

MOLIN ELEMENTARY SCHOOL PARENT/STUDENT HANDBOOK



Administration

Mrs. Tara K. Rossi - Principal- Molin School

Ms. Jamie Sokolowski- Asst. Principal- Molin School

**Newburyport Public Schools
Newburyport, Massachusetts 01950**

ELEMENTARY SCHOOLS:

Mr. Timothy Miller	Principal	Bresnahan Elementary School	978-465-4431
Mrs. Anne Doble	Assistant Principal	Bresnahan Elementary School	978-465-4431
Mrs. Amy Sullivan	Principal	Bresnahan Elementary School	978-465-4435
Mrs. Tara K. Rossi	Principal	Molin Upper Elementary School	978-463-8212
Ms. Jamie Sokolowski	Assistant Principal	Molin Upper Elementary School	978-463-8212

NOCK MIDDLE SCHOOL

Mrs. Lisa Furlong	Principal	978-465-4447
Mr. Nicholas Markos	Assistant Principal	978-465-4447

NEWBURYPORT HIGH SCHOOL

Mr. Andrew Wulf	Principal	978-465-4440
Mr. Michael Testa	Associate Principal	978-465-4440
Ms. Patricia Blackstock		978-465-4440
Mr. Kyle Hodsdon	Athletic Director	978-465-4440

DISTRICT OFFICE

Mr. Sean Gallagher	Superintendent	978-465-4456
Mrs. Angela Bik	Assistant Superintendent of Curriculum & Instruction	978-465-4455
Ms. Nancy Koch	Director of Pupil Services	978-465-4453

SCHOOL COMMITTEE

Mrs. Donna Holaday, Mayor	978-465-4412
Mrs. Sheila Spaulding	
Mr. Bruce Menin	978-499-3883
Mr. Brian Callahan	617-417-9663
Mr. David Hochheiser	978-358-8343
Mr. Sean Reardon	978-270-1637
Mr. Steve Cole	

ELEMENTARY PTO LEADERS

President: Solen Moriarty
Vice President: Melissa Potter
Secretary: Christine Cioffi
Treasurer: Pam San Antonio
Assistant Treasurer: Shannon Cormier

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Newburyport Public School's Mission Statement

The mission of the Newburyport Public Schools, the port where tradition and innovation converge, is to ensure each student achieves intellectual and personal excellence and is equipped for life experiences through a system distinguished by students, staff, and community who: - practice kindness and perseverance - celebrate each unique individual - value creativity; experiential; rigorous educational opportunities; scholarly pursuits; and lifelong learning - provide the nurturing environments for emotional, social, and physical growth - understand and embrace their role as global citizens.

Clipper Values

Respect

Am I showing respect for myself?

Am I showing respect for the rights and worth of others?

Am I showing respect for school and community property?

Am I showing respect for the environment?

Am I showing respect for others' views?

Kindness

Am I showing kindness by treating others the way I want to be treated?

Am I showing kindness by promoting the welfare of others?

Am I showing kindness by being patient with others?

Am I showing kindness by acting with empathy and compassion?

Innovation

Does my work stretch my understanding?

Am I approaching problems in new and different ways?

Are we advancing innovation in all areas?

Do I foster and celebrate creativity in all of its different forms?

Do I understand the purpose of innovative practice?

Is the innovative practice rigorous as well as creative?

Perseverance

Do I know how to approach a problem without a clear answer?

Am I willing to take risks?

Do I recognize what is holding me back?

Do I set goals for myself?

Am I able to use strategies to overcome challenges?

Am I doing my personal best?

Responsibility

Do I accept responsibility for my actions and my words?

Do I accept responsibility for contributing to my class or group?

Do I accept responsibility for my personal growth?

Do I accept responsibility for making ethical choices?

Do I accept responsibility for contributing to my local or global community?

Do I take ownership of my responsibilities?

Reflection

Do I think before I act?

Do I give sufficient time for reflection before I take action?

Am I willing and able to make change and act based on the feedback I receive?

Do I value my own work and that of others?

Do I have an understanding of my learning style, strengths and weaknesses?

Policy of Non-Discrimination

The Newburyport Public Schools does not discriminate on the basis of race, color, religion, national origin, age, gender, sexual orientation, or disability in admission to, access to, employment in, or treatment in its programs and activities.

