appeal.** A student may appeal the decision of the NHS Faculty Council based on one of the following reasons only: **technical or procedural errors**. Technical or procedural errors might include the inadvertent omission of a student's name from the list of those qualified for induction, the erroneous averaging of grades, or the chapter's failure to follow prescribed procedures. Appeals of non-selection will not be granted for a reevaluation of essays or for reasons related to the failure of a candidate to include information that was not submitted during the initial selection process.

- All appeals are heard by the building principal and Faculty Council.
- Upon receipt of the decision not to induct a candidate, a student may make a typed appeal to the building principal. The appeal must be made in written/typed form. No appeals will be heard by the principal or Faculty Council prior to official notification of non-selection.
- The request for an appeal must state the reason for the appeal.
- An appeal must be submitted with the advisors within two weeks of the notice not to induct a candidate.
- The advisors will schedule a hearing for the appeal.
- The building principal and Faculty Council will hear the appeal, investigate the concerns presented, and notify the appellee of their decision in written form within one week of the date of the appeal. However, there may be extenuating circumstances which require more time for the investigation of the appeal. If more time is needed, the advisor will notify the applicant and give an estimated date for their notice of decision.
- The decision of the building principal is final.

## **Fundraising**

### **Student Extracurricular Fundraising Guidelines and Expectations**

The Marblehead Public Schools offers school-sponsored student athletic, performing and fine/applied arts and extracurricular clubs, activities and events as a part of the student's overall educational experience. These offerings are considered district sponsored operational activities and as such, are funded as a part of the annual budget process. Budgeted funding sources include Town-appropriated school operating budget, student user fee revenue, athletic game and event 'gate receipts,' and performing arts ticket sales.

Student team and club-based fundraising initiatives, outside of established organizations such as the Boosters, may occur, as a supplement to the operational costs of District extracurricular activities, within the parameters outlined in this section.

### **Objectives/Considerations for extracurricular student athletic and club fundraising:**

- The fundraiser promotes team and school community and collaboration;
- The fundraiser participants are voluntary in nature and attendance in the event;
- The fundraiser provides students and/or district staff, coaching, advisory, or otherwise, a positive philanthropic experience;
- The event raises funds with specific funding intent or goal in mind, that is not a part of the school's annual operating budget;
- Coaches may coordinate team, club or advisory student fundraisers, with oversight from appropriate district staff, (athletic department staff or building principal) recognizing appropriate timing and coinciding student commitments;
- Prior to the student fundraiser, the event coordinator shall submit for approval the district Fundraising Authorization Form, as provided within handbook appendices.

### **What student fundraising proceeds may fund:**

- Spirit-wear, team-wear outside of base game or event uniform (i.e.: sweats, warm up gear, jackets, hats)
- In or out-of-state trips or events, specialized camps, invitational tournaments or events, outside of official team game or event league or conference schedule (including transportation as appropriate)
- Social events including team meals, events, banquets
- Student Awards

### **What student fundraising proceeds WILL NOT fund:**

Students and families can generally expect the following resources to be funded at the district level as operational provisions of the team, club or activity:

- Athletic team game uniform
- Coaching/ Advisor payment or contractual stipends

- Standard district provided equipment (varies by team)
- Team conference or league membership fees
- Fees for rental or use of facility for games or events
- Game or event officials or referees

## EXPECTATIONS & PROCEDURES

### Attendance Policy

**Policy JH, LEGAL REFS: M.G.L. 76:1; 76:16; 76:20, Individual School Handbook, from the Marblehead Public Schools Policy**

**Manual** Regular and punctual school attendance is essential for success in school. The Committee does recognize that parents of children attending our schools have special rights as well as responsibilities, one of which is to ensure that their children attend school regularly, in accordance with state law. Therefore, students may be excused temporarily from school attendance for the following reasons:

1. Illness or quarantine.
2. Bereavement or serious illness in family.
3. Weather so inclement as to endanger the health of the child.
4. Observance of major religious holidays.

A child may also be excused for other exceptional reasons with approval of the school administrator. A student's understanding of the importance of day-to-day schoolwork is an important factor in the shaping of his character. Parents will help their children by refusing to allow them to miss school needlessly. Accordingly, parents will provide a written explanation for the absence and tardiness of a child. This will be required in advance for types of absences where advance notice is possible. In instances of chronic or irregular absence reportedly due to illness, the school administration may request a physician's statement certifying such absences to be justifiable.

### ATTENDANCE PROCEDURES

The attendance procedures for the 2021 2022 school year are as follows: Parents are required to call the school at 781-639-3100 X2 by 8:30 a.m. if a child is going to be absent or late for any reason. This is for all students in both hybrid and remote learning. Teachers will take attendance during every class, any student who is twenty-five (25) or more minutes late to class will be considered absent. In lieu of sending in a note, parents should email with the date and reason for the absence. Parents/guardians will be contacted if the school has not received notification of the reason for the student's absence from a parent/guardian within three (3) days of the absence.

### **Absences From School**

Marblehead High School defines absences as belonging in one of three (3) categories: documented, excused, and unexcused absences. When returning to school, the student must take responsibility to make up missed work when appropriate.

### **Maximum Allowed Absences**

Credit for all courses is based on Class Attendance as well as Academic Achievement. Students are allowed no more than four (4) absences each course (excused and/or unexcused) per quarter. No more than eight (8) absences in each course (excused and/or unexcused) per semester (2 Quarters). No more than sixteen (16) absences in each course (excused and/or unexcused) for the year

### **Categories of Absence**

*Documented* – make-up allowed, excused absence recorded. This includes, but is not limited to the following (does not count against student):

- Illness covered by a doctor's note documented by a note from a doctor on official letterhead.
- Surgery/Hospitalization as documented by a note from the doctor/hospital on official letterhead.
- Death in the family/extenuating family emergency as documented by parent/guardian to the respective Assistant Principal.
- Observance of religious holiday– documented by note from parent/guardian, will be absent from school due to religious observance.
- Court appointment as documented by an official court note - mandated court appearance.
- Medical appointment as documented by a note from a doctor on official letterhead. Non-illness related visits to a doctor's/dentist's office for such things as physicals, braces, or check-ups.
- Some dismissals by the Nurse (discretion of the Nurse to determine whether documented), when illness or injury occurs during the school day.
- Authorized field trip - School-sponsored field trip.
- College visits - Four days annually may be granted for college visitor/permanent career placement visits (must be authorized by student's guidance counselor)
- Accepted College Day

Absences warranted by unusual circumstances must be approved by the appropriate Assistant Principal.

*Excused* – make-up allowed, excused absence recorded. This includes, but is not limited to the following (counts against student):

- Routine absence due to brief illness as approved by parent/guardian
- Dismissals from school by parent/guardian or person designated on emergency card because student doesn't feel well enough to remain in school
- Absence from classes for family vacations
- Outside-of-School suspension or expulsion

*Unexcused* - no make-up allowed.

- Truancy from class or school

When returning from an absence, the student is required to present to the Main Office, a note of explanation from the parent/guardian and the reason for the absence. This note must contain: date of absence, reason for absence, signature and phone number of parent/guardian. If absences or tardies are unresolved, students should contact their Assistant Principal.

**Extended Excused Absence** – This is for students who have a documented medical (physical, mental, or social/emotional) issue that impacts a student's attendance. These students do not go through an appeals process. Instead, the student provides medical documentation to his/her team (i.e., School Counselor, Nurse, and Administrator). After a follow up conversation with the student's family and support personnel, the documentation is on file for the student. Extended Excused Absence can be granted for one or more quarters.

In all instances where a student is on an IEP or a 504 plan and which are not covered by the preceding Extended Excused Absence provision, before consequences are imposed under this policy for absences, the school shall first determine whether the absences are caused by or have a direct and substantial relationship to the student's disability or are a direct result of the district's failure to implement the plan. If the determination is that either of these conditions account for the absences, the school shall grant an Extended Excused Absence until appropriate accommodation can be made in the plan. Otherwise, the absences shall count and the provisions of this policy shall apply.

#### **Attendance Warning Notice**

- An Attendance Warning Notice will be generated when the student reaches their third (3rd) absence (excused and/or unexcused) in any class.
- This notice will be sent to parents/guardians and the student's Assistant Principal.
- The Assistant Principal will communicate with the student and their parent/guardian about the attendance concern.
- Where a student is absent without excuse in excess of five (5) cumulative school days in the school year, the parent(s)/guardians will be provided with written notice and a meeting will be conducted with the school administration to develop plan to address the student's attendance. In the event that a student is

absent without excuse in excess of ten (10) consecutive school days, the student and parents/guardians will be contacted relative to the convening of an Exit Interview meeting in accordance with Massachusetts law. *Please see M.G.L. c. 76, § 18 in Appendix A.*

### **No Credit (N) - N grade due to poor attendance**

This part of the attendance policy will be suspended for 2021-22.

This includes the Attendance Review Panel.

- If a student accumulates more than four (4) absences (excused and/or unexcused) per term in any course, they will receive a grade of “N” on their report card, indicating No Credit due to poor attendance.
- If a student receives an “N” for one term, they can still receive a passing grade for the semester or year if they maintain a passing grade average and are not absent more than four (4) (excused and/or unexcused) times in the other terms.
- Two “N” in a semester course, they will receive No Credit for the course.
- Four “N” in a full year course, they will receive No Credit for the course.
- It is important to remember that when a student receives an “N”, it is a notice that both student and parent/guardians need to monitor school attendance more closely and set a goal to improve attendance.
- It does not represent that a student is failing the course from a lack of achievement.
- If a student receives one or more “N” grades, they will be ineligible for Honor Roll.
- If a student receives No Credit for a course, it is recommended that they set up a meeting with their Assistant Principal and guidance counselor to make arrangements to repeat the course or its equivalent.

### **N Grade Implications**

- If a student is failing the course, the report card would reflect the failing grade, not an “N.”
- Goal of this policy is to help students gain the maximum benefit from the high school curriculum and the dialogue that occurs between students, teachers and peers.

- If a student receives an “N” for the term, semester or year and believe that circumstances merit a waiver of the attendance policy, they may submit a written appeal to the Attendance Review Panel.
- This panel meets at the end of each marking term. The Attendance Review Panel appeal forms can be obtained from the Main Office.
- Provide a written explanation of the reason for the appeal prior to meeting with the Attendance Review Panel.
- *All appeals must be initiated no later than one week following the distribution of report cards.*
- The Attendance Review Panel can only excuse specific dates.
- Students should specify these dates on the appeal form and provide official documentation of each absence being appealed, such as doctor/hospital notes, court documents, etc.
- Students should be prepared to provide evidence if there are any extenuating circumstances.
- Students are expected to appear in person before the Attendance Review Panel so that issues requiring clarification can be addressed. Parents/guardians are encouraged to attend and will be notified of the Attendance Review Panel meeting.
- The student’s Assistant Principal will confirm the Attendance Review Panel’s meeting time and place with the student.
- Failure to attend the meeting when a student is present in school on the day it is scheduled will result in the loss of the right to appeal.
- Seniors may appeal the Attendance Review Panel’s decision should it constitute loss of credit in a course needed to graduate. This request must be submitted to the Principal within five days of the date of the letter from the Attendance Review Panel.
- Attendance Review Panel will consist of the following members:
  - Assistant Principal of the student submitting appeal
  - Three teachers - one chosen by the student and two standing members

### **Planned Absences**

Marblehead High School students who take vacations or family trips that do not coincide with previously scheduled school vacation days will miss valuable class experiences that cannot be duplicated in any other way. The Marblehead Public Schools strongly discourage such student absences.

We understand, however, that there may be times when such absences are unavoidable. Students and parents need to recognize that absences can imperil the student's academic status for courses that are missed. Although make-up is allowed, the absence counts against the student. Students may lose credit for the quarter if the number of absences 4 (four) (excused and/or unexcused) per course. While teachers may let students make up missed assignments, tests, and quizzes, teachers are neither expected nor required to provide make-up work or special assignments prior to vacations. Teachers are not expected or required to provide special tutoring

for those students whose parents take them on vacation during school time.

### **Tardiness to School**

The school day begins at 7:55am. Students who arrive after 7:55am must obtain a pass from the main office before going to class.

- Students are permitted a maximum of three (3) tardies (excused and/or unexcused) per quarter.
- On the fourth (4) and every subsequent tardy (excused and/or unexcused), they will be assigned a teacher detention to be served from 3:00 p.m. to 3:30 p.m.
- An "excused tardy" is a tardy that is known by a parent/guardian and has a note from them explaining the tardy.
- An "unexcused tardy" is a tardy that has no note from a parent/guardian to explain the reason for the late arrival. Both excused and unexcused tardies are included in calculating the number of tardies per term.

### **Tardies not counted towards the maximum tardy totals:**

- Religious observation
- Medical appointments
- Extenuating family emergency
- Court appointment
- Returning from a school sponsored field trip
- A bus that has come to school late

Students who are tardy to school after 11:10 a.m. without a valid excuse will be ineligible for extracurricular activities that day.

### **Tardiness to Class**

- Students are expected to be on time for every class and if they are tardy they will serve a teacher detention that day. The teacher will inform the student about the teacher detention. The student who arrives to class halfway through the class, will be considered absent for attendance purposes. (For example, a student arriving first block at 8:30 am would be marked absent in the teacher's attendance)
- If tardiness exceeds three (3), the teacher will make a referral for the student to serve an office detention (3:00-3:30pm).
- If a student continues to demonstrate tardiness to class, the teacher will refer the student to their Assistant Principal through a disciplinary report which will result in a parent meeting.

When a student misses two (2) or more classes over five (5) cumulative school days during the school year due to tardies, the parent(s) will be provided with written notice and a meeting will be conducted with the school administration to develop a plan to address the student's attendances.

### **Dismissals**

- In lieu of sending in a note, parents should email (insert attendance email address) with the date and time for dismissal.
- The nurse must speak to a parent/guardian before a student can be dismissed for any injury or illness. If your child contacts you directly because of feeling ill or injured, refer him/her to the nurse. After completing an assessment, the nurse will contact a parent/guardian for dismissal if necessary.

### **Individual Responsibilities**

#### **Student Responsibilities**

- It is each student's responsibility to make responsible decisions about attending all classes on a regular basis.
- Monitor their own attendance and speak with their teachers if there are any questions about attendance records.
- When returning from an absence, the student presents a note of explanation from the parent/guardian and the reason for the absence to the Main Office.
- The student must obtain and make-up class work missed due to absences. It is the student's responsibility to see their teachers to obtain missed work.

#### **Parent/Guardian Information and Responsibilities**

- The parent/guardian should monitor their child's attendance.
- Discuss the importance of good attendance with their children.
- When returning from an absence, send a note with your child to present to the Main Office.
- Special circumstances will be reviewed by the assistant principal.

#### **Faculty, Staff, and Administration Responsibilities**

- Record each student's attendance in Aspen for each class on a daily basis.
- Submit daily attendance records each day.
- Reconcile all adjustments to a student's attendance the following day.
- Notify the student, parent/guardian, guidance counselor, and assistant principal when a student reaches three (3) absences.
- Notification for tardy to school.
- Assistant principals and school staff will work with students and parents/guardians whose absences or tardies are unexcused or excessive and provide necessary written notices in accordance with Massachusetts law.

#### **Important to Note**

When a student misses a class due to tardiness or dismissal in which a test/quiz is given, s/he will be expected to take the test/quiz the day of their return at the convenience of the teacher. It is the student's responsibility to connect with the teacher and to make these arrangements.

If the school does not receive timely notification of a late arrival or early dismissal, the student's absence from a class may be considered unexcused with associated disciplinary consequences.

Absences, early dismissals, and tardies due to school-sponsored activities shall be excused.

**NOTE:** Assigned detentions must be served before a student attends a club, organization, activity and/or sport. Students will not be allowed to tryout, sign-up, attend, nor participate in clubs, activities and sports if they have not served their detentions.

### **Meeting with College Representatives at MHS**

Students wishing to meet with college representatives during the school day may do so if they have a prearranged pass from guidance.

Students are responsible for connecting with their teachers and making up any work missed. Since visits from college representatives are known in advance, students should connect with their teachers prior to the day they will miss class time.

**Senior Project: Participation in Senior Project is contingent upon a student meeting all Senior Project requirements.**

**Attendance for MCAS testing is mandatory.**

### **Parents/Guardians Going Out of Town**

**MUST notify the office and provide the name and contact information** of the person who will be responsible for the student during the parents' /guardians' absence.

### **Senior Privilege**

Senior Privilege allows a senior to leave school grounds during non-instructional time during the last block of school. Senior Privilege also allows a senior to enter school after the first block of the school day if the first block is non-instructional time.

Senior Privilege is an extension of freedom awarded to those seniors who demonstrate by their grades and good citizenship that they are mature, responsible young adults who deserve the opportunity to exercise greater judgment in the use of their time.

If students decide to stay in the building, they may report to a teacher's classroom or the library. Seniors may not walk around the building and must remain in the room to which they reported. Students are required to sign out/in through the Main Office.

**Attendance:** No truancy from school  
No class cuts

No more than 3 unexcused tardies in any class

**Academic:** Minimum of C- average in classes,  
no Incompletes  
Minimum of 30 academic credits per year

**Behavior:** No suspensions the previous quarter  
No lingering in hallways  
No returning to school from late – no excuses  
No driving students without off campus who do not have Sr. Privilege  
Never taking an underclassman off campus  
Never be a disturbance to the community when off campus

Senior Privilege may be revoked if the student fails to adhere to the criteria. Parental permission is required. The administration reserves the right to suspend Senior Privilege for all students in certain instances (e.g., inclement weather, school emergency).

#### **Change of Address or Contact Information**

It is very important to promptly notify the school of any and all changes in residential address, mailing address, email address(es) and/ or telephone number(s) so that parents/ guardians can be reached in the event of an emergency. Fill out the emergency card on the Aspen Parent Portal.

#### **Student Parking**

Parking on school property is a student privilege. Students found to be in violation of the school parking rules may have this privilege rescinded. Students who abuse parking privileges may earn further sanctions including detention and/or suspension.

- Students must register their vehicle with the main office by fully completing a parking agreement.
- Once issued, the parking permit (sticker) must be visibly displayed on the vehicle.
- Students driving vehicles to school must park them in the student parking spots designated with an S followed by a number.
- The speed limit on school grounds is 10 M.P.H. Cars must not pass school buses while they are unloading or loading students in the bus area.
- Reckless driving may result in the loss of the privilege to drive to school, and students may receive detention and/or suspension. Reckless driving may also be reported to the police.

#### **Library**

The use of the Library will be restricted to only classes scheduled for that space.

### Dress Code

Please see Policy JICA, from the Marblehead Public Schools Policy Manual

**(MHS Handbook information)** The Marblehead High School dress code applies to all school-sponsored activities and is based on the premise that all students attending the Marblehead High School are young adults who wish to dress and groom themselves appropriately with due consideration to popular convention. ***The administration is authorized to take action in instances where individual dress does not meet the stated requirements.***

### The Dress Code

1. Dress or grooming must not disrupt the educational process or threaten the health or safety of any individual.
2. Clothing or jewelry that displays obscene, sexually suggestive, illegal paraphernalia, weapons, intentionally harassing, and/or bigoted remarks or symbols. Clothing that encourages drinking, drug use, sex, violence, vaporizer use and/or tobacco use will not be worn at any time during the school day (including during physical education).
3. Dress and grooming will be clean.
4. Students will not wear clothing, hairstyles, or footwear that can be hazardous to themselves or others in their educational activities.
5. Students may not bring hairspray, nail polish remover, perfume, or cologne to school. These products could be dangerous, damage school property and may cause allergic reactions among students, staff, and faculty.

### Required Standards of Dress

1. Hooded garments may be worn, **but the hood may not be on the wearer's head nor cover the ears or face.** Except if worn for religious or documented medical reasons and with the prior approval of the administration, hats or head coverings must be removed upon the request of a staff member.
2. Footwear laces will be tied.
3. Clothing will be neat and appropriately buttoned or zipped at all times.
4. Chain wallets and other clothing with chains are not allowed (may be considered to constitute a dangerous weapon).
5. Underwear that is visible is not allowed and the torso must be fully covered at all times.
6. Pajamas are not allowed.
7. Sunglasses are not allowed to be worn during the school day in the building except for documented medical reason and with the prior approval of the school administration.

*\* In accordance with the Massachusetts CROWN Act, the Administration will not adopt or implement any policy that prohibits or impairs any hairstyle historically associated with race, including, but not limited to, protective hairstyles (braids, hair*

*coverings, Bantu knots, locks, twists, and other formations), hair length, hair type, and hair textures. See M. G. L. c. 71, §1D; See M. G. L. c. 4, §7.*

**Possible Consequences for Inappropriate Dress:**

1. The student may call home to request appropriate clothing to be delivered.
2. The student may be given something from school to wear for the day.
3. The student may be removed from regular classroom activities and/or school for the remainder of the day in accordance with applicable due process requirements.

**Emergency Contact Information**

Each parent/guardian must complete the Emergency card through the Aspen Parent Portal:

<http://www.marbleheadschoools.org/technology/aspencu>.

[Any changes to the parent\(s\)/guardian\(s\) emergency contact information following the start of the school year must be immediately reported to the school administration.](#)

**Electronic Devices (iPods/Cell Phones, etc.)**

1. Student will receive yearly training in the ethical use of electronics within the high school.
  - Start of the year class meetings integrated into the health and wellness programs.
2. Students may only use a personal electronic device if they and their parent/guardian have signed a user agreement indicating that they will abide by the ethical use of electronics. That agreement will include provisions on what happens if a violation occurs.
  - First Incident: electronic devices are confiscated and sent to the main office. Student can pick up the device in the main office after school.
  - Second and/or Third Incident: electronic devices are confiscated and then sent to the main office. Parent/guardian must pick up the device.
  - At any time beginning with a fourth incident, electronic devices for that student may be banned permanently.

Please Note: Additional disciplinary action may be taken depending upon the nature of the violation.

3. Use of electronics within the high school is restricted to educational time only. Use is up to the discretion of the teacher.
  - During class periods but only with explicit permission from the classroom teacher and only for the purpose of achieving an educational objective. This applies to the library as well.
  - During study halls as long as the use of the device is not disruptive to the learning environment.
4. Cell phones will not be used to make phone calls during school hours (7:55-2:30); students may make calls from the phone in the main office.

5. Students are prohibited from making recordings or taking pictures without permission.

Please Note: While efforts will be made to preserve the physical integrity of a confiscated device, neither the school nor the faculty is responsible for any damage that may inadvertently occur.

#### **Door Alarms**

To heighten security, all external high school doors have been fitted with alarms that are active during the school day with the exception of the main entrance; these alarms will sound (quite loudly) if any other door is opened. It is therefore imperative that all traffic into and out of the school flows through the main door. Any student found to have opened an alarmed door during school hours without permission will be subject to immediate disciplinary action. Any student found to have facilitated another individual's unauthorized access to the school building will also be subject to disciplinary action.

#### **Field Trips**

**Please refer to SC Policy IJOA, *CROSS REF: JH, Student Travel*, from the Marblehead Public Schools Policy Manual**

#### **TRANSPORTATION**

All trips shall be carefully planned with due consideration for the safety of children and proper conduct on the bus and at places visited. Insofar as possible, trips shall be taken in school buses. The District shall develop a plan for the use of buses for field trips allowing for equitable use by the different schools in the system.

All students riding buses for field trips or athletic events shall use seatbelts when provided. It shall be the responsibility of the field trip monitor or athletic coach to instruct students to buckle up before the bus begins to move. Misuse of the seatbelts by students on field trips shall be cause for students to be excluded from future field trips as determined by the appropriate building principal. Misuse of seatbelts by athletes on athletic trips shall be cause for disciplinary action as determined by the athletic director.

#### **COSTS AND FUNDRAISING**

Field trips of significant educational value shall be encouraged and, where possible, conducted at a low cost to students. In instances of extended field trips, such as visits to cities out of the state, which involve unusual costs, plans will be developed cooperatively by school personnel and the Parent-Teacher Organization. Fundraising activities for field trips will be subject to approval by the appropriate Administrator.

Fundraising activities shall not create undue pressure on students or cause unfair competition with merchants. Consideration will be given to students who need special financial assistance. The School Committee shall use funds from student user fees to help defray the costs of field trips.

Parents will be informed in writing of any field trip, no later than one (1) week before it is to occur (except in unexpected circumstances). The written notification shall include, but not be limited to, the following details: date, location(s), and relevance to curriculum, cost (if any), driver information, and request for parental permission. Students may not participate in field trips without prior parent consent. Staff members supervise students during out-of-school activities. Parents are often asked to help supervise during field trips.

***CROSS REF: JJH, Student Travel***

#### STUDENT PARTICIPATION

No student may be excluded from a field trip without documented just cause. Just cause may include:

- > The student's statements or past history demonstrating a pattern of disobedience or school rules violations,
- > The student's unacceptable behavior during the time directly preceding the trip indicating unwillingness to prepare for the trip to make it a productive experience,
- > The student's inappropriate behavior on a previous trip.

The student's teachers, counselors and principal will determine if exclusion is warranted. The student's parents will be notified.

Any student not attending a field trip will remain in school. Teachers will provide relevant curriculum based lessons and activities for all students not attending the off-site activity and students during that school day will complete such lessons. All school rules apply on field trips.

#### **Food Services (MHS Handbook Information)**

- Vending machines: There are vending machines located in the cafeteria for water, juice, and snacks.
- If a student is caught vandalizing the vending machines he/she will have to reimburse the district for the damages incurred. Other consequences may be implemented depending on the situation.
- Breakfast: Students should eat a healthy breakfast before arriving at school; if students missed this opportunity the breakfast program at MHS runs from 7:30 a.m. to 7:50 a.m.. All are welcome.
- Lunch: Lunch menus are posted on the website (<http://mhs.marbleheadschoools.org/departments/food-services>) and Channel 10.
- Students are required to throw away their trash.
- Eating in classrooms is prohibited.
- Leaving the café with food is not permitted.
- If a student is caught stealing food from the café he/she will have to reimburse the district for the stolen food and will have

- to eat lunch in the main office for a week. Please refer to Discipline Code - Type 2 Infraction.
- Students may not order food to be delivered to the school during school hours.

### **Lockers**

Each student will be assigned a locker for storage of school materials and outer garments. Students are expected to use only their assigned locker. Students are urged to bring a lock to school to secure their belongings.

Students are urged not to share their lockers with other students.

Students are urged to not bring valuables or large sums of money to school. As much as we work to safeguard private property, the school is **NOT** responsible for lost or stolen items. Please remind your child about the importance of using their lock.

Weapons, medicines, illegal drugs, alcoholic beverages, stolen property, and other contraband may not be stored in school lockers. Lockers are to remain locked at all times. Lockers are school property and the school reserves the right to search lockers at any time – which may require the cutting of students lock. **Students should have no expectation of privacy regarding the contents of their lockers.**

### **Lost and Found**

Textbooks and other school materials are the responsibility of the student and must be paid for if lost. The Lost and Found is located in the Main Office. Any clothing that goes unclaimed will be sent to a local charity both prior to the winter break and at the end of the school year. A reminder is posted on the school website one month prior to the donation date. In addition, reminders are posted on the school website and read periodically over the school public address

### **Marblehead Public Schools' Policy Manual**

The policy manual is available online by going to <https://www.marbleheadschoools.org/Page/353>. Of special interest will be Section J, "Students."

If you have questions/comments about the policy manual, contact your building principal. The School Committee considers the Policy Manual to be a living document and will update/revise it as necessary.

### **METCO (Metropolitan Council for Educational Opportunities)**

The Marblehead Public Schools have been a voluntary participant in the METCO program for over 50 years. The METCO staff includes a coordinator, a counselor, tutors, bus monitors, and a clerical aide. This program is completely funded through a Massachusetts Department of Elementary and Secondary Education grant. The Marblehead METCO Parent Advisory Council acts as a parental support group for parents of METCO students. The METCO PAC meets in Boston once each

month. Host families are a critical component of this program. If you are interested in hosting a METCO student, contact the program director at 781-639-3100 x 20202

### **School to Home Communication**

All schools in the district have a school/home communication system called School Messenger to notify families via telephone of time sensitive information. This communication system enables the district to contact parents in a timely manner in the event of an emergency situation. For instance, in the event of a power failure that requires the moving of students to a different site, a phone message would be sent out to parents' contact numbers before the end of the school day. It is therefore important to update the main office anytime there is a home/cell phone number change.

### **Student Fees, Fines and Charges**

**Please refer to Policy JQ, from the Marblehead Public Schools Policy Manual**

#### **Student User Fees (UPDATED)**

<https://www.familyid.com/programs/marblehead-high-school-2018-fall-athletics-registration>

- Interscholastic sports and Fine Arts productions \$483/year
- Clubs \$140/year
- \*Flag Football/Powderpuff \$66
- \*This fee is for any girl not participating in athletics or Fine Arts.
- **Family maximum payment is \$800.**

\*(The maximum yearly fee entitles the student to participate in as many activities as he/she wishes).

Provisions for financial hardship will be made using Federal Lunch Program criteria. Inquiries may be made in the Athletic Office or Main Office at MHS. To allow your student(s) to participate in the school activities of their choice, please fill out a user fee form and send it with your check or money order to Marblehead High School, 2 Humphrey St., Marblehead, MA 01945.

Payment may be made online, in person in the Athletic Office or in the Main Office at MHS. For all activities, the fee is due before the student participates.

### **Student Photographs**

**Please refer to Policy JRD, from the Marblehead Public Schools Policy Manual**

**(MHS Handbook information)** At the beginning of the school year, parents are asked to sign a *Photo Release* form if they would like to allow the school to celebrate their student's successes by sharing their work or photographs with the press.

## **STUDENT RECORDS**

### **Notification of Rights under the Family Educational Rights and Privacy Act**

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age (“eligible students”) certain rights with respect to the student’s education records. These rights are:

- (1) The right to inspect and review the student’s education records within forty-five (45) calendar days of the day the School receives a request for access.
- (2) The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA.
- (3) The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent.
- (4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Student Privacy Policy Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5920

### **Summary of Massachusetts Student Records Regulations**

603 R 23.00

#### **(I) Definitions**

**Student Record:** The student record consists 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 are maintained by the school district and are organized on the basis of the student’s name or in a way that such student may be individually identified, and that is kept by the public schools of the Commonwealth as defined under state law. Electronic communications (e.g., emails, text messages, etc.) shall not be considered to be student records maintained by the school district unless printed and placed in the student’s temporary record.

**Parent:** A student's father or mother, or guardian, or person or agency legally authorized to act on behalf of the student 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, § 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.

**Eligible Student:** A student who has reached fourteen (14) years of age or who has entered 9<sup>th</sup> grade. Upon reaching 18 years of age, the adult student may submit a written request to the principal or to the Superintendent of Schools to limit the rights of the parent(s) to request the amendment or release of the student record. Under Massachusetts law, however, a student cannot limit the right of the parent(s) to inspect the student record regardless of the Student's age. M.G.L. c. 71, § 34E.

**Authorized School Personnel:**

- (a) School administrators, teachers, counselors, and other professionals who are employed by the school committee or who are providing services to the student under an agreement between the school committee and a service provider, and who are working directly with the student in an administrative, teaching counseling, and/or diagnostic capacity. 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.
- (b) Administrative office staff and clerical personnel, including operators of data processing equipment or equipment that produces microfilm/microfiche, 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.
- (c) The Evaluation Team which evaluates a student.