The Newburyport Public Schools is committed to maintaining a school environment free of harassment based on race, color, religion, national origin, age, gender, sexual orientation, or disability. Harassment by administrators certified and support personnel, students, vendors and other individuals at school or at school-sponsored events is unlawful and is strictly prohibited. The Newburyport Public Schools requires all employees and students to conduct themselves in an appropriate manner with respect to their fellow employees, students and all members of the school community.

GENERAL INFORMATION

School Hours

Molin School: Grades 4 - 5: 7:45 - 2:15

Parent Visitation Procedures

Parents are always welcome at the Molin School. We deeply value the partnership between home and school as we work together to provide the best educational programs for all students. We ask for your cooperation with these procedures in order to provide a safe and secure learning environment.

Sign-In Procedures

1. Always report to the Molin Office when arriving at school.
2. Please sign in the visitor/volunteer log book and indicate your name, date of your visit, time of visit, reason for visit, and the location in the building that you will be visiting.
3. Please take a visitor/volunteer badge to wear. Visitor badges must be worn at all times when you are visiting the building during school hours.
4. Please tell a staff member in the office where you are going.
5. At the end of your visit, please report back to the office to sign out in the visitor log book, and return your visitor/volunteer badge.

Visiting Rules and Guidelines

There are a limited number of visitor parking spaces located in the front of the building. There are a higher amount of visitor parking spaces located on the side of the building at the Superintendent's entrance near the skate park. Handicapped spaces are available in both parking lots for people who have a current placard or license plate. Please keep speed to a minimum. Driving, speeding or parking infractions may be reported to the police.

If you are dropping off an item for your child, please inform the school secretary and your child will be called to the office to pick it up or someone in the office will bring it to your child. Please do not bypass the office and go to the classroom to deliver it yourself. This disrupts the classroom routine and student learning.

Please always inform the school secretary of the purpose of your visit and where you are heading. Please do not sign-in and leave the office without speaking to the secretary. At times, the office can be very busy and your patience is greatly appreciated.

Newburyport Public Schools Attendance Policy

Newburyport Public Schools require a high level of participation in engaged learning. Regular class attendance enables students to benefit from classroom discussions, presentations and interactive

activities. These shared academic experiences are integral to the learning process and cannot be re-created or replicated.

Massachusetts Law requires compulsory attendance for all students. Chapter 76, section 1 of the Mass General Laws states that all children between the ages of six and sixteen must attend school. A school district may excuse up to seven day sessions or fourteen partial day sessions in any six-month period. The school must uphold the law.

Absence and Tardy Information

Students arriving late to school must report to the main office with a parent and be signed in. A child is considered late at the Molin School if arriving after 7:45.

ATTENDANCE

The Newburyport Public Schools expects parents [Note – All references to ‘parent’ mean parent(s) or guardian(s)] and students to make every reasonable effort to have their children attend school every day. The continuity of day-to-day instruction is a critical dynamic to the overall success of each student

If a pattern of absences develops, the administration, along with the appropriate personnel from the Newburyport Police Department will consider filing a Child Requiring Assistance complaint with the Essex County Court for truancy. Please see the Student Absence Notification Program below for further details.

For general, excused absences, it is the responsibility of the student to make up all missed assignments, tests or quizzes. The student will have as many days missed in order to make up the work. For example, if a student is absent for two (2) days, the student will have two (2) days to make up the required work.

If a student is to be absent for an extended period of time due to illness, (fourteen or more consecutive days), the family may be eligible to receive some tutorial services. If you believe your child will have an extended absence, please contact the principal’s office.

Participation in after-school or evening events will not be allowed for students absent on the day of the event.

Excused Absences Students may be excused temporarily from school attendance for the following reasons:

- Illness or quarantine
- Bereavement of serious illness in family
- Weather so inclement as to endanger the health of the child
- For observance of major religious holidays (see Religious Observations below)
- For other exceptional reasons with approval of the school administrator

Absence Notification/Verification Procedure

When your child is absent, either for an “excused” reason as set forth above or another reason, please call the **Absence Alert Line: 978/463-3501.**

Please provide the following information when reporting a student absence:

- Identify yourself/calling party
- Student’s name, grade and homeroom teachers name

- Date(s) of absence

Do NOT leave the following information on the Call-In Line:

- Confidential medical information – speak to the nurse directly
- Requests for homework
- Messages for classroom teachers

For your child's safety, it is imperative that you call to document absences. If we do not hear from you, we will assume your child was sent to school and did not arrive. To ensure all children arrive at school safely, all Newburyport elementary/middle schools have a Safe Arrival Program in which we work to verify all unreported absences as quickly as possible.