**(II) Inspection of the Student Record**

A parent, or a student who has entered the ninth grade or is at least 14 years old (eligible student), has the right to inspect all portions of the student record upon request. The parent and/or eligible student have the right to receive copies of any part of the record, although a reasonable fee may be charged for the cost of duplicating materials. The record must be made available to the parent or eligible student no later than ten (10) calendar days after the request, unless the parent or student consents to a delay. The parent and/or eligible student may request to have parts of the record interpreted by a qualified professional of the school or may invite anyone else of their choosing to inspect or interpret the record with them.

**a. Rights of Non-Custodial Parents**

M.G.L. c. 71, § 34H and 603 CMR 23.07 specify detailed procedures that govern access to student records by parents who, by order of a court, do not have physical custody of their children. For more information, please see "Access for Non-Custodial Parents" below.

**III. Confidentiality of Student Records**

With a few exceptions, no individual or organization but the parent(s), the eligible student, and authorized school personnel are eligible to access information in or from a student record without the specific, informed written consent of the parent or an eligible student. One such exception is the authority of the District to forward, without consent, the complete student record to schools or school districts to which a student transfer or enrolls.

**IV. Amendment of the Student Record**

Eligible students and/or parents have the right to add additional information, comments, data, and/or other relevant material to the student record. Eligible students and/or parents also have the right to request in writing that the student record be amended. Any such request should be directed to the principal. The principal will render a written decision on any such amendment request. A denial of a request to amend a student record may be appealed to the superintendent.

#### **V. Destruction of Student Records**

Massachusetts regulations require that certain parts of the student record, such as the temporary record, be destroyed within seven (7) years of a student's transfer or graduation. School authorities are also allowed to destroy misleading, outdated, or irrelevant information in the record from time to time while the student is enrolled in the school system. Before any such information may be destroyed, the parent and eligible student will be notified in writing and provided with the opportunity to obtain a copy of any records to be destroyed. Electronic communications (emails) that are not printed and placed in a student's temporary record are not "maintained" by the District as student records for purposes of state and/or federal laws and regulations.

#### **VI. Directory Information**

Federal and state regulations authorize school districts to disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in accordance with applicable procedures. The primary purpose of directory information is to allow the Marblehead Public Schools to include this type of information from your child's education records in certain school publications. Examples include but are not limited to:

- A playbill, showing your student's role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets, such as for wrestling, showing weight and height of team members

Directory information, which is information that is generally not considered harmful or an invasion of privacy, if released, can also be disclosed to outside organizations without prior written consent.

**If you do not want directory information pertaining to your child disclosed without your prior written consent, please notify the principal in writing by no later than September 15th. The Marblehead Public Schools has designated the following information as directory information:**

- Student's name
- Participation in officially recognized activities and sports
- Address
- Telephone listing
- Weight and height of members of athletic teams
- Email address
- Photograph

- Degrees, honors, and awards received
- Date and place of birth
- Dates of attendance
- Grade level

The above is only a summary of some of the more significant provisions of the laws and regulations pertaining to student records. If more detailed information is desired, a copy of the Massachusetts Student Record regulations may be obtained from the Department of Elementary and Secondary Education. These state regulations are designed to insure parent and student rights of confidentiality, inspection, amendment, and destruction of student records, and to assist school authorities in their responsibilities for the maintenance of student records. The regulations apply to all information kept by a school committee on a student in a manner such that the student may be individually identified. The applicable regulations may be found at 603 CMR 23.00.

#### **Non-Custodial Parent Access to Student Records**

M.G.L. c. 71, § 34H - Noncustodial Parents: Receipt of Information for Child Enrolled in Public Elementary or Secondary Schools; Notice to Custodial Parent

*Each public elementary and secondary school shall provide student records, including, but not limited to, the following information, in a timely and appropriate manner to the parents of a child enrolled in the school if the parents are eligible for information under this section and request the information in the manner set forth in this section: report cards and progress reports; the results of intelligence and achievement tests; notification of a referral for a special needs assessment; notification of enrollment in an English language learners program established under chapter 71A; notification of absences; notification of illnesses; notification of any detentions, suspensions or expulsion; and notification of permanent withdrawal from school. Each school shall also make reasonable efforts to ensure that other written information that is provided to the custodial parent but not specified in the preceding sentence be provided to the requesting parent if that parent is eligible for information under this section. All electronic and postal address and telephone number information relating to either the work or home locations of the custodial parent shall be removed from information provided under this section. Receipt of this information shall not mandate participation in any proceeding to which notification pertains, nor shall it authorize participation in proceedings and decisions regarding the child's welfare which are not granted through the award of custody. For purposes of this section, any parent who does not have physical custody of a child shall be eligible for the receipt of information unless: (1) the parent's access to the child is currently prohibited by a temporary or permanent protective order, except where the protective order, or any subsequent order which modifies the protective order, specifically allows access to the information described in this section; or (2) the parent is denied visitation or, based on a threat to the safety of the child, is currently denied legal custody of the child or is currently ordered to supervised visitation, and the threat is specifically noted in the order pertaining to custody or supervised visitation. All such documents limiting or restricting parental access to a student's records or information which have been provided to the school or school district shall be placed in the student's record.*

- A. A parent requesting information under this section shall submit a written request to the school principal.*
- B. Upon receipt of a request for information under this section, the school shall review the student record for any documents limiting or restricting parental access to a student's records or information which have been provided to the school or school district and shall immediately notify the custodial parent of the receipt of the request. Notification must be made by certified mail and by first class mail in both the*

*primary language of the custodial parent and in English. The notification shall also inform the custodial parent that information requested under this section shall be provided to the requesting parent after 21 days unless the custodial parent provides to the principal of the school documentation of any court order which prohibits contact with the child, or prohibits the distribution of the information referred to in this section or which is a temporary or permanent order issued to provide protection to the child in the custodial parent's custody from abuse by the requesting parent unless the protective order or any subsequent order which modifies the protective order, specifically allows access to the information described in this section.*

- C. *If at any time, the principal of a school is presented with an order of a probate and family court judge which prohibits the distribution of information pursuant to this section, the school shall immediately cease to provide said information and shall notify the requesting parent that the distribution of information shall cease.*
- D. *The principal of each public elementary and secondary school shall designate a staff member whose duties shall include the proper implementation of this section.*
- E. *The Massachusetts Department of Elementary and Secondary Education shall promulgate regulations to implement the provisions of this section. Said regulations shall include provisions which assure that the information referred to in this section is properly marked to indicate that said information may not be used to support admission of the child to another school.*

#### **NOTIFICATION OF RIGHTS UNDER THE PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)**

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

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

- Inspect, upon request and before administration or use: protected information surveys of students; instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and instructional material used as part of the educational curriculum.

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

The Marblehead Public Schools will develop and adopt policies, in consultation with parents/guardians, regarding these rights, as well as methods to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The District will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. The District will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation in the specific activity or survey. The District will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys.

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

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

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

**Special Education Parent Advisory Council (SEPAC)**

The Special Education Parent Advisory Council of Marblehead (SEPAC) is a parent advisory council organization run by parents of children with special needs. The SEPAC’s purpose is to develop better understanding and communication among parents, teachers, and administrators. Membership includes parents, teachers, and the special education administration. Meetings are held every other month. Please refer to the school calendar for days and dates. For more information, go to <http://marbleheadspedpac.org/>.

**Traffic Drop-Off and Pick-Up**

The front circle is reserved for emergency vehicles, special needs buses and the METCO bus. Please **DO NOT** park in the front circle.

**Idling of Motor Vehicles on School Grounds**

With limited exceptions, Massachusetts law prohibits the unnecessary idling of motor vehicles on school grounds. M.G.L. c. 90, § 16B.

### **Visitors**

Visitors are welcome at Marblehead High School. For safety and security reasons, all visitors must check in at the main office. Each visitor (including substitute teachers) must wear a VISITOR BADGE at all times during the visit. Parking lot spaces for visitors are marked “**Visitor Parking**”; please do not park in a numbered (teacher assigned) space during the school day.

We welcome past students who want to visit with teachers following regular school hours (7:55-2:30) and with advanced notice to the teacher and administration..

### **Volunteers**

**Please refer to Policy IJOC, from the Marblehead Public Schools Policy Manual**

There are two types of volunteers in the school buildings:

“**Volunteers with Status**” serve as follows:

- In place of School Department Staff during the normal school day;
- As supervisors of students during the regular school day independent of other school employees;
- As chaperones for students involved in overnight field trips;
- Support school employees on day trips.

“**Casual Volunteers**” serve under the direct observation and supervision of school employees and do not act independent of school personnel.

Examples of services provided by a Casual Volunteer are:

- Support school employees as a supervisor at lunch, recess, and in classroom activities;
- Support school employees in group activities

Other activities in which regular school employees are present and the Casual Volunteer is not required to act independent of outside direct collaboration with a school employee.

## FREEDOM AND RESPONSIBILITY

As members of a community, individuals must balance their own rights with those of the group in order to help the community reach its goals.

- Students will not be punished for polite and respectful expression of their political, religious, moral, or social beliefs.
- Students will have the opportunity to express, politely and respectfully, views contrary to the teachers'.
- Students are not obligated to salute the flag or recite or read any selection that is contrary to their religious, moral, or ethical beliefs.

### **Books and Classroom Materials**

When a student receives books or other materials from teachers in class, the student will sign a book slip and take full responsibility for those books or materials. Teachers will require that all books be returned to the issuing teacher and may impose certain penalties for books not returned or that are damaged. If a book is lost the student is responsible to pay the cost to replace the book or materials. Official transcript may be withheld and students may be excluded from all fee-based activities until all obligations are fulfilled.

### **Academic Integrity Expectations**

#### **Plagiarism**

Plagiarism is the act of taking and using another's published or unpublished work or ideas and passing them off as one's own. This definition includes written work, computer programs, drawings, artwork, and all other types of work that are not one's own. Each student is responsible to identify and to cite the sources of words, ideas, and facts presented in a paper or similar project and to follow the rules of citation. The mechanics for citing sources will vary from course to course and teacher to teacher. A student should be able to say, "the words and ideas presented in this paper are my own unless otherwise indicated."

If a teacher suspects a student of plagiarism, submitting dishonest work or any other form of cheating, the teacher has the right to withhold the student's grades until it can be demonstrated the student did not violate the Academic Integrity policy.

**Academic Integrity Violations** - Any and all giving or receiving of inappropriate assistance that significantly alters or replaces a student's own work is considered an Academic Integrity Violation. Any student contributing to cheating by another student will be deemed guilty of violating the Academic Integrity policy and the same consequences for such will apply.

This policy applies over the course of a student's whole high school career. It is not based on offenses per class or year. For example, if the first offense occurred in a student's freshman year and the next offense occurred two years later, the penalty for a second offense would apply.

#### **Category I**

A student found to have engaged in cheating or plagiarism, the student may receive reduced credit or a zero for the entire assignment and may not qualify for make-up of the assignment (subject to the teacher's discretion). Second violation of a Category I offense, will result in the incident being reported to the Assistant Principal and will move to a Category II violation. Examples of academic integrity violations may include but are not limited to the following:

#### **Category I -**

- Copying (or allowing a student to copy) one's assignment for class work or homework
- Using unauthorized notes or devices for class work or homework
- Changing answers and seeking credit on a classwork or homework assignment after the work has been graded and returned

#### **Category II -**

- Cell phones with the ability to text and or take photos may not be used during any assessment and may be held by the teacher during the class period to prevent cheating and plagiarism. Use of electronics devices for any reason during an assessment will be considered cheating.
- Obtaining, removing, accepting, or sharing a copy of and/or information about an examination or quiz without the knowledge and consent of the teacher
- Copying (or allowing a student to copy) one's assignment for examination or quiz
- Marblehead World Languages does not permit the use of Google translate or other digital translators to translate full sentences or paragraphs.
- Communicating with another student during an examination or quiz
- Unauthorized sharing or supplying a student with a paper, project, notes, or assignment that assists them in obtaining credit for that work
- Using unauthorized notes or devices during an examination or quiz
- Altering a teacher's grading system
- Changing answers and seeking credit on a quiz, test, paper or project after the work has been graded and returned
- Second violation of Category I offense

#### **Category II**

The incident will be reported to the Assistant Principal who will determine any other disciplinary action. If the teacher and assistant principal have determined that a student committed an Academic Integrity violation Category II, then the following consequences will apply:

##### First Offense

- Zero given for test or assignment.
- Parent conference.
- 3 hour detention (Saturday).
- National Honor Society will be notified of offense.
- Students who are involved in extracurricular leadership activities (e.g., team captain in sports, class officers) will have the responsible adult notified and could face consequences such as loss of leadership role or loss of game time.
- Extremely serious cases, such as stealing a test, may result in out-of-school suspension or more severe consequences.

##### Second Offense

- Zero for assignment or reduce term grade by 10%, whichever is greater (e.g.: If student's end of term grade is 90 (A-), 10% of 90 = 9 so student would receive 81 or a B-).
- Teacher, administrator and guidance counselor meet with student and parent to discuss incident and consequences
- National Honor Society will be notified of offense.
- In-school suspension
- Short-term out-of- school suspension
- Students who are involved in extracurricular leadership activities (e.g., team captain in sports, class officers) will have the responsible adult notified and will have consequences such as loss of leadership role or loss of game time.
- Extremely serious cases, such as stealing a test, may result in disciplinary sanctions including, but not limited to, long-term out-of-school suspension.

#### Third Offense

- Withdrawal from course and given an 'F' for a grade in the course.
- Meeting called with student, teacher, parents, guidance, principal, assistant principal and/or superintendent to discuss the incident and consequences (as above). Extremely serious cases could lead to more severe consequences.
- National Honor Society will be notified of offense.
- Students who are involved in extracurricular leadership activities (e.g., team captain in sports, class officers) will have the responsible adult notified and will have consequences such as loss of leadership role or loss of game time.
- Out-of-school suspension

#### Student Rights and Responsibilities

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. *Please see MPS SC Policy JI*

#### General MHS Disciplinary Procedures

- All school personnel are expected to model and enforce the school's disciplinary code at all times.
- Please note that the school's teachers reserve the right to invoke additional penalties if so stated in their written course guidelines.
- Depending on the severity and/or frequency of an offense, the school's principal/assistant principal may use his/her discretion in determining the appropriate disciplinary consequence.

- Students will be given notice for teacher detentions or office detentions.
- **Detentions** are to be served within forty-eight (48) hours of the day they are assigned, or at the next available detention time if it is longer than forty-eight (48) hours. Students who accumulate six (6) or more hours of detention may be subject to additional consequences.

### **Definitions**

**Teacher Detention:** Assigned by a teacher to students prior to being referred to/or disciplined by administration.

**Office Detention:** Generally assigned to students after a Teacher Detention has been issued for inappropriate classroom behavior. These are also assigned to students for inappropriate behavior outside the classroom. These may run from 3:00 pm – 4:00 pm.

**Administrative Detention:** Administrative detention is held Monday through Thursday from 3:00 p.m. to 4:00 p.m. All students assigned to detention must bring sufficient schoolwork for the duration of the detention period. Students who miss a scheduled detention without administrative approval are subject to additional disciplinary action.

**Saturday Detention:** runs from 8:00 a.m. – 11:00 a.m. on scheduled Saturdays. Saturday Detention is an alternative to out-of-school suspension. Saturday school is to be reserved for less serious misconduct including, but not limited to: truancy, skipping classes and/or detentions, excessive tardiness, and other misconduct as permitted by the principal or assistant principal. Assignments and the number of Saturday detention days are determined by the assistant principal and principal.

Students who attend Saturday Detention and subsequently engage in additional misconduct may be denied the option to attend Saturday Detention in the future. Students who fail to appear for a scheduled Saturday Detention will be subject to additional disciplinary action.

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

In-school suspension requires the student report to school and to complete academic work in a location to be determined by the school administration.

**Expulsion:** The removal of a student from the school premises, regular classroom activities, and school activities for more than 90 school days,

indefinitely, or permanently, as permitted under M.G.L. c. 71, § 37H or 37H½ for:

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

**Out-of-School Suspension:**

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

**Inappropriate Group Activity:** Students should be aware that if they are part of a group that is engaged in activities contrary to school rules, they may come under suspicion and be subject to investigation if that is deemed appropriate by the administration. It is wise, therefore, either to prevent the wrongdoing, or, failing that, to absent one's self from inappropriate group activity.

**Police Notification:** Because all members of the school community are subject to both the laws of the Commonwealth and town ordinances, the school cooperates with the police in investigation of possible violations of laws and ordinances pertaining to, and including but not limited to, possession and use of controlled substances, illegal use of alcohol, theft, assault, harassment, improper use of motor vehicles, vandalism, illegal

parking, possession or use of weapons, firearms, explosives, or stolen property, etc.

#### **Safety Plan/No Contact Order**

Students who have been the targets of harassment, intimidation and bullying may need special protection to ensure their emotional and physical safety is secure during investigations and/or after sanctions have been imposed on aggressor students. If necessary to help students feel safe at Marblehead High School, a safety plan can be written by the Principal or Assistant Principal. Violation of the plan is a suspendable offense.

**Note:** the following lists of actions and consequences are included for illustrative purposes; these lists are not exhaustive.

#### **Failure to serve Office Detention without Assistant**

##### **Principal's Permission**

1. First Offense - 1 day in-school detention
2. Second Offense - 2 days in-school detention
3. Third Offense - 1 day outside suspension
4. Subsequent Offenses – 3-5 days outside suspension

#### **ACTION AND CONSEQUENCES: (MHS Handbook information)**

#### **TYPE 1 PROHIBITED ACTIONS INCLUDE, BUT ARE NOT LIMITED TO:**

- Truancy from class
- Loitering on school grounds when dismissed or suspended
- Littering anywhere in school or on school grounds
- Tardiness to school
- Tardiness to class without a pass
- Gambling or betting
- Out of bounds (a student is anywhere without a valid pass)
- Behavior not conducive to an effective/safe learning environment
- Inappropriate language, profanities or obscenity, swearing, etc.
- Instigating, or being involved in inappropriate/disruptive behavior and/or activity, including “playful altercations,” in hallways, stairwells, classrooms, common spaces (theater, gym, cafeteria), entering/leaving school, on school property, or on a school bus
- Inappropriate show of affection
- Ordering food delivery during school hours
- Inappropriate school attire
- Riding skateboards in the school building
- Failure to report to the tardy desk/office upon arrival if tardy
- Vandalism (also level 2 & 3 depending on severity)
- Failure to report to Assistant Principal as requested
- Disrespect
- Skipped detention
- Disruptive/sent out of class
- Excessively tardy to school or class without an acceptable excuse

**CONSEQUENCES FOR TYPE 1 BEHAVIORS MAY INCLUDE BUT ARE NOT LIMITED TO:**

- Verbal warning
- Parental notification
- Conference
- Written apology
- Teacher detention
- Office detention
- Saturday detention
- Confiscation (possibly until conclusion of school year)
- Restricted lunch privileges/cafeteria clean-up
- Filing of 51As (Department of Children and Families) or CRAs (District Court) forms

*NOTE: Type 1 Prohibited Actions determined to be severe or egregious by the school administration may result in Type 2 disciplinary consequences. A second offense for a Type 1 Prohibited Action may result in a Type 2 consequence*

**TYPE 2 PROHIBITED ACTIONS INCLUDE, BUT ARE NOT LIMITED TO:**

- Harassment/Dating Violence/Retaliation (also in level 3 depending on severity)
- Dishonesty, lying, cheating/plagiarism
- Forgery of signatures, or dishonesty in notes or passes
- Theft of any personal, private, or school property (also in level 3 depending on severity)
- Throwing of any objects including, but not limited to, snowballs, water, or food
- Possession of tobacco products (cigarettes, chewing tobacco etc.), lighters or matches, and electronic smoking paraphernalia
- Leaving school or grounds without permission
- Leaving any class group without authorization, or exhibiting inappropriate behavior, while under the supervision of a faculty member or authorized chaperone on a field trip or other event
- Pattern of minor disruptions
- Disrespectful gestures, profanity, or injurious behavior directed at another person, including misbehavior towards/insubordination of any staff member, including substitute teachers
- Threats, teasing, verbal abuse, bullying, discriminatory harassment, or intimidating behavior of any kind. This includes verbal and visual symbols (also level 3 depending on severity)
- Any action, including vandalism and graffiti, which results in injury or damage to property, whether intended or not (full restitution is required)(also level 3 depending on severity)
- Cheating/Plagiarism-see Academic Integrity section of this handbook
- Taking pictures or recording (audio or video) without permission from teacher or administrator

- Truancy or class cutting
- Fighting, in which a person makes physical contact with another person
- Bringing to school any animals or live organisms without prior permission from the Main Office
- Compromising School Safety - (Unauthorized area, unauthorized opening exterior door, failure to give name or giving false name to any school employee when asked)
- Gross disrespect
- Removal from In-School Suspension
- Removal from Saturday Detention
- Unauthorized use or entry of any school building or property (trespassing)
- Violation of the school internet policy
- Inappropriate behavior at any athletic or other event or rally (whether at home or at another site) including, but not limited to, profanity, taunting, threats, and fighting (also level 3 depending on severity)

**CONSEQUENCES FOR TYPE 2 BEHAVIORS MAY INCLUDE BUT ARE NOT LIMITED TO:**

- Parental notification
- Conference
- Written apology
- Office detention(s)
- Saturday or after-school detention
- In-School suspension
- Confiscation (possibly until conclusion of school year)
- Restricted lunch privileges/cafeteria clean-up
- Exclusion from school-sponsored activities and field trips
- Out-of-school suspension, including re-entry meeting with the student and parent(s) on the day that the student is scheduled to return to school
- Police and/or Fire may be notified, charges may be filed
- Diversion program (vaping/e-cigarettes)
- Filing of 51As (Department of Children and Family) or CRAs (Juvenile Court) forms

*NOTE:* Type 2 Prohibited Actions determined to be severe or egregious by the school administration may result in Type 3 disciplinary consequences. A second offense for a Type 2 prohibited action may also result in a Type 3 consequence

**TYPE 3 PROHIBITED ACTIONS INCLUDE, BUT ARE NOT LIMITED TO:**

- Fighting (physical contact) or instigating a fight. **FIGHTING WILL NOT BE TOLERATED AT MARBLEHEAD HIGH SCHOOL**
- Pulling a fire alarm
- Being under the influence of alcohol, drugs and/or controlled substances

- Sale/intent to distribute, possession, and/or use of controlled substances, illegal drugs, drug paraphernalia, and/or alcohol in school, on school grounds, or at a school sponsored activity - including coming to school or school sponsored activity under the influence of same
- Smoking in school or on school grounds (including vaping)
- Hazing
- Assault and/or threatening any member of the school staff
- Assault of a student
- Possessing or displaying sexually explicit material
- Harassment/dating violence/retaliation (includes Cyber)
- Violation of an MHS safety plan/no contact
- Problem at *another* school or school's function (ex. vandalism of another school under the influence of alcohol or drugs at a sports event, prom, dance, etc.)
- Possession of dangerous weapons including, but not limited to, gun, knife, taser (this includes the use of any device that could be construed as a weapon, i.e., fake guns and knives etc.) or any device or implement capable of causing bodily harm
- Possession or use of fireworks, smoke bombs, stink bombs, propellants, or any other explosive or flammable devices or materials
- Jeopardizing or threatening the safety of the school community (threatening or initiating actions)
- False fire alarms, bomb scares and/or starting a fire in school or on school property
- Destruction of school property
- Threat to another student
- Bullying
- Stealing
- Tattooing or possession of tattooing materials
- Use of profanity, obscenity directed at a staff member
- Mayhem - This infraction will be assessed under the following conditions:
  - Willfully injuring, maiming, or crippling another student
  - Inciting or contributing to incite riotous disorder, confusion or havoc
- Pranks - Student pranks are considered dangerous and a threat to the safety and rights of others. There is no such thing as a "harmless" prank. In addition to suspension, students involved in pranks may lose the privilege of attending all school-sponsored events, including senior activities for twelfth graders. Seniors involved in pranks may also lose the privilege of participating in the graduation ceremony.
- Threat to School - Communication or action which reasonably constitutes a threat of harm to the safety and welfare of the school community.
- Felony Charges/Felony Delinquency

**CONSEQUENCES FOR TYPE 3 BEHAVIORS MAY INCLUDE BUT ARE NOT LIMITED TO:**

- Parental notification
- Exclusion from school-sponsored activities and field trips
- Detention

- In-school suspension
- Out-of-school suspension, including re-entry meeting with the student and parent(s) on the day that the student is scheduled to return to school
- Police notification and/or Fire notification, (charges may be filed)
- Expulsion (as permitted under M.G.L. c. 71, §§ 37H and 37H1/2)
- Filing of 51As (Department of Children and Families) and/or filing of a Child Requiring Assistance (CRA) application with Juvenile Court Department
- Diversion program (vaping/e-cigarettes)

*NOTE:* MHS school expectations, rules, and consequences are in effect for Marblehead Public Schools' students when they attend functions at other schools.

## STUDENT RIGHTS

### STUDENT DISCIPLINE CODE

Marblehead High School administers student discipline in accordance with state law, M.G.L. c. 71, §§ 37H-37H<sup>3/4</sup>, and, where applicable, the student discipline regulations, 603 C.M.R. 53.00. The following sections of this Handbook detail the consequences and procedures applicable to each of the three general categories of offenses under state law. These categories are: 1) offenses covered by G.L. c. 71, § 37H; 2) offenses covered by G.L. c. 71, § 37H<sup>1/2</sup>; and 3) offenses covered by G.L. c. 71, § 37H<sup>3/4</sup>.

### DISCIPLINARY DUE PROCESS

In administering discipline, school staff and administrators will be careful to observe the right to due process under the law for each student.

1. DUE-PROCESS RIGHTS FOR STUDENTS CHARGED WITH POSSESSION OF A DANGEROUS WEAPON, POSSESSION OF A CONTROLLED SUBSTANCE, OR ASSAULT ON SCHOOL STAFF AND/OR FOR STUDENTS WHO HAVE BEEN CHARGED WITH OR CONVICTED OF A FELONY (M.G.L. c. 71, § 37H, M.G.L. c. 71, § 37H<sup>1/2</sup> also referred to as "statutory offenses.")
  - *Interim Short Term Disciplinary Removal:* In limited situations where a student is charged with a violation of M.G.L. c. 71, § 37H or is subject to suspension in accordance with M.G.L. c. 71, § 37H<sup>1/2</sup>, and is determined by the principal to present an immediate threat to persons, property, or the orderly educational environment of the school, the student may be suspended from school by the principal on an interim short term basis of ten (10) school days or less pending a formal hearing to consider the student's long-term suspension or expulsion. Prior to the imposition of any disciplinary sanction that might result in a student's interim suspension from school for ten (10) consecutive school days or less pending a long-term suspension/expulsion hearing, the student will be given oral notice of the offense with which he/she is charged and an opportunity to respond. In the event that the principal determines that the student will be suspended from

school on an interim, short-term basis pending a formal hearing to consider the student's possible long-term suspension or expulsion, the student and the student's parent(s)/guardian(s) will be notified by telephone and in writing. Such interim, short-term removals shall not be subject to appeal.

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

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

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

- Applicable Definitions:

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

**Principal:** The instructional administrative leader of a public school or his or her designee for purposes of school disciplinary matters.

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

**Superintendent:** The chief executive officer of the District employed by the School Committee **or his or her designee appointed for purposes of conducting a student appeal.**

a. In-School Suspension

A principal may use in-school suspension as an alternative to short-term suspension for disciplinary offenses. Prior to imposing an in-school suspension in accordance with 603 CMR 53.10, the principal shall inform the student of the disciplinary offense charged and the basis for the charge and provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident. If the principal determines that the student committed the disciplinary offense, the principal shall inform the student of the length of the student's in-school suspension, which shall not exceed ten (10) school days cumulatively or consecutively in the school year.

On the same day as the in-school suspension decision, the principal shall make reasonable efforts to notify the parent orally as soon as possible of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension. The principal shall also invite the parent to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. Such meeting shall be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the principal is unable to reach the parent after making and documenting at least two attempts to do so, such attempts shall constitute reasonable efforts for purposes of orally informing the parent of the in-school suspension.

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

b. Out-of-School Suspension

(i) Notice and Principal's Hearing (603 CMR 53.08):

Prior to the imposition of a short-term out-of-school suspension or a long-term suspension under this section, the principal shall provide oral and written notice of the charges and potential disciplinary sanction and of the student's and parent's/guardian's right to participate in a hearing with the principal, to contest the charges against the student and to provide evidence, including mitigating facts, and witnesses in the student's defense.

The hearing may take place without the student's parent(s)/guardian(s) only if the principal has sent written notice and has documented at least two (2) attempts to contact the parent/guardian in the manner specified by the parent for emergency notification.

The purpose of the principal's hearing is to hear and consider information regarding the alleged incident for which the student may be suspended, to provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, to determine if the student committed the disciplinary offense, and if so, the consequences for the infraction.

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

The principal shall determine the extent of the rights to be afforded the student at a disciplinary hearing based on the anticipated consequences for the disciplinary offense and in accordance with the requirements of 603 CMR 53.00.

(ii) Short-term Suspension Hearing

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

Based on the available information, including mitigating circumstances, the principal shall determine whether there is a

preponderance of evidence to support a determination that the student committed the disciplinary offense, and, if so, the remedy or consequence to be imposed.

In accordance with the requirements of M.G.L. c. 71, § 37H3/4, as amended through Chapter 177 of the Acts of 2022, the principal or principal's designee, when acting as the decision-maker at a disciplinary hearing to consider a student's possible short-term or long-term out-of-school suspension for violations of school rules other than offenses involving drugs, weapons, assaults on school staff, and/or felony offenses, shall, when deciding the consequences for the student, first consider ways to re-engage the student in the learning process. The principal or designee shall not suspend the student from school on a short-term or long-term basis under such circumstances until alternative remedies have been employed and their use and results documented unless specific reasons are documented as to why such alternative remedies would be unsuitable or counter-productive, or unless the student's continued presence in school would, in the opinion of the principal or designee, pose a specific, documentable concern about the infliction of serious bodily injury or other serious harm (physical and/or psychological) upon another person while in school. M.G.L. c. 71, § 37H3/4(b). Alternative remedies for purposes of these requirements may include, but shall not be limited to: (i) mediation; (ii) conflict resolution; (iii) restorative justice; and (iv) collaborative problem solving.

The principal shall provide written notice to the student and parent/guardian of the principal's findings and 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 schoolwork as needed to make academic progress during the period of removal. The determination shall be in writing and may be in the form of an update to the original written notice of hearing.

(iii) Long-term Suspension Hearing

In addition to the rights afforded a student in a short-term suspension hearing, the student and parent/guardian shall also have the opportunity to review the student's record and the documents upon which the school may rely in making a determination to suspend the student or not; the right to be represented by counsel or a lay person of the student's choice (at the student's/parent's/guardian's expense); the right to produce witnesses on the student's behalf and to present the student's explanation of the alleged incident (although the student may not

be compelled to do so); the right to cross-examine witnesses presented by the school; and the right to request that the hearing be recorded and to receive a copy of the audio recording upon request. If the student or parent requests an audio recording, the principal shall inform all participants before the hearing that an audio record will be made and a copy will be provided to the student and parent upon request.