Documenting Absence if Not Called-In on Day of Absence

If the absence is not verified by phone on the day of the absence, students will be required to present an absence note.

Medical Absence and Student Illness

Absences of five (5) days or longer require a note from a physician's office.

When should you call the nurse regarding a student illness?

- A new medical diagnosis or change in health or emotional status, i.e. the diagnosis of an allergy
- A newly prescribed medication
- Any change(s) in current medication
- A serious injury, illness, or hospitalization
- An injury that will require crutches and/or wheelchair or elevator use, e.g. fracture, sprain, stitches or cast
- A contagious disease (e.g. chicken pox, flu, strep throat, pertussis)
- Extended period of absence with atypical symptom
- Recent changes in family history that may affect your child, such as a birth, recent loss or sudden illness

Tardiness

It is important that students start their day off on the right foot and arriving late to school can negatively impact a student's day. As students grow and learn it is essential for their future success that they assume more responsibilities for their actions, choices and behaviors. Arriving to school on time is one of these responsibilities. Students arriving after the start of school are considered tardy and need to sign in at the office with an adult. Tardiness is noted on report cards. Although, we realize that emergencies occur on occasion, we expect students to arrive at school on time. If a family is experiencing difficulty getting a student to school on time, please contact the school administrative office for assistance.

Students who have an excess of five (5) unexcused late arrivals in a trimester will meet with the Principal or designated school staff member. Parents will be contacted.

Excused Dismissal

Please try to schedule appointments after school hours. In the event that you have to dismiss your child, send a note to your child's teacher including the day, time, and who will pick up your child. In cases where we are not familiar with the adult, identification will be required. No child will be released without an adult escort.

Dismissal notes are mandatory. Calling the school or sending an email to dismiss your child may result in someone not getting the message in a timely manner. We require written authorization for dismissals.

Family Vacations

Sometimes families plan vacations that occur during regularly scheduled school time. The Newburyport Public School department does not encourage or condone such action. Instead, the schools uphold Massachusetts General Law, Chapter 76, Sections 1-21 entitled “School Attendance”. This section of the law requires parents to “cause” their children to regularly attend school. Individuals who induce student absenteeism are liable for fines up to \$200. With this in mind, we reaffirm the position that parents are responsible for their children to attend school every day that classes are in session.

Absences due to family vacation are unexcused. A child who is absent from school due to a family vacation taken during the school year is of particular concern. It is important for children to receive continuous instruction; every day missed sets a child back and creates added pressure on the child and on the school. The school calendar is published in advance of the school year to help parents plan family trips so that they coincide with school vacations. Parents are urged to comply with the school calendar.

The practice of the school department is not to provide advance and/or make up work when the student is absent from school due to vacation. Since assignments are based upon material previously taught, work must be made up after the child returns. Parental cooperation in this matter is appreciated.

Students who are absent at the time when state or national standardized tests are administered will be allowed to make up missed tests to the extent that scheduled make up time is available and consistent with state law and regulations.

Religious Observations

Students may be granted excused absences when the school’s schedule conflicts with religious holidays. A student may be required to submit written notification. A student should not suffer adverse or prejudicial consequences from an excused absence, should be allowed a reasonable opportunity to make up school work missed during the absence, and will not be subject to penalty scholastically or to attendance records due to absences incurred due to religious observances. A sincere attempt will be made to avoid assemblies, assessments, and special school events on religious holidays.

Attendance Failure Absences greater than seven (7) days in a semester are considered excessive. If a student is repeatedly absent or tardy without an acceptable excuse, the Principal may take necessary action, including retention, withholding of credit or receiving an incomplete. All absences, including absences excused by parents, will count toward the semester limit.

The exceptions for the purpose of this policy are documented, excused absences for:

- Family bereavement or serious illness in the family
- School-approved field trips
- Observance of major religious holidays
- Legal (with documentation from court or lawyer)
- Medical excuse, absences due to illness or doctor appointment (with date-specific medical documentation for each day of absence provided by physician in order for absence to be excused)

Student Absence Notification Program

If the school has not received notification of an absence from a parent on the Absence Alert Line, the school shall notify the parent of the child's absence.

If a student has at least five (5) days in which he/she has missed two (2) or more periods unexcused in a school year, or if a student has missed five (5) or more school days unexcused in a school year, the school shall notify the student's parent/guardian. For those students who have five (5) or more unexcused absences in a school year, the school principal shall make reasonable effort to meet with the parent to develop jointly, and with input from other relevant school personnel and officials from relevant state and local agencies, an action plan to improve and ensure the student's attendance.

Changing Dismissal Routine

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

If you are calling with a dismissal change for the Molin School; the call must be received before 2:00. Emails are not acceptable at any time to alert us to change in dismissal.

Emergency Procedures for Early Dismissal of Students

In the event it becomes necessary to dismiss school early, the following actions will be implemented:

1. Staff will be notified as quickly as possible.
2. All extracurricular activities will be cancelled.
3. The Principal will utilize the system's voice messaging system to notify all parents and personnel of emergency procedures.
4. Bus students and walkers will be dismissed by the usual procedure.
5. Students of parents who have not been contacted will be housed at the school until their parents or other designated person pick them up at school or designated waiting area. A student will not be dismissed until his/her parent or other designated person has been contacted.
6. Teachers will be responsible for classroom supervision and for maintaining the accuracy of the student roster and attendance noting the whereabouts of every child released from the school.

7. Classroom teachers will be expected to remain at school until everyone of their respective students has been safely accounted for. Other staff members will be expected to assist in the process and will be released as the emergency subsides.

8. Custodians will perform duties as assigned by the Principal. In their capacity as special officers, they may be required to help manage traffic of parents picking up children and supervise the embarkation of bus students.

9. In the event of power loss and the school is unable to broadly communicate to the public on the suddenness of any contingency, the school will act in the best interest and safety of its students. Parents can reasonably assume that their children are being held at school. Children will be released if picked up by parents or a person designated in their emergency information.

10. If the building needs to be evacuated due to fire; loss of power, heat or water; or other cause, students and staff will be moved by bus to another school building and parents will be called.

**** It is very important that emergency information be kept up to date. Please send new names and numbers for us to add as it becomes necessary.**

Bus Transportation

Students eligible for Mandated Transportation are the following:

- 1.) All students in grade K through grade 6 that live more than 2 miles from school.
- 2.) All students who qualify for free and reduced lunch

All other students are eligible for ridership by paying the transportation fee:

- 1.) All students in grade K through grade 6 that live 2.0 miles and under
- 2.) All students in grades 7 – 12.

All students who ride the school bus must be issued a school bus pass and must register in order to be issued a bus pass. School bus routes and bus stops are determined by registrations. We cannot guarantee the availability of a seat if you do not register at the times listed above.

Only FULL DAY/FULL YEAR passes are available. Also, students will only be allowed to ride the school bus to which they are assigned to be transported from “home to school” and “school to home”.

Bus Rules

The orderly, courteous and sensible behavior which is expected of a student in school is also expected of at the bus stops and on the bus. The following rules apply to bus use:

1. **The bus driver has complete authority on the bus.**
2. Students may only ride their assigned bus (e.g. students cannot ride home on a friend's bus).
3. Students will be picked up and dropped off only at regularly scheduled bus stops.
4. All school rules are in effect on the bus.
5. Do not push or shove when entering or exiting the bus.
6. Keep hands, arms and heads inside the bus.
7. Students are to remain seated throughout the bus ride.
8. Do not throw things in the bus, at the bus, or out the window.
9. No food, gum or beverages, pets, skateboards, rollerblades or exceptionally large projects are allowed on the bus.
10. Students are expected to behave at all times in a courteous manner and respect the bus driver as well as fellow passengers.

11. Students who refuse to obey the directions of the bus driver promptly or who refuse to obey these regulations may forfeit their privilege to ride the bus to and from school.

12. **STATE LAW OFFENSE:** "Whoever willfully throws or shoots a missile at a school bus, or at a person on such, or any way ASSAULTS or interferes with an operator while in the performance of his/her duty on or near such school bus, shall be punished by a fine of not more than one hundred dollars, or by imprisonment for not more than one year, or both." A snowball is considered a missile.

Please make plans for pick up and play dates before school. At the end of the day, it is difficult for a secretary to get a message to a teacher that a student's destination or transportation has changed. We also need to keep telephone lines clear for emergencies.