If present, the parent/guardian shall, in addition to the student, have an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the principal should consider in determining consequences for the student.

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

If the student is suspended for more than ten (10) school days for a single infraction or for more than ten (10) school days cumulatively for multiple infractions in any school year, the notice will include written notification of the right to appeal to the superintendent and the process for appealing. Except as provided for under M.G.L. c. 71, §§ 37H and/or 37H1/2, no student may be suspended for more than ninety (90) school days for one or more violations of school rules ("non-statutory offenses") within a school year.

c. Emergency Removal (603 CMR 53.07)

The principal may remove a student from school temporarily when a student is charged with a violation of school rules in accordance with M.G.L. c. 71, § 37H3/4 and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the principal's judgment, there is no alternative available to alleviate the danger or disruption presented. The principal shall immediately notify the superintendent in writing of the emergency removal and the reason for it, and describe the danger or disruption presented by the student. The emergency removal shall not exceed two (2) school days following the day of the emergency removal.

In the event of an emergency removal, the principal shall make immediate and reasonable efforts to orally notify the student and the student's parent/guardian of the emergency removal and the reason(s) therefor. The principal or designee shall provide written

notice to the student and parent/guardian and provide the student an opportunity for a disciplinary hearing with the principal, and the parent/guardian an opportunity to attend the hearing, to be conducted before the expiration of the two (2) school days following the Student's emergency removal, unless an extension of time for hearing is otherwise agreed to by the principal, student, and parent/guardian.

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

In the event of an emergency removal from school, the principal will not release the student until adequate provisions have been made for the student's safety and transportation.

d. Appeals (M.G.L. c. 71, § 37H3/4)

Students do not have the right to appeal an in-school or short-term out-of-school suspension imposed pursuant to M.G.L. c. 71, § 37H3/4. Students and parents/guardians do, however, have the right to appeal a long-term suspension imposed by the principal to the superintendent. The student and/or the parent/guardian shall have five (5) calendar days following the effective date of the suspension to submit a written request for an appeal to the superintendent but may be granted an extension of time of up to seven (7) calendar days upon written request. If the appeal is not timely filed, the superintendent may deny the appeal.

The superintendent will hold a hearing with the student and the parent(s)/guardian(s) within three (3) school days of the student's request for an appeal. The time may be extended by up to seven (7) calendar days if requested by the parent(s)/guardian(s). The superintendent's hearing may proceed without the parent(s)/guardian(s) only if a good faith effort was made to include parent(s)/guardian(s). The superintendent shall be presumed to have made a good faith effort if the superintendent has made efforts to find a day and time for the hearing that would allow the parent and superintendent to participate. The superintendent shall send written notice to the parent/guardian of the date, time, and location of the hearing in both English and in the primary language of the student's home.

At the appeal hearing, the superintendent shall determine whether the student committed the disciplinary offense of which the student is accused, and if so, the appropriate consequence therefor. The student shall have all of the rights afforded to students at the Principal's hearing for long-term suspension. The superintendent will issue a written decision within five (5) calendar days of the hearing. If the superintendent determines that the student committed the disciplinary offense, the superintendent may impose the same or a lesser consequence

than the principal but may not impose a suspension greater than that imposed by the principal's decision.

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

- (1) where the Superintendent or designee documents specific reasons why alternative remedies are unsuitable or counterproductive; or
- (2) where the Superintendent or designee determines that the student's continued presence in school would pose a specific, documented concern about the infliction of serious bodily injury or other serious harm to another person while in school.

*\* Alternative remedies may include, but are not limited to, the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and collaborative problem solving.*

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

e. Opportunity For Academic Progress During Suspension/Expulsion

Principals shall ensure that students who are suspended from school for ten (10) or fewer consecutive school days, whether in or out of school, are provided with the opportunity to make continued academic progress during the period of suspension, to make up assignments, homework, quizzes, exams, papers, and projects missed while suspended, and to earn credits toward the student's graduation.

Principals shall develop a school-wide Education Services Plan detailing the alternative educational services available to all students who are expelled or suspended from school for more than ten (10) consecutive school days, whether in or out of school, to ensure the student's continued academic progress and earning of credits toward the student's graduation. Upon the selection of an alternative educational service identified in the school's Education Services Plan by the student and the student's parent/guardian, the school shall facilitate and verify the student's enrollment in the selected alternative education service. M.G.L. c. 76, § 21

**Prohibited Misconduct M.G.L. c. 71, § 37H3/4**

The following is a non-exhaustive list of misconduct prohibited by the Marblehead Public Schools. Students who commit any of the below listed infractions will be subject to potential discipline, up to and including Long-Term Suspension, under G.L. c. 71, § 37H<sup>3</sup>/<sub>4</sub>. The level

of discipline imposed on a student for any given disciplinary code infraction will depend on the specific circumstances, including the severity of the offense and the harm caused by the misconduct.

1. *Cheating*
2. *Plagiarism*
3. *Forging notes or signing school documents for oneself or others when a signature is required by a teacher, staff member, or parent/guardian*
4. *Failure to return a warning card, report card, or other document for which a parent/guardian signature is required*
5. *Repeated failure to return a signed report card*
6. *Bullying*
7. *Cyber-bullying*
8. *Harassment*
9. *Discrimination*
10. *Hate Speech*
11. *Abusive or vulgar remarks directed at another student*
12. *Interference with a bullying, harassment, or other investigation*
13. *Disruption of classes, cafeteria, corridors, buses, parking lots, or school functions*
14. *Disrupting Saturday School*
15. *Arriving at school or at a school-sponsored event or function under the influence of drugs or alcohol*
16. *Smoking or chewing tobacco on school property*
17. *Possessing vaping materials, e-devices and/or vaping on school property*
18. *Possessing smoking materials, including cigarettes, lighters, matches, or tobacco products on school property*
19. *Possession of drug paraphernalia on school property*
20. *Refusal to follow instructions or directions of a teacher or other member of the school staff*
21. *Swearing or using unacceptable language, even if not directed at another person*
22. *The use of rude remarks directed at a teacher, staff member or administrator*
23. *Refusal to report to the principal's or assistant principal's office to be disciplined*
24. *Leaving school grounds, class, or authorized areas without permission*
25. *Repeated insubordination or defiance of authority*
26. *Truancy*
27. *Misuse of school computer equipment and/or internet*
28. *Unauthorized use of a cell phone, smart watch, ear buds, camera, or other electronic device during school hours*
29. *Improper care of books*
30. *Marking or defacing schoolbooks or other school property*
31. *Destruction of or damage to school property, staff property, or another student's property*

32. *Marking or defacing school property, staff property, or another student's property*
33. *Stealing or misappropriation of school property, staff property, or another student's property (regardless of intent to return)*
34. *Throwing any type of object in the school cafeteria*
35. *Throwing snowballs on or onto school property*
36. *Horseplay (fooling around in the classroom, cafeteria, hallways, etc.)*
37. *Assault on another student*
38. *Verbal assault against school personnel*
39. *Threatening another student*
40. *Hazing*
41. *Fighting in or on school property, or near the school so as to disrupt or threaten the normal conduct of school operations*
42. *Gambling, betting, or the booking of bets*
43. *Use of a laser pointer*
44. *Failure to show school I.D.*
45. *Routine student parking violation*
46. *Public displays of affection*
47. *Littering*
48. *Dress Code Violations*
49. *Use of chewing gum, candy, seeds or other snack foods outside of authorized areas*

### **Discipline and Students with Disabilities**

All students are expected to meet the requirements for behavior as set forth in this handbook. In addition to those due process protections afforded to all students, the Individuals with Disabilities Education Act and related regulations require that additional provisions be made for students who have been found eligible for special education services or who the school district knows or has reason to know might be eligible for such services. Students who have been found to have a disability that impacts upon a major life activity, as defined under §504 of the Rehabilitation Act of 1973, are, generally, also entitled to increased procedural protections upon the imposition of a discipline sanction that will result in the student's removal for more than ten (10) consecutive school days or which will result in a pattern of short term removals exceeding ten (10) school days in a given year. The following additional requirements apply to the discipline of students with disabilities:

- (1) Students with disabilities may be excluded from their programs for ten (10) school days or less to the extent that such sanctions would be applied to all students. Before a student with a disability can be excluded from his/her program for more than ten (10) consecutive school days in a given school year or subjected to a pattern of removal constituting a "change of placement," building administrators, the parent(s)/guardian(s) and relevant members of the student's IEP or 504 Team will meet to determine the relationship between the student's disability and the conduct for which the student is subject to discipline. (Manifestation Determination). In most instances,

during disciplinary exclusions exceeding ten (10) school days in a single school year, the student shall have the right to the receive services identified as necessary by the Team to provide him/her with a free appropriate public education during the period of exclusion.

- (2) If building administrators, the parent(s)/guardian(s) and relevant members of the student's IEP or 504 Team determine that the student's conduct was not a manifestation of the student's disability, the school may discipline the student in accordance with the procedures and penalties applicable to all students but will continue to provide a free appropriate public education to eligible students with disabilities. The student's Team will identify the services necessary to provide a free appropriate public education during the period of exclusion, review any existing behavior intervention plan or, where appropriate, conduct a functional behavioral assessment.
- (3) If building administrators, the parent(s)/guardian(s) and relevant members of the student's IEP or 504 Team determine that the misconduct giving rise to disciplinary action was a manifestation of the student's disability, the student will not be subjected to further disciplinary removal or exclusion from the student's current educational program based on that incident of misconduct (except for conduct involving weapons, drugs, or resulting in serious bodily injury to others) until the IEP or Section 504 Team develops, and the parent(s)/guardian(s) consent to, a new placement or until the District obtains an order from a court or from the Bureau of Special Education Appeals (BSEA) authorizing a change in the student's placement. The student's Team shall also review, and modify as appropriate, any existing behavior intervention plan or arrange for a functional behavioral assessment.
- (4) If a student with a disability possesses or uses illegal drugs, sells or solicits a controlled substance, possesses a weapon, or causes serious bodily injury to another on school grounds or at a school function, the District may, with or without parent/guardian consent, place the student in an interim alternative educational setting (IAES) for up to forty-five (45) school days. A court or BSEA Hearing Officer may also order the placement of a student who presents a substantial likelihood of injury to self or others in an appropriate interim setting for up to forty-five (45) school days.

**Note:** If a request is made for an evaluation of a student's eligibility for special education services under the Individuals with Disabilities Education Act during the time period in which the student is subjected to disciplinary measures, the evaluation must be conducted in an expedited manner. Until the evaluation is completed, the student will remain in the educational placement determined by school authorities, which may include suspension or expulsion from school. **If the suspension imposed terminates prior to the completion of said expedited evaluation, the student shall be allowed to return to school immediately upon the conclusion of the disciplinary exclusion.**

### **SEARCH AND SEIZURE**

In regard to the questions of search and seizures, the Supreme Court of the United States of America has ruled:

1. A warrant is not required before a teacher or school administrator conducts a search of a student suspected of violating a school rule or criminal statute.
2. Probable cause is not required before a student may be searched; rather before conducting a search, the staff member or administrator must have “reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school”.
3. The search must be reasonable in its scope as well as its inception.

### **GENERAL SEARCHES**

To maintain safety, order, and discipline in the schools and to protect the safety and welfare of students and school personnel, school authorities may search a student and their personal belongings, student locker, desk, or student automobile including the trunk under the circumstances outlined below. Authorities may seize any illegal, unauthorized, or contraband materials discovered in the search. A student’s failure to permit searches and seizures will be considered grounds for disciplinary action.

### **LOCKER SEARCHES**

Student lockers are school property and remain at all times under the control of the school; however, students are expected to assume full responsibility for the security of their locker. Periodic general inspections of lockers may be conducted by a school administrator or school official for any reason at any time without notice, without student consent, and without a search warrant. Important Note: It is important that students not give out their locker combinations.

### **PERSONAL SEARCHES**

A student’s person and/or personal belongings (e.g., purse, book bag, etc.) may be searched whenever a school authority has reasonable suspicion to believe that the student is in possession of illegal or unauthorized materials. If a pat down search of a student’s person is made it will be conducted in private by a school official of the same sex and with an adult witness present.

If extreme emergency conditions require a more intrusive search of a student’s person, such a search may only be conducted in private by a school official of the same sex, with an adult witness of the same sex present, and only upon the prior approval of the principal, unless the health or safety of the student will be endangered by the delay which might be caused by following these procedures.

### **CONFISCATED ITEMS**

Confiscated drugs, weapons or other dangerous materials (including electronic smoking paraphernalia) will be turned over to the MPD.

## **OTHER RESTRICTIONS**

The Principal or Assistant Principal may restrict a student as a disciplinary matter. Restrictions include:

- Loss of the privilege to attend social events
- Loss of the privilege to attend athletic events
- Loss of the privilege to participate in school activities
- Loss of parking privileges
- Not allowed to attend field trips

Such restrictions shall not be subject to the due process requirements set forth in 603 CMR 53.00.

## **Investigative Procedures**

When the school receives a complaint or information of inappropriate conduct by a student, the Principal or other designated staff member may conduct an investigation. During the course of the investigation, school personnel may talk to witnesses, may search students, students' lockers, their vehicles if parked on school property, internet sites or possessions and take other appropriate investigative steps. The student(s) being investigated may be removed from class for all or part of the school day during the investigation. The removal of any student from class for such purposes in excess of ½ of the standard school day shall constitute an in-school suspension. If during the course of an investigation laws or ordinances appear to have been broken, all findings, information and evidence acquired during the investigation may be handed over to law enforcement agencies.

## **DISCRIMINATORY HARASSMENT**

*Discriminatory Harassment will not be tolerated in the Marblehead Public Schools. This policy is in effect while students are on school grounds, School District property or property within the jurisdiction of the School District, school buses, or attending or engaging in school activities.*

*Harassment prohibited by the District includes, but is not limited to, harassment on the basis of race, sex, creed, color, national origin, sexual orientation, gender identity, religion, marital status or disability. Students whose behavior is found to be in violation of this policy will be subject to disciplinary action up to and including suspension.*

*The District will promptly and reasonably investigate allegations of discriminatory harassment in accordance with applicable laws and District grievance procedures. . Retaliation against any individual for reporting harassment, filing a complaint of harassment, or for participating in the investigation thereof , is also strictly prohibited. A student or staff member who is found to have retaliated against another in violation of this policy will be subject to disciplinary action up to and including suspension and, in the case of an employee, termination of employment. The Superintendent will develop*

*administrative guidelines and grievance procedures for the implementation of this policy.*

*Reports and complaints of sexual harassment as defined under Title IX of the Education Amendments Act of 1972 will be addressed in accordance with the District's Title IX Sexual Harassment Grievance Procedure. All complaints of sexual harassment shall be directed to the District's designated Title IX Coordinator, Dr. Paula Donnelly, Director of Student Services.*

*LEGAL REF.: M.G.L. c.76, § 5, M.G.L. c. 151B, M.G.L. c. 151C; Title VII of the Civil Rights Act of 1964; Title IX of the Education Amendments Act of 1972; 34 CFR Part 106.*

### **Physical Restraint of Students**

The Marblehead Public Schools complies with the requirements of Massachusetts statutes and regulations governing the use and reporting of physical restraint in schools. M.G.L. c. 71, § 37G; 603 CMR 46.00. Physical restraint is defined as direct physical contact that prevents or significantly restricts a student's freedom of movement. Physical restraint does not include: brief physical contact to promote student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing comfort, or a physical escort.

Physical restraint is considered an emergency procedure of last resort and may be used only when: (a) the student's behavior poses a threat of assault, or imminent, serious, physical harm to self and/or others; and (b) less intrusive interventions are ineffective or deemed to be inappropriate under the circumstances. Physical restraint in a public education program shall be limited to the use of such reasonable force as is necessary to protect a student or another member of the school community from assault or imminent, serious, physical harm. Physical restraint is prohibited in the following circumstances: (a) as a means of punishment; or (b) as a response to property destruction, disruption of school order, a student's refusal to comply with a school rule or staff directive, or verbal threats that do not constitute a threat of imminent, serious, physical harm.

In the event that a physical restraint is administered, the parents/guardians will be notified orally within twenty-four (24) hours of the restraint and shall be provided with a written Restraint Report within three (3) school days of the restraint. 603 CMR 46.06.

### **Bullying**

#### **File: JICFB**

The Marblehead Public Schools are committed to creating a working and learning environment free of bullying, along with an environment that fosters student's social and emotional health and well-being. Bullying and harassment are major distractions from learning. Fear can lead to chronic absenteeism, truancy, or even dropping out of school. Bullying of any type has no place in a school setting.

#### DEFINITION(S)

*“Bullying” is the repeated use by one or more students or by a member of the school staff including, but not limited to, and educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a victim that: (i) causes physical or emotional harm to the victim or damage to the victim’s property; (ii) places the victim in reasonable fear of harm to himself/herself or of damage to his/her property; (iii) creates a hostile environment at school for the victim; (iv) infringes on the rights of the victim at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school. For the purposes of this section, bullying shall include cyber-bullying.*

*“Cyber-bullying” is bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications. Cyber-bullying shall also include (i) the creation of a web page or blog in which the creator assumes the identity of another person or (ii) the knowing impersonation of another person as the author of posted*

*content or messages, if the creation or impersonation creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying. Cyber-bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying.*

*Where the term “bullying” is used in this document, it is intended to encompass both “bullying” and “cyber-bullying” as defined above.*

#### POLICY

*Bullying shall be prohibited: (i) on school grounds, property immediately adjacent to school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a school district or school, or through the use of technology or an electronic device owned, leased or used by a school district or school and (ii) at a location, activity, function or program that is not school-related, or through the use of technology or an electronic device that is not owned, leased or used by a school district or school, if the bullying creates a hostile environment at school for the victim, infringes on the rights of the victim at school or*

*materially and substantially disrupts the education process or the orderly operation of a school. Nothing contained herein shall require schools to staff any non-school related activities, functions, or programs.*

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

*The school district shall provide age-appropriate instruction on bullying prevention in each grade that is incorporated into the curriculum of the school district or school. The curriculum shall be evidence-based.*

*The school district shall develop, adhere to and update a plan to address bullying prevention and intervention in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents and guardians. The consultation shall include, but not be limited to, notice and a public comment period. The plan shall be updated at least biennially.*

*The plan shall include, but not be limited to: (i) descriptions of and statements prohibiting bullying, cyber-bullying and retaliation; (ii) clear procedures for students, staff, parents, guardians and others to report bullying or retaliation; (iii) a provision that reports of bullying or retaliation may be made anonymously; provided, however, that no disciplinary action shall be taken against a student solely on the basis of an anonymous report; (iv) clear procedures for promptly responding to and investigating reports of bullying or retaliation; (v) the range of disciplinary actions that may be taken against a perpetrator for bullying or retaliation; provided, however, that the disciplinary actions shall balance the need for accountability with the need to teach appropriate behavior; (vi) clear procedures for restoring a sense of safety for a victim and assessing that victim's needs for protection; (vii) strategies for protecting from bullying or retaliation a person who reports bullying, provides information during an investigation of bullying or witnesses or has reliable information about an act of bullying; (viii) procedures consistent with state and federal law for promptly notifying the parents or guardians of a victim and a perpetrator; provided, further, that the parents or guardians of a victim shall also be notified of the action taken to prevent any further acts of bullying or retaliation; and provided, further, that the procedures shall provide for immediate notification pursuant to regulations promulgated under this subsection by the principal or person who holds a comparable role to the local law enforcement agency when criminal charges may be pursued against the perpetrator; (ix) a provision that a student who knowingly makes a false accusation of bullying or retaliation shall be subject to disciplinary action; and (x) a strategy for providing counseling or referral to appropriate services*

*for perpetrators and victims and for appropriate family members of said students. The plan shall afford all students the same protection regardless of their status under the law.*

*The plan shall include a provision for ongoing professional development to build the skills of all staff members, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities and paraprofessionals, to prevent, identify, and respond to bullying. The content of such professional development shall include, but not be limited to: (i) developmentally appropriate strategies to prevent bullying incidents, (ii) developmentally appropriate strategies for immediate, effective interventions to stop bullying incidents; (iii) information regarding the complex interaction and power differential that can take place between and among a perpetrator, victim, and witness to the bullying; (iv) research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment; (v) information on the incidence and nature of cyber-bullying; and (vi) internet safety issues as they relate to cyber-bullying.*

*The plan shall include provisions for informing parents and guardians about the bullying prevention curriculum of the school district or school and shall include, but not be limited to: (i) how parents and guardians can reinforce the curriculum at home and support the school district or school plan; (ii) the dynamics of bullying; and (iii) online safety and cyber-bullying.*

*The school district shall provide to students and parents or guardians, in age-appropriate terms and in the languages which are most prevalent among the students, parents or guardians, annual written notice of the relevant student-related sections of the plan.*

*The school district shall provide to all school staff annual written notice of the plan. The faculty and staff at each school shall be trained annually on the plan applicable to the school. Relevant sections of the plan relating to the duties of faculty and staff shall be included in employee handbooks. The plan shall be posted on the district's website.*

*Each school principal or the person who holds a comparable position shall be responsible for the implementation and oversight of the plan at his/her school. A member of a school staff, including, but not limited to, an educator, administrator, school nurse, secretary, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional, shall immediately report any instance of bullying or retaliation the staff member has witnessed or become aware of to the principal or to the school official identified in the plan as responsible for receiving such*

*reports or both. Upon receipt of such a report, the school principal or a designee shall promptly conduct an investigation. If the school principal or a designee determines that bullying or retaliation has occurred, the school principal or designee shall (i) notify the local law enforcement agency if the school principal or designee believes that criminal charges may be pursued against a perpetrator; (ii) take appropriate disciplinary action; (iii) notify the parents or guardians of a perpetrator; and (iv) notify the parents or guardians of the victim, and to the extent consistent with state and federal law, notify them of the action taken to prevent any further acts of bullying or retaliation.*

*If an incident of bullying or retaliation involves students from more than one school district, the school district or school first informed of the bullying or retaliation shall, consistent with the state and federal law, promptly notify the appropriate administrator of the other school district or school so that both take age-appropriate action. If an incident of bullying or retaliation occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in the local school district, the school district informed of the bullying or retaliation shall contact law enforcement.*

#### REFERENCES

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

#### LEGAL REFS

*603 CMR 26.00; MGL c. 71, §370; MGL c. 265, §§43, 43A; MGL c. 268, § 13B*

*269:14A*

### **REPORTING BULLYING**

***(Excerpts from the Marblehead Public Schools' Bullying Prevention and Intervention Plan)***

**Reporting by Staff:** A staff member will report immediately (without unnecessary delay) to the principal when he/she witnesses or becomes aware of conduct that may be bullying or retaliation. The requirement to report to the principal or designee does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with school or district policies and procedures for behavior management and discipline. 2.

**Reporting by Students, Parents or Guardians, and Others:** Marblehead Public Schools expects students, parents or guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the principal of the school. Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report. Students, parents or guardians, and others may request assistance from a staff member to complete a written report. Students will be provided practical, safe, private, and age-appropriate ways to report and discuss an incident of bullying with

a staff member, or with the principal or designee.

### **Responding to Reports of Bullying or Retaliation**

**1. Assessing Safety:** Before fully investigating the allegations of bullying or retaliation, the principal or designee will assess the need to restore a sense of safety to the alleged target and/or to protect the alleged target from possible further incidents. There may be circumstances in which the principal or designee, at their discretion and in accordance with applicable law, contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00. Responses to promote safety may include, but not be limited to, creating a personal safety plan; pre-determining seating arrangements for the target and/or the aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a “safe person” for the target; and altering the aggressor’s schedule and access to the target. The principal or designee will take additional steps to promote safety during the course of and after the investigation, as necessary. The principal or designee will implement appropriate strategies for protecting from bullying or retaliation a student who has reported bullying or retaliation, a student who has witnessed bullying or retaliation, a student who provides information during an investigation, or a student who has reliable information about a reported act of bullying or retaliation. The confidentiality of students and witnesses reporting alleged acts of bullying and/or retaliation will be maintained to the extent possible given the school’s obligation to investigate the matter. All relevant district policy will be adhered to.

### **2. Obligations to Notify Others:**

- a. **Notice to Parents/Guardians:** Upon determining that bullying or retaliation has occurred, the principal or designee will promptly notify the parents or guardians of the target and of the aggressor of this, and of the procedures for responding to it. There may be circumstances in which the principal or designee contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.
- b. **Notice to Another School or District:** If the reported incident involves students from more than one school district, charter school, non-public school, approved private special education day or residential school, or collaborative school, the principal or designee first informed of the incident will promptly notify, by telephone, the principal or designee of the other school(s) of the incident so that each school may take appropriate action. All communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR 49.00.
- c. **Notice to Law Enforcement:** At any point after receiving a report of bullying or retaliation, including after an investigation, if the principal or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the principal will notify the local law

enforcement agency. Notice will be consistent with the requirements of 603 CMR 49.00 and locally established agreements with the local law enforcement agency. Also, if an incident occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in school, the principal or designee shall contact the local law enforcement agency if he or she has a reasonable basis to believe that criminal charges may be pursued against the aggressor. In making this determination, the principal will, consistent with the Plan and with applicable school or district policies and procedures, consult with the school resource officer, if any, and other individuals the principal or designee deems appropriate.

**3. Investigation:** The principal or designee will investigate promptly all reports of bullying or retaliation and, in doing so, will consider all available information known, including the nature of the allegation(s) and the ages of the students involved. During the investigation the principal or designee will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The principal or designee will remind the alleged aggressor, target, and witnesses that retaliation is strictly prohibited and will result in disciplinary action. Interviews may be conducted by the principal or designee, or other staff members as determined by the principal or designee, and in consultation with the school counselor, as appropriate. To the extent practicable and given his/her obligation to investigate and address the matter, the principal or designee will maintain confidentiality during the investigative process. The principal or designee will maintain a written record of the investigation, using the MPS Marblehead Public Schools Intervention Incident Reporting Form to summarize the incident(s), steps taken and result(s) of the investigation. Procedures for investigating reports of bullying and retaliation will be consistent with school or district policies and procedures for investigations. If necessary, the principal or designee will consult with legal counsel about the investigation as necessary.

**5. Determinations:** The principal or designee will make a determination based upon all of the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the principal or designee will take steps reasonably calculated to prevent recurrence and to ensure that the target is not restricted in participating in school or in benefiting from school activities. The principal or designee will: 1) determine what remedial action is required, if any, and 2) determine what responsive actions and/or disciplinary action is necessary. Depending upon the circumstances, the principal or designee may choose to consult with the students' teacher(s) and/or school counselor, and the target's or aggressor's parents or guardians, to identify any underlying social or emotional issue(s) that may have contributed to the bullying behavior and to assess the level of need for additional social skills development. The principal or designee will promptly notify the parents or guardians of the target and the aggressor about the results of the investigation and, if bullying or retaliation is found, what action is being taken to prevent further acts of bullying or retaliation. All notice to parents must comply with applicable state and federal privacy laws and regulations. Because of the legal requirements regarding the confidentiality of student records, the principal or designee cannot report

specific information to the target's parent or guardian about the disciplinary action taken unless it involves a "stay away" order or other directive that the target must be aware of in order to report violations. The principal or designee shall inform the parent or guardian of the target about the Department of Elementary and Secondary Education's problem resolution system and the process for accessing that system, regardless of the outcome of the bullying determination.

**6. Responses to Bullying:** Marblehead Public Schools has incorporated a range of individualized strategies and interventions that may be used in response to remediate a student's skills and or to prevent further incidences of bullying and/or retaliation.

*For more detailed information on the bullying prevention process, resources and form to file a bullying complaint, please click MPS Bullying Prevention*

*Plan, [www.marbleheadschoools.org/district/familycommunity/pages/bullying-prevention](http://www.marbleheadschoools.org/district/familycommunity/pages/bullying-prevention). Copies of our Bullying Prevention Plan are also available in the HS main office or by contacting Principal Daniel Bauer at (781) 6393100 x2108 or [bauer.daniel@marbleheadschoools.org](mailto:bauer.daniel@marbleheadschoools.org)*

## **HAZING, PROHIBITION OF Policy JICFA From the Marblehead Public Schools Policy Manual**

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

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

Any student who is present at a hazing has the obligation to report such an incident. Failure to do so may result in disciplinary action by the school against that student and could involve suspension from school for up to three days. Any student who participates in the hazing of another student or other person may, upon the approval of the Superintendent of Schools, be suspended from school. Any student determined by the Principal to be the organizer of a hazing activity may be recommended for expulsion from school but will receive no less disciplinary action than that of a participant.

In all cases relating to hazing, students will receive procedural due process.  
LEGAL REF.: M.G.L. c. 269, §§17, 18, 19  
CROSS REF: JIC, Student Conduct

M.G.L. c.269, § 17

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

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

M.G.L. c..269, § 18

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

M.G.L. c. 269, § 19

Each secondary school shall issue to every group or organization under its authority or operating on or in conjunction with its campus or school, and to every member, plebe, pledge or applicant for membership in such group or organization, a copy of Chapter 269 of the General Laws. An officer of each such group or organization, and each individual receiving a copy of said sections seventeen and eighteen shall sign an acknowledgement stating that such group, organization or individual has received said copy.

Legal Reference: M.G.L. c. 269

## COMPUTER AND INTERNET USE

### **MPS Student Acceptable Usage Policy**

#### **RESPONSIBILITY**

Access to Marblehead Public Schools' ("MPS") network systems, email, Internet, intranet, student records, and other computer or technological resources (collectively, the "MPS Network Systems") is provided for educational and MPS administrative use exclusively. This Acceptable Use Policy ("AUP") governs all use of network systems by students and includes Internet and network access: social networks, blogs and wikis, live and text-based chatting, newsgroups, and other Internet utilities. This includes the use of personal equipment and accounts on all MPS networks.

Students must comply with the following rules:

- Identify themselves accurately in all communications using the MPS Network Systems
- Use MPS Network Systems only for their specified educational purpose
- Post/send only appropriate information in light of the educational purpose of the MPS Network Systems
- Access only their own account and keep their passwords private from any other users
- Refuse permission to others to use the student's account
- Only alter their own work
- Remove their old files when they are no longer needed
- Adhere to all other MPS codes of conduct when using the MPS Network Systems Students are prohibited from the following activities: Engaging in harassment, libel, slander, or bullying of any kind
- Using the MPS Network Systems for commercial or political purposes
- Using another person's account
- Using the MPS Network Systems to advocate or facilitate the illegal use of drugs or alcohol
- Using the MPS Network Systems to access or transmit/post material, which is profane, obscene, fraudulent, offensive, discriminatory, threatening, demeaning, intimidating, sexually explicit or pornographic
- Using the MPS Network Systems for illegal activities including, but not limited to, copyright violations (such as copying music, videos or software)
- Giving out another individual's personal or private information, including but not limited to that person's address or phone number or educational information

- Recording or posting audio, video or any material of or created by another student or faculty member without that individual's permission
- Engaging in spamming (sending massive, inappropriate and unsolicited information) or flooding (transferring data without intent of meaningful communication)

Using equipment without permission:

- Altering the configuration of school technology (changing system settings) or engaging in any misuse, disruption, or degradation of the MPS Network Systems, including intentional physical misuse or damage to equipment, materials, data or programs
- Downloading or installing software of any kind
- Illegally copying software
- Bypassing system security or filters
- Engaging in any other conduct while using the MPS Network Systems that is deemed by the Building Principal or the Superintendent to be detrimental to MPS or any school learning environment

#### SANCTIONS

Network access is a privilege, not a right. Violations of this policy may result in the following at the discretion of MPS:

- Loss of access privileges
- Disciplinary action at the building level in accordance with the discipline code in the student handbooks.
- Referral to appropriate law enforcement agencies

#### PRIVACY

**Users do not have any expectation of privacy or confidentiality in the content of electronic communications or of other files sent, received and/or stored within the MPS Network Systems.** The use of a password is solely to protect the user's information from access by fellow users, but creates no expectation of privacy with regard to access to that information by authorized MPS employees. MPS also reserves the right to examine all data sent, received and/or stored within the MPS Network Systems, whether such records, communications, folders, and information are password-protected or not. All communications including text and images may be disclosed to law enforcement or other appropriate third parties without the prior consent or knowledge of the sender or receiver.