Molin Arrival and Dismissal Procedures

Drop-Off and Pick-Up of Students-Molin

Students can be dropped off **beginning at 7:40 am**. Please do not drop off before that time as there is no supervision. NO cars may enter the Molin driveway in front of the school during arrival and dismissal. The driveway is open for **buses only from 7:00am to 8:20am and 1:45pm to 3:00pm**. Students may be dropped off and picked up at the sidewalk on Low street in front of the school.

School Lunch Program

Our school lunch program is managed by Chartwells Dining Services, a Division of Compass Group of North America. The school district uses the Nutrikids POS System which allows students to put money in their individual account and simply use their 4 digit pin # when going through the register line. Additional information regarding Chartwells can be found on the district website. Low-income families may be eligible for free or reduced lunch. Free and reduced lunch applications are sent home and are available in the office.

Prices for Lunch: Molin = \$3.00 Reduced (both schools) = \$.40

Student Progress Reports and Parent Conferences

Progress reports will be issued three times a year for students in grades 1-5. Children receiving special education and/or Title I services will also receive a report from their service provider(s). The dates/times for parent conferences will be sent out by the individual schools. It may vary by grade level.

Field Trips

Teachers schedule field trips with the approval of the Principal. It is the School Committee's policy that the school must gain permission from parents whenever teachers are involved in out of class activities with students. Permission slips will be sent home, and must be returned before a child is allowed to go on a field trip.

Lost and Found

Students are responsible for their own property. All valuable items found are turned in to the Principal. Other items are placed in lost-and-found. All hats, coats, lunch boxes, etc. should be marked with student name to facilitate return. Periodically, all unlabeled lost articles will be discarded or donated to charity.

Volunteering

All in-school volunteers and school event chaperones must be checked through the Criminal Offender Record Investigation (CORI) check process and fingerprinted. Please contact our main office for more information. Volunteers are subject to CORI checks based on the following statute:

CORI Checks

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

Residency Verification

The Newburyport Public Schools reserves the right to request residency verification at any time during the school year.

Withdrawal If you are going to transfer to another school during the school year, please inform the office in advance. A parent or legal guardian must come to the main office to sign a release and fill out the paperwork associated with the withdrawal. Your school records will then be sent by us to your new school. If you are moving during the summer, please be sure to notify the office that your child will be withdrawing. You will need to sign the record release form.

Delayed Opening

On occasion, weather conditions may permit school to operate but require that the opening of school be delayed. When the above conditions exist, as determined by the Superintendent of Schools, the opening of school will be delayed by either one or two hours. Molin School will begin at 8:45 A.M. (one hour delay) or 9:45 A.M. (two-hour delay). The buses will operate one or two hours later than their normal schedule. Schools will be dismissed at their usual time.

Extra Help/Enrichment There are many opportunities for students to receive extra help both during and after school. After-school extra help may be initiated by the teacher, student or parent. Extra help is usually held from 2:30 to 3:30, but may vary from teacher to teacher.

Extra help should not be considered as a punishment by students, but rather as a student taking responsibility for his or her learning.

Student Records

- Inspection or copies--Parental requests should be made at least two days prior to inspection of records or date copies are needed. Request signature forms are available in the Principal's office.
- Non-custodial Parent--As of July 12, 2006 Massachusetts law (General Laws Chapter 71, Section 34H) specifies detailed procedures that govern access to student records by parents who do not have physical custody of their children. For more information, please contact the Principal's office.

PARENT TEACHER ORGANIZATION

The Elementary-Middle School PTO is a committed, caring group of parents and teachers whose goals are to sponsor school wide social events, raise money for enrichment programs, field trips and special supplies and to promote school spirit through parent, teacher and student involvement. Signing up for and finding out about PTO sponsored events can be done through the website:

www.newburyportpto.com. PTO meetings are held monthly. All parents are welcome and encouraged to participate. Contact the PTO President for more information.

SCHOOL COUNCIL

The School Council consists of the Principal, teachers, parent representatives, and a member of the community. The PTO will communicate information regarding yearly openings and will nominate candidates that express an interest. The Council serves as an advisory board to the principal in developing a school improvement plan, reviewing the budget, adopting educational goals and identifying educational needs of students.

HEALTH SERVICES

The job of the school nurse has changed significantly in the last decade. The schools have made a commitment to meet everyone's educational needs. The school nurse deals with a variety of health issues. The focus is on prevention, early intervention, and primary care. This ensures optimal health for all students in the Newburyport Public School system.

Newburyport Public Schools provide:

- Acute and Emergent Care
- Health Counseling
- Mandated Health Screening
- Administration and Evaluation of Medications
- Case Management for Children
- Health Education of Parents, Students, and Staff
- Administration and Monitoring of Immunizations
- Comprehensive Physical Exams are required on entrance to school and for Grades 4, 7, and 10

Parents are expected to notify the school nurse in the event of a contagious disease, so that the nurse and teacher can take the necessary steps to protect the health of other students. If your child is absent from school, you are expected to notify the school and provide a written excuse at the time of return. If your child is excused from physical education, notification in writing is mandatory, by parent or physician. Written notification is required to return to physical education. Any student who has an extended absence from school must have a medical clearance before returning to school.

If a student is injured or becomes ill during the day, the nurse or the secretary will notify the person or persons listed on the confidential health information card. If the injury or illness is severe, the child will be transported by ambulance to the hospital.

Medication Policy

- Medications may be dispensed during the day. All medications must be delivered to the health office.
- School policy requires both parental and physician consent for regularly scheduled medications. Consult with the school nurse for self-administration.

- For short term medications such as antibiotics, parental consent is recommended, but the prescription on the bottle is sufficient.
- Parents should take advantage of services offered by local pharmacies. Medications can be dispensed in two separate containers; one for home and one for school use. Over the counter medications can also be dispensed provided it is received in the original container. No medication can be administered if brought in plastic bags.
- Consent forms can be obtained from the Health Office.

Students must stay home for 24 hours if they have the following:

- A rash or skin condition not diagnosed by a physician
- A fever that causes chills, sweats or a temperature above 100 within 24 hours
- Vomiting or diarrhea
- Inflamed eyes, yellow or green drainage from the eyes
- Head lice or nits
- Bacterial infection not treated for 24 hours with antibiotics

On occasion, emergencies do occur. It is important that the school be kept informed of situations and changes in a parent or guardian's residence, employment, or emergency contact numbers. Accurate phone numbers help us to facilitate successful treatment.

Prompt return of the emergency information form along with the potassium iodide (KI) permission are required for the emergency response plan.

As part of the Newburyport Public Schools policy, cell phones are not allowed in school. If your child becomes ill they should be evaluated by the nurse. The nurse will then notify the parent or guardian of the illness.

There is no nurse available during before-school and after-school programs and organized activities (e.g. sports, clubs). If an emergency arises, staff will activate the emergency medical system and the student will be transported to the nearest hospital. Note that after-school personnel cannot deliver medical procedures or obtain or administer medications. Students with special health needs are encouraged to carry necessary items (e.g. inhalers, EpiPens) during these times. If your child requires specific assistance during an after-school event, please contact your child's school nurse for guidance.

Special Education Services

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

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

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

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

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

If you have any questions about special education regulations, please call the Director of Student Services at 978-465-4453.

SE 47 - Procedural requirements applied to students not yet determined to be eligible for special education

- What protections does a student eligible for special education services have regarding school exclusion?
 - The federal Individuals with Disabilities Education Act (IDEA) gives a student found eligible for special education services a right to a free appropriate public education (FAPE) in the least restrictive environment. The IDEA provides protections when these students are excluded from school.
 - In addition to IDEA requirements, school districts also must comply with state law regarding school discipline.

SE 47

- What about a student with a disability who is not yet eligible for special education?
 - A student not yet determined eligible for special education also has these protections if the district had knowledge that the student was a "child with a disability" before the behavior that led to the discipline occurred.
 - When does a school district have knowledge that the student was a "child with a disability"? A district is considered to have knowledge if:
 - Parent has expressed concern in writing to a teacher or supervisory or administrative personnel of the district that student needs special education and/or related services;
 - Parent has requested an evaluation of student for special education needs; or
 - Teacher or other school personnel has expressed specific concern about a pattern of behavior demonstrated by student directly to director of special education or to other supervisory personnel in district.

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- When is a student, about whom the district has knowledge of a disability, not protected by this provision? A student is not protected if:
 - The parent doesn't allow evaluation;
 - The parent refuses special education services; or
 - The student was evaluated and found not eligible.
- Expedited evaluation: If the district had no reason to consider the student disabled, and the parent requests an evaluation subsequent to the disciplinary action, the district must have procedures consistent with federal requirements to conduct an expedited evaluation to determine eligibility. If the student is found eligible, then he/she receives all procedural protections subsequent to the finding of eligibility.