#### **Student Email and Internet Posting Guidelines**

Student use of email and posting material on the Internet must follow these guidelines. Adherence to the Acceptable Use Policy for Students is

the basis for use of email and posting on the Internet and it must be complied with at all times. The Acceptable Use Policy for Students may be found in the Student Handbook.

#### **Grades 9-12**

- May be provided email account by the District
- Students may post their own work on the Internet including their full name and picture provided that their parent or guardian has given permission\* by signing the Internet Publishing Permission and Release Form for Students. Students are responsible for knowing what their parent permission is and to abide by that permission.]

**Note: students who have reached age of majority (18) do not need parental permission.**

#### **School Sponsored Activities**

Students who are participating in any school-sponsored activity are expected to abide by all school rules. Any student absent from school the day of an after-school activity will NOT be permitted to attend the activity. To be considered in attendance for the day (and be eligible for extracurricular activities) a student must either arrive before 11:00 AM and remain for the rest of the day or arrive on time and not be dismissed until after 11:00 AM

## STUDENT HEALTH

#### **School Nurse (781-639-3100 x20118)**

Each school is assigned a full-time school nurse. If you have any questions regarding the policies and procedures outlined below, please contact your school nurse at your school's health office. Health forms are available at the school or online at [marbleheadschoools.org/nurses](http://marbleheadschoools.org/nurses). Besides the policies listed in this section, the MPS Policy Manual also contains Policy ADF, Wellness.

#### **Physical Examinations**

##### **HEALTH SCREENINGS**

The Massachusetts Department of Public Health requires health screening for vision and hearing in grades K through 6, 8 and 10; for weight and height in grades 1, 4, 7 and 10 and posture in grades 5 through 9. The screenings are conducted by our school nurses. You will receive notification from the specific school when screenings will take place. Parents may opt out of these screenings for their child by notifying the school nurse. If we discover that your child has a concern with any screening you will be notified to follow up with your health care provider for further evaluation. All parents of screened children will receive information on BMI as it relates to height and weight.

### SPECIAL MEDICAL CONSIDERATIONS

Parents of a child with any medical condition that may require special attention or planning should contact the school nurse as soon as possible. This includes conditions such as asthma, severe allergies, seizure disorders or diabetes.

### STUDENT INOCULATIONS

**Policy JLCB, LEGAL REF.: M.G.L. 76:15, M.G.L. 76:15C, 111:6, 105 CMR**

**220.000, Title I Part C No Child Left Behind CROSS REF.: JF, School Admissions, JLCC, JFABD, from the Marblehead Public Schools Policy Manual**

*Students entering school for the first time, whether at preschool, kindergarten or through transfer from another school system, will be required to present a physician's certificate attesting to immunization against diphtheria, pertussis, poliomyelitis, tetanus, measles, and such other communicable diseases as may be specified from time to time by the Department of Public Health.*

*The only exception to these requirements will be made on receipt of a written statement from a doctor that immunization would not be in the best interests of the child, or by the student's parent or guardian stating that vaccination or immunization is contrary to the religious beliefs of the student or parent. These exemptions must be kept in the students' files at school.*

*Homeless children who are not immunized or partially immunized in accordance with the McKinney-Vento Homeless Assistance Act may be admitted to school without documentation of immunizations. The Homeless Liaison must immediately assist in obtaining them.*

*In situations when one or more cases of vaccine preventable disease are present at school, all those susceptible, including those with medical or religious exemptions, are subject to exclusion as described in the Reportable Diseases Isolation and Quarantine Requirements.*

### Student Medication Administration

**Policy JLCD, LEGAL REF.: M.G.L. 71:54B, Dept. of Public Health Regulations: 105 CMR 210.00, from the Marblehead Public Schools Policy Manual**

*Medication may not be administered to students while at school unless such medicine is given to them by the school nurse acting under specific written request of the parent or guardian and under the written directive of the student's personal physician. No one but the school nurse, and those others listed in the medical administration plan acting within the above restriction, may give any medication to any student.*

*The School district shall, through the district nurse leader, register with the Department of Public Health and train unlicensed*

*personnel in the use of Epi-Pens and field trip delegation of administration of medication.*

*Following consultation with the school nurse, students who fall into the following exceptions may self-administer medications:*

- 1. Students with asthma or other respiratory distress may possess and administer prescription inhalers.*
- 2. Students with cystic fibrosis may possess and administer prescription enzyme supplements*
- 3. Students with diabetes may possess and administer glucose monitoring equipment and insulin delivery systems.*

*Procedures and policies detailing medication administration are available in each school health office and at Marblehead School Administration. Specifics of the policy and procedures include:*

- a. Designation of a school nurse as supervisor of the prescription medication administration program in a school and school nurse responsibilities therein;*
- b. Documentation of the administration of prescription medications, provider medication order, parent consent and record keeping;*
- c. Response to a medication emergency;*
- d. Handling, storage and disposal of prescription medications;*
- e. Reporting and documentation of medication errors;*
- f. Training of unlicensed school personnel*
- g. Dissemination of information to parents or guardians;*
- h. Procedures for resolving questions between the school and a parent or guardian regarding administration of medications.*

**(MHS Handbook information)** All prescription and herbal medication must be brought to the health office or school office by a parent or guardian in a container with the official prescription label on it. If necessary, ask your pharmacist to give you a duplicate container for safe storage of the medication at home and school. The school cannot dispense medication that does not have the prescription label on the package. Inhalers will be stored in the health office unless the school nurse and parent mutually agree to alternate storage. The nurse will notify parents or others identified on a student's emergency card prior to administering any over-the-counter medication covered in the MPS medication policy and protocol.

Under no circumstances shall a child be sent to school with medication without prior notification of the school nurse. Children found in possession of unauthorized medications on school grounds or at school sponsored events may be subject to discipline.

### **Pregnant Student Rights**

- No student shall be excluded from any school program or school-sponsored activity because of pregnancy or because of marital or parental status, except where required by health considerations or where the educational process would be disrupted.
- In addition, after giving birth, a student is permitted to return to the same academic and extracurricular programs as before the pregnancy. The district does not require a pregnant student to obtain certification of a physician that the student is physically and emotionally able to continue in school, other than the same health and immunization records that are required of all students. The only limitations or accommodations implemented for a pregnant student will be those deemed necessary by the student's physician, as documented in writing by that physician.

### **HEALTH EDUCATION**

**Policy IHAM, LEGAL REF.: M.G.L. 71:1, CROSS REF.: EB, Safety Program, IKF, Graduation Requirements, ADF, Wellness, from the Marblehead Public Schools Policy Manual**

*Good health depends upon continuous life-long attention to scientific advances and the acquisition of new knowledge. The School Committee believes that opportunities for effective health education are possible during the school day. The schools are equipped to provide qualified personnel to conduct health education programs.*

### **Independent Wellness**

*Any student who has an irresolvable conflict in terms of their schedule may request a one-time independent wellness class. This must be recommended by the guidance counselor and approved by the principal and will only be considered for conflicts with other courses that are explicitly required for graduation.*

### **Parental Notification and Sexual Education**

**Policy IHAMA, LEGAL REF.: M.G.L. 71:1, from the Marblehead Public Schools Policy Manual**

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

*At the beginning of each school year, all parents/guardians of students in our schools will be notified in writing of the courses and curriculum we offer that primarily involve human sexual or human sexuality issues. The superintendent of schools will determine the administrator(s) responsible for sending the notice(s). Parents/guardians of students who enroll in school after the start of the school year will be given the written notice at the time of*

*enrollment. If planned curricula change during the school year, to the extent practicable, parents/guardians will be notified of this fact in a timely manner before implementation.*

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

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

*A parent/guardian who is dissatisfied with a decision of the principal concerning notice, access to instructional materials, or exemption for the student under this policy may send a written request to the superintendent for review of the issue. The superintendent or designee will review the issue and give the parent/guardian a timely written decision, preferably within two weeks of the request. A parent/guardian who is dissatisfied with the superintendent's decision may send a written request to the School Committee for review of the issue. The School Committee will review the issue and give the parent/guardian a timely written decision, preferably within four weeks of the request. A parent/guardian who is still dissatisfied after this process may send a written request to the commissioner of education for review of the issue in the dispute.*

*The superintendent of schools will distribute a copy of this policy to each principal by September 1 of each year and, will ensure this policy is included in each school's student handbook.*

**Health Education (Exemption Procedure)**

***Policy IHAM – R LEGAL REF.: M.G.L. 71:1, from the Marblehead Public Schools Policy Manual***

*The Marblehead Public Schools will furnish a standardized exemption document to all parents/guardians at the time that notice of the proposed sex education curriculum is sent home. This exemption document will contain the dates and topics of the proposed curriculum.*

**Drugs, Alcohol and Tobacco**

Please refer to SC Policy IHAMA, *LEGAL REFS: M.G.L. 71:1 CROSS REF.: JICH, Alcohol Use by Students*, from the Marblehead Public Schools Policy Manual

*In accordance with state and federal law, the District shall provide age-appropriate, developmentally based drug and alcohol education and prevention programs in grades K-12.*

**Alcohol, Controlled Substances and Paraphernalia**

Please refer to SC Policy JICH, *LEGAL REF.: M.G.L. 272:40A CROSS REF.: GBEC, Drug Free Workplace Policy; IHAMA, Teaching About Drugs, Alcohol, and Tobacco*, from the Marblehead Public Schools Policy Manual

*In view of the fact that the use of alcohol can endanger the health and safety of the user, and recognizing the deleterious effect the use of alcoholic beverages can have on the maintenance of general order and discipline, the School Committee prohibits the use of, serving of, or consumption of any alcoholic beverage **on school property or at any school function**. Additionally, any student, regardless of age, who has been drinking alcoholic beverages prior to attendance at, or participation in, a school-sponsored activity, will be barred from that activity and subject to disciplinary action.*

**(MHS Handbook information)** If a school administrator has reasonable suspicion that a student is under the influence, the student may be asked to take a breathalyzer test. Refusal to comply will carry an implication of guilt. Students may also be given a breathalyzer test as a condition of admission to proms, dances, or other events. If a student is suspected of being under the influence of a controlled substance, the student may undergo a safety check.

**FIRST VIOLATION OF USE OR BEING UNDER THE INFLUENCE**

Any student found to have possessed, used, or been under the influence of an alcoholic beverage; used, or been under the influence of a controlled substance, or been in possession of drug paraphernalia while on school property, or off school property during school hours, or at a school-sponsored activity will be subject to out-of-school suspension. His/her parents or guardian will be called to remove the student immediately from school property or event. If the student's parents or guardian cannot be reached or, if reached, are unwilling or unable to pick up the student, the police department will be called, apprised of the facts, and requested to take the student into protective custody as permitted by Massachusetts General Law. In addition, the student's parents or guardian will be asked to meet with the Principal and designated school support staff to consider the best possible means of helping the student.

### SUBSEQUENT VIOLATIONS

Any student found to have possessed, used, or been under the influence of an alcoholic beverage, used, or been under the influence of a controlled substance, or been in possession of drug paraphernalia while on school property, or off school property during school hours, or at a school sponsored activity, a second time, may be suspended from school on a long-term basis and, where deemed in possession of a controlled substance, subject to expulsion in accordance with M.G.L. c. 71, § 37H. The school will work with the family to determine an appropriate therapy program. Violations are cumulative across a student's entire matriculation at MHS.

### DISTRIBUTION

Any student found to have distributed drugs or alcohol, or to be in possession of a quantity indicative of intent to distribute will be treated in the same manner as a student who has violated for the second time the use and possession of drugs or paraphernalia, or as dictated by the Type 3 Prohibited Actions listed under the Discipline section.

### LAW ENFORCEMENT NOTIFICATION

The principal, immediately after finding a student to have been in possession of alcohol or a controlled substance or of drug paraphernalia will furnish the police department with a complete report, including the drug paraphernalia, controlled substances, alcoholic beverages and/or other physical evidence obtained for analysis, and such criminal action as the police may determine. To the extent permitted by law, the police department will inform the school department of the police department's disposition of the case. A police officer may arrest a student on school property.

### Tobacco Use

Smoking, chewing, or other use of tobacco products by staff, students, and members of the public shall be banned from all District buildings and grounds (including athletic fields). All forms of tobacco use shall be prohibited on all District property. In addition, tobacco use by students is banned at all school-sponsored events, even though this use does not necessarily take place on school grounds.

### TOBACCO USE (MHS HANDBOOK) e-CIGARETTES

Electronic cigarettes or e-cigarettes are included under the category of tobacco products and are banned on school property regardless of the substance they are being used to administer.

## **Marblehead High School Diversion Program for Vaping/E-Cigarette Use**

Overview: If a student receives disciplinary consequences for vaping or e-cigarette use on school grounds, a 3-4 session program called "iDECIDE" will be offered as an alternative to suspension. This option will be discussed at the conclusion of the discipline hearing. Violations that involve the MIAA chemical health policy do not have a reduction in penalty for extra-curricular activities.

iDECIDE (**D**rug **E**ducation **C**urriculum: **I**ntervention, **D**iversion, and **E**mpowerment) was developed by MGH to provide schools with a science-based intervention for students caught violating school substance use policy. This is a 3-4 session program, to be done individually or in groups, to help reduce recidivism of the offense and support student health, prevention of risk behaviors, and decision making. This program is overseen by Student Support Staff and Administration.

The objective of iDECIDE is to provide students with:

- A scientific understanding of the impact of substance use and addiction on the adolescent brain and body;
- An understanding of the common tactics used by industry to target young people;
- The ability to identify and respond to personal impulses to use alcohol and other drugs; and
- A sense of empowerment and a plan to make healthy decisions in line with their core values and future goals.

More information can be found here: <https://www.idecidemyfuture.org/>

## INTERSCHOLASTIC ATHLETICS

### **Athletic Department Mission**

Marblehead High School Athletic Department believes that, in concert with their academic pursuits, athletic challenges help students develop life skills that will serve them well as adults. Interscholastic athletics provide an outstanding "testing ground" against strong local competition. For the complete MHS Student Athlete Handbook Please refer to the athletic department link at the MHS website.

### **Team and Player Issues (MHS Handbook information)**

No student athlete shall be allowed to practice or compete until he/she is cleared for participation. Clearance includes completion of the following:

1. Signed permission slip (available at MHS Athletic Office)
2. Physical Examination. All students must pass a physical examination within 13 months of the start of each season. Students who meet the criterion at the beginning of the season will remain eligible for that season.
3. Academic Eligibility Check. See Academic Policies.

4. Payment of User Fee. “The School Committee recognizes the need for student fees to fund certain school activities. It also recognizes that some students may not be able to pay these fees. No student will be denied access into any program because of inability to pay these supplementary charges.”
5. Have no outstanding detentions.