Molin Schoolwide Expectations:

***Be Kind**

***Be Responsible**

***Be Respectful**

PBIS: Positive Behavior Interventions and Supports

What is Positive Behavior Interventions & Supports (PBIS)?

Positive Behavior Interventions and Supports is a process for creating school environments that are more predictable and effective for achieving academic and social goals. PBIS will enhance our current systems and practices and change our culture for the better.

How does it Work?

A key strategy of the PBIS process is prevention. The majority of students follow the school's expectations, but are never acknowledged for their positive behavior. Through instruction, comprehension, and regular practice, all teachers and staff members will use a consistent set of behavior expectations and rules. When some students do not respond to teaching of the behavioral rules, we will view it as an opportunity for re-teaching, not punishment.

Does it make a Difference?

The PBIS model is a research based strategy. The 3-tiered approach reduces problem behavior as a barrier to student achievement. We only have 180 days each year to advance academic progress, so instructional time is very valuable. Research shows that schools following the PBIS model recover thousands of hours of instructional time and on average, four days of student instruction per year.

What about Disruptive Students?

Our PBIS school team has developed a documented discipline system that is integrated with the district's code of conduct. When problem behavior occurs, students are provided a full continuum of supports to address the behavior. If students do not respond, the intensity of the support increases. Most problem behaviors either have an academic or social base. Properly addressing the root cause of behavior can prevent student failure later in life.

How is PBIS Different from Other School Behavior Programs?

- The program is focused on acknowledging students for consistent positive behavior.
- There are expectations for all students, parents, staff, and settings.
- Teachers are acknowledged for noticing positive student behavior.
- Direct instruction of expected behaviors will occur throughout the school year.
- Routines and language with respect to appropriate school behavior are consistent throughout the school.
- Students are rewarded for expected behavior by staff with Anchor Stamps that add up to help their class reach benchmarks that correspond with class rewards.
- Problem behavior will be met with consistent consequences that are focused on re-teaching the expected behaviors.

Discipline

Teachers and staff all have access to the same resources that allow them to respond consistently to misbehaviors. For Minor Behaviors, staff handle these using strategies that help redirect the student and allow them, and others, to continue working in the classroom. If behaviors continue to increase, or there is a Major Behavior, staff will complete an Office Referral Form. Major behaviors are managed by the office and need a higher level of support to be addressed. The student may receive support from a PBIS team member, Principal, or Asst. Principal based on the severity of the issue. Office Referral Forms will be communicated to the parents/guardian so that they may follow up with their student regarding the issue.

Appropriate behaviors and expectations will be routinely practiced throughout the school year in individual settings and as a whole school. Students will have reminders in all areas of the building, including the hallways for transitions. This will help make our school climate more friendly, welcoming, safe, and supportive for all students and staff.

Newburyport District Policies

Child Abuse and Neglect Policy

Massachusetts General Laws (M.G.L) c. 119, § 51A, requires that certain persons in their professional capacity are mandated to report child abuse and neglect when they have reasonable cause or suspicion to believe that a child under the age of 18 years is suffering physical or emotional injury resulting from abuse that causes harm or substantial risk of harm to the child's health or welfare, including sexual abuse, or from neglect, including malnutrition. All employees of the NPS are mandated reporters.

Policy Against Harassment

INCLUDING HARASSMENT BASED UPON SEX, RACE, COLOR, NATIONAL ORIGIN, RELIGION,
AGE, DISABILITY, SEXUAL ORIENTATION, AND GENDER IDENTITY

Newburyport Public Schools is committed to the prevention of harassment based upon sex, race, color, national origin, religion, age, disability, sexual orientation, and gender identity. It is the policy of the Newburyport Public Schools to provide a school and workplace and environment free from harassment. The Newburyport Public Schools strictly enforces a prohibition against harassment of any of its student or employees, by anyone, including any fellow student, teacher, supervisor, co-worker, vendor or other third party, as such conduct is contrary to the mission of the School District to and its commitment to ensuring equal opportunity in education and employment.

Harassment consists of unwelcome conduct, whether verbal, written, or physical, that is based on a characteristic protected by law, such as sex, race, color, national origin, religion, age, disability, sexual orientation or gender identity. The Newburyport Public Schools will not tolerate any harassing conduct that: has the purpose, or effect, of creating an intimidating, hostile or offensive academic or work environment; has the purpose, or effect, of substantially or unreasonably interfering with an individual's academic or work performance; or otherwise adversely affects an individual's academic or employment opportunities. The Newburyport Public Schools prohibits and will not tolerate harassment of employees or students occurring in the schools or work place. For the purposes of this policy, "workplace" or "school" also includes school-sponsored social events, trips, sports events, work-related travel or similar events connected with school or employment.

Staff, students or third party complaints of harassment based upon sex, race, color, national origin, religion, age disability, sexual orientation and gender identity be reported to those individuals indicated below. Upon receipt of a complaint of harassment, the Newburyport Public Schools will respond promptly by taking interim measures to protect the complainant from further harassment and by conducting a timely, thorough and impartial investigation. Where it is determined that prohibited conduct has occurred, the school District will act promptly to eliminate the conduct and will impose corrective action if appropriate, up to and including school-related discipline or termination of employment. In all actions taken, the School District will strive to provide due process rights to those persons involved, while minimizing the burden to the complainant student or teacher.

Any retaliation against an individual who has complained about harassment or retaliation; or any retaliation against any individual who has cooperated with an investigation of a harassment or retaliation complaint is similarly unlawful and will not be tolerated. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment. Claims of retaliation will also be investigated pursuant to this policy and procedures, and corrective action will be taken as appropriate.

The policy and procedures set forth herein shall apply to complaints pursuant to both state and federal laws, including Title VI of the Civil Rights Act of 1964; Title IX of the Education Amendment Act of 1972; Section 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act; and Massachusetts General Laws Chapter 151B.

RESPONSIBILITIES

Individual: All students, teachers, administrators and other school personnel of the Newburyport Public Schools are responsible for creating an environment that is free of harassment, and for conducting themselves in a manner consistent with the spirit and intent of this policy.

Principals: Principals are responsible to ensure that this policy is conspicuously posted in appropriate student/employee work areas, on the website, school and district, and that it is printed in each school's student handbook. The posting shall include the name, mailing address, and telephone number of each school's harassment contact, as well as the name, address, and telephone number of the School District's Civil Rights Officer.

Superintendent or Designee: The Newburyport Public Schools are responsible for the dissemination of this policy and training. The School District will ensure that it will: 1. develop a method of discussing this policy with students and employees; 2. provide appropriate training to administrators and others

who are assigned the responsibility to implement the procedures of this policy; and 3. see that this policy is reviewed periodically for compliance with state and federal law.

PROCEDURES: REPORT, INVESTIGATION, RESPONSE

REPORTING

Any person who believes that a student, teacher, administrator or other school personnel has engaged in conduct prohibited by this policy, whether such conduct has been directed at him/her or some other person, is encouraged to report the alleged prohibited conduct as soon as possible to the appropriate individual listed in this policy.

The reporting party or complainant is encouraged to use the Harassment Report Form available on the School District's website, or from the school principal, each School District's Central Office or Superintendent's Office. Oral reports/complaints will also be accepted. Nothing in this policy shall prevent any person from reporting alleged prohibited conduct directly to the district's Civil Rights Officer, or to the Superintendent. Further, nothing in this policy shall prevent any person from reporting alleged prohibited conduct to a different administrator than the administrator designated, or in the case of a student, to a district employee.

The School District designates the Director of Pupil Services as the Civil Rights Officer with responsibility to oversee administration of these procedures and to monitor compliance. If a complaint involves the Director of Pupil Services, the complaint shall be made or filed directly with the Superintendent. If a complaint involves the Superintendent, the report will be filed directly with the School Committee.

In each school there are two (2) designees with the responsibility for receiving and investigating oral or written reports of alleged harassment. Any employee who receives a report of alleged harassment shall promptly inform the principal, or other school administrator as indicated below. If the complaint involves the school principal, the complaint shall be filed with the Superintendent.

The School District and school-level harassment contacts are as follows:

Civil Rights Officers: Director of Pupil Services, Nancy Koch; Superintendent of Schools, Sean Gallagher

Title IX Coordinator: Director of Pupil Services, Nancy Koch

Francis T. Bresnahan Elementary School: Principal (Grades 1-3), Tim Miller; Principal, Amy Sullivan (Grades PreK-K); Asst. Principal, Anne Doble

Edward G. Molin Upper Elementary School: Principal, Tara K. Rossi; Asst. Principal, Jamie Sokolowski

Rupert A. Nock Middle School: Principal