**Fees may be waived or reduced for students who qualify for free and/or reduced lunch.**

**Eligibility**

1. Academic eligibility (Academics will be monitored during the season and poor grades may result in removal from a team.)

Eligibility	
Quarter	Based Upon
1	End of the Year Final Grades
2	First Quarter Grades
3	Second Quarter Grades
4	Third Quarter Grades

- In order to qualify for participation, a student must have no F's on his/her report card. Eligibility for First Quarter is determined by final grades for the year preceding the activities. All other eligibility is determined by quarterly grades in the last marking period preceding the activities (e.g., Second Quarter grades and not semester grades determine Third Quarter eligibility). Eligibility will be removed or re-sorted in a manner consistent with MIAA policy; that is, on the date on which report cards are issued. In all other matters concerning this policy, unless otherwise stated, the District will follow MIAA policy. In extreme situations due to a student’s health (documented by medical personnel) or family circumstances (e.g., death of an immediate family member) the Principal may review the student-athlete’s eligibility status for one marking period.
- A student must take the required number of courses.
- Academic eligibility of all students shall be considered as official and determined only on the date when the report cards for that marking period have been issued to the parents of all students within a particular class.
- A student receiving an “I” (incomplete) for a grade may have her/his eligibility status reviewed at the time any incomplete is changed to a passing grade. No credit toward eligibility can

be received from a repeated subject for which one has already received credit. Summer work credits will not count toward eligibility unless the course has already been pursued.

- If a student-athlete receives an “N” grade for a quarter, the student-athlete will be ineligible for the quarter. A student receiving an “N” for a grade may have her/his credit status reviewed at an Attendance Panel Review Board. To be considered in attendance for the day (and be eligible for extracurricular activities) a student must either arrive before 11:00AM and remain for the rest of the day or arrive on time and not be dismissed until after 11:00AM.
- **No student will be eligible to participate in the day’s extracurricular activities if the student is tardy without medical documentation or verified extenuating circumstances. This is reviewed by the Athletic Director and Administration and should be communicated in advance.** A student shall be eligible for interscholastic competition for no more than 12 consecutive seasons beyond the 8<sup>th</sup> grade. Example: 4 fall seasons, 4 winter seasons, 4 spring seasons.
- A participant shall be an undergraduate.
- A participant shall not be over 18 years of age, unless he/she has his/her 19<sup>th</sup> birthday AFTER Sept. 1 of the present school year.
- Special permission must be granted for a player with one diseased or missing organ or limb (e.g., eyes, kidney, arms, legs, etc.) A permission form must both be signed by the parent/guardian and the student-athlete prior to any practice or play.

### **Social Issues**

Each team is responsible for creating and abiding by its social contract. The team’s social contract has, as a minimum, the behavior, social, and academic expectations of MHS, as well as the MIAA requirements.

### **Code of Conduct**

Expectations for student athlete behavior are based on the philosophy that participating in interscholastic athletics is a privilege for some rather than a right for all. Abuse of any privilege may result in its removal.

Student athletes are representatives of themselves, their teammates and coaches, their families and hometown. It is important to realize that in order to continue representing their team and/or the town, athletes must exhibit a high standard for personal conduct. Student athletes are always expected to exhibit: sportsmanship, honesty, integrity, and respect for themselves and others.

Listed below are a few simple rules student athletes are asked to live by:

- Keep your priorities in mind. The body goes where the mind takes it
- Set a high standard for yourself and others will follow. No foul, abusive language and/or disrespect towards any coaches, teammates, officials, school faculty/staff or opponents.
- Be a positive representative of the entire Athletic Department in all daily interactions. If you have a problem, work it out in the manner of an educated citizen.
- Appreciate your opportunities to compete against the best in Massachusetts. Avoid compromising those opportunities with thoughtless behavior off the court/field.

### **Discipline**

The following forms of discipline may be used by the Athletic Department for warranted reasons, which include but are not limited to the categories listed on these pages:

- **TEAM:** Coaches and their assistants are granted the capacity to help set team rules that provide common experiences for each team member within the parameters and scope of the Massachusetts Interscholastic Athletic Association (MIAA), Marblehead High School (MHS) and the mission of the Marblehead Athletic Department. Team members, with the guidance and monitoring of the coaching staff, will construct a social contract to be followed for the sport season. This allows each team to define how they wish to act and be evaluated. Marblehead Athletics believes that a person is evaluated by what he/she says and does. Matters that affect only the team and its day-to-day operation are handled within the team structure. However, severe disciplinary actions, such as dismissal from team or prolonged suspension, must be reported to the Athletic Director for the purposes of record keeping, consistency and appropriateness.
- **STUDENT:** The Athletic Department recognizes that high school-aged students may on occasion make inappropriate decisions in their personal life within our community. Within the bounds of progressive discipline and educational, experiential learning, it is not the Athletic Department's wish to punish student athletes twice for the same offense. However, the Department reserves the right to decide if an offense infringes on our mission and integrity and hand out an appropriate sanction ranging from suspension to removal from the team.
- **GROUP:** The Athletic Department and the high school reserve the right to withhold privileges from the entire team should egregious acts be committed anywhere by any numbers of team members in the name of the team.

## Athletic Concussion Policy

### MPS SC policy JJIF

#### **Purpose**

*This policy provides guidance and standardized procedure for the prevention, training, management and return to activity decisions regarding students who incur head injuries or concussion as defined by M.G.L. 111:222; 105 CMR 201.000 while involved in extracurricular athletic activities (1), in order to protect their health and safety as required by Massachusetts law and regulation. The requirements of the policy apply to all Marblehead Public School students, however configured, grades 4-12 who participate in any school sponsored extracurricular athletic activity. In order to further protect all Marblehead Public School students, it shall be required that any student K-12 who suffers a head injury or concussion, whether such injury occurs in or out of school, be medically cleared to return to school as well as participate in school athletic activities. Responsible staff will follow the guidelines for graduated return to academics and activities tailored appropriately to the student's age and condition.*

#### **Scope of Responsibility**

*The Superintendent shall, through the Athletic Director, Principals, and Lead Nurse maintain complete and accurate records of the district's compliance of the Concussion Law, and shall maintain the following records for three years at a minimum, or until the student graduates unless state or federal law requires a longer retention period:*

- 1. Verifications of completion of annual training and receipt of materials;*
- 2. DPH Pre-participation forms or school based equivalents and receipt of materials;*
- 3. DPH Report of Head Injury Forms or school based equivalents;*
- 4. DPH Medical Clearance and Authorization Forms, or school based equivalents;*
- 5. Graduated reentry plans for return to full academic and extracurricular athletic activities.*

*The following persons: coaches; certified athletic trainers; trainers; volunteers; school and team physicians; school nurses; athletic directors; directors responsible for a school marching band; activity coordinators; employees or volunteers; and students who participate in any extracurricular athletic activity and their parents are responsible to comply and follow through with all aspects of this policy including: annual training, record keeping,*

communication, reporting, assessment, evaluation, treatment, and referral. Guidance counselors and teachers may be involved in facilitating academic accommodations with a student who suffers a concussion.

*(1) Extracurricular Athletic Activity means an organized school sponsored athletic activity generally occurring outside of school instructional hours under the direction of a coach, athletic director or marching band leader including, but not limited to, Alpine and Nordic skiing and snowboarding, baseball, basketball, , fencing, field hockey, football, flag football, golf, gymnastics, horseback riding, ice hockey, lacrosse, marching band, rifle, rugby, soccer, skating, softball, squash, swimming and diving, sailing, tennis, track (indoor and outdoor), ultimate Frisbee, volleyball, water polo, dance, cheerleading and wrestling. All interscholastic athletics are deemed to be extracurricular athletic activities.*

### **Definition**

*A concussion is caused by a bump, blow or jolt to the head or body. Any force that causes the brain to bounce around or twist within the skull can cause a concussion. A bump, blow or jolt to the head or body can be caused by either indirect or direct trauma. Most frequently concussions are not diagnosed by loss of consciousness.*

*A concussion is defined as a transient alteration in brain function without structural damage, but with other potentially serious long-term ramifications. In the event of a concussion, the brain sustains damage at a microscopic level in which cells and cell membranes are torn and stretched. The damage to these cells also disrupts the brain at a chemical level, as well as causing restricted blood flow to the damaged areas of the brain, thereby disrupting brain function. A concussion, therefore, is a disruption in how the brain works; it is not a structural injury. Concussions are difficult to diagnose because the damage cannot be seen. An MRI or CT scan cannot diagnose a concussion, but they can help rule out a more serious brain injury to a student athlete. Because concussions are difficult to detect, student athletes must obtain medical approval before returning to athletics following a concussion.*

### **Review**

*This policy and attached protocol and procedure (JJIF-R) shall be reviewed annually by the Marblehead Public Schools' Athletic Department Personnel and The Marblehead Public Schools' Health Services School Nurses. Any recommendation for revision shall be submitted to the Superintendent. All School Committee approved policy changes will be provided to appropriate staff in writing.*

*Upon the adoption of this policy by the School Committee, the Superintendent shall ensure that DPH receives an affirmation on school district letterhead that the district has developed policies and the School Committee has adopted a final policy in accordance with law. This affirmation shall be updated by September 30, 2013*

*and every two years thereafter upon review or revision of its' policies.*

*An accurate synopsis of this policy shall be placed in the student and faculty handbooks.*

*LEGAL REFS: M.G.L. 111:222; 105 CMR 201.000*

## **Appendix A Selected Laws/Policies Related to Student Conduct and Discipline**

### ***STUDENT RIGHTS AND RESPONSIBILITIES – School Committee Policy 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*

***M.G.L. c.269, § 10 – Possession of Weapons***

*It is illegal to have a weapon in school or on school property. Students who are in possession of a weapon risk expulsion from school. In all cases, authorities will be notified, the student may be immediately suspended from school, and an expulsion hearing will be held.*

*Section 10(j): “Whoever, not being a law enforcement officer, and notwithstanding any license obtained by him under the provisions of chapter one hundred and forty, carries on his person a firearm as hereinafter defined, loaded or unloaded or other dangerous weapon in any building or on the grounds of any elementary or secondary school, college or university without the written authorization of the board or officer in charge of such elementary or secondary school, college or university shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both. For the purpose of this paragraph, “firearm” shall mean any pistol, revolver, rifle or smoothbore arm from which a shot, bullet or pellet can be discharged by whatever means.*

*Any officer in charge of an elementary or secondary school, college or university or any faculty member or administrative officer of an elementary or secondary school, college or university failing to report violations of this paragraph shall be guilty of a misdemeanor and punished by a fine of not more than five hundred dollars.”*

*Students who are in possession of a weapon or a look alike weapon risk expulsion from school. In all cases, authorities will be notified, the student will be immediately suspended from school, and an expulsion hearing will be held. Weapons are defined as guns, knives, bows, arrows, darts, or any other objects, which in the opinion of the administration may cause harm to you or others.*

**M.G.L. c.71, § 37L-Notification to school personnel of reporting requirements for child abuse and neglect and fires; reports of**

students possessing or using dangerous weapons on school premises; transferred students' school records

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

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

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

*A student transferring into a local system must provide the new school system with a complete school record of the entering student. Said record shall include, but not be limited to, any incidents involving suspension or violation of criminal acts or any incident reports in which such student was charged with any suspended act.*

**M.G.L. c. 71, § 37H-** Policies relative to conduct of teachers or students; student handbooks

*Massachusetts General Law ch.71, §37H mandates that all student handbooks contain the following provisions relative to student behavior and conduct.*

*(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 knife, a controlled substance as defined in Chapter 94C, 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, an assistant principal, a teacher, teacher's aide or other educational staff on school premises or at school-sponsored events, including athletic games, may be subject to expulsion from the school by the principal.*

*(c) Any student who is charged with a violation of either paragraph (A or B above) shall be notified in writing of an opportunity for a hearing, provided, however, that the student may have representation [at their own expense], 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 their own expense] at a hearing before the superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section.*

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

*(f) Districts shall report to the department of elementary and secondary education the specific reasons for all suspensions and expulsions, regardless of duration or type, in a manner and form established by the commissioner. The department of elementary and secondary education shall use its existing data collection tools to obtain this information from districts and shall modify those tools, as necessary, to obtain the information. On an annual basis, the department of elementary and secondary education shall make district level de-identified data and analysis, including*

*the total number of days each student is excluded during the school year, available to the public online in a machine readable format. This report shall include district level data disaggregated by student status and categories established by the commissioner.*

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

**M.G.L. c.71, § 37H1/2- Felony complaint or conviction of student; suspension; expulsion; right to appeal**

*(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/her 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/her 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/her behalf, and shall have the right to counsel [at their own expense]. 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/her 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/her 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/her behalf, and shall have the right to counsel [at their own expense]. 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. Upon expulsion of such student, no school or school district shall be required to provide educational services to such student.*

**M.G.L. c. 71, § 37H3/4 - Suspension or expulsion on grounds other than those set forth in Secs. 37H or 37H1/2**

*(a) This section shall govern the suspension and expulsion of students enrolled in a public school in the commonwealth who are not charged with a violation of subsections (a) or (b) of section 37H or with a felony under section 37H.5.*

*(b) Any principal, headmaster, superintendent, or other person acting as a decision-maker at a student meeting or hearing, when deciding the consequences for the student, shall exercise discretion; consider ways to re-engage the student in the learning process; and shall not suspend or expel a student until alternative remedies have been employed and their use and results*

*documented, following and in direct response to a specific incident or incidents, unless specific reasons are documented as to why such alternative remedies are unsuitable or counter-productive, and in cases where the student's continued presence in school would pose a specific, documentable concern about the infliction of serious bodily injury or other serious harm upon another person while in school.*

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

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

*officials to remove a student from participation in school activities for 1 day or more.*

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

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

M.G.L. c. 76, § 18: Notice to parent or guardian and meeting with school committee prerequisite to student permanently leaving school; annual report; application of section

*No student who has not graduated from high school shall be considered to have permanently left public school unless an administrator of the school which the student last attended has sent notice within a period of 5 days from the student's tenth consecutive absence to the student and the parent or guardian of that student in both the primary language of the parent or guardian, to the extent practicable, and English. The notice shall initially offer at least 2 dates and times for an exit interview between the superintendent, or a designee, and the student and the parent or guardian of the student to occur prior to the student permanently leaving school and shall include contact information*

*for scheduling the exit interview. The notice shall indicate that the parties shall agree upon a date and time for the exit interview, and that interview shall occur within 10 days after the sending of the notice. The time for the exit interview may be extended at the request of the parent or guardian and no extension shall be for longer than 14 days. The superintendent, or a designee, may proceed with any such interview without a parent or guardian if the superintendent, or a designee, makes a good faith effort to include the parent or guardian. The exit interview shall be for the purpose of discussing the reasons for the student permanently leaving school and to consider alternative education or other placements.*

*The superintendent or a designee shall convene a team of school personnel, such as the principal, guidance counselor, teachers, attendance officer and other relevant school staff, to participate in the exit interview with the student and the parent or guardian of the student. During the exit interview, the student shall be given information about the detrimental effects of early withdrawal from school, the benefits of earning a high school diploma and the alternative education programs and services available to the student.*

*The department of elementary and secondary education shall: (i) publish a model protocol for conducting exit interviews with students; and (ii) compile and maintain a list of research and information relative to the consequences of dropping out, the benefits of earning a high school diploma and a list of alternative education resources and programs available to the student, in addition to those that the district may provide, that schools shall present at the exit interview.*

*The superintendent of every city, town or regional school district shall annually report to the department of education the number of students sixteen years of age or older who have permanently left school, the reasons for such leaving and any alternative educational or other placement which each such student has taken.*

*The provisions of this section shall not apply to a student who has completed the regular course of education or apply to a student whose absences have been excused, nor shall this section be construed to permanently exclude a student who wishes to resume his education.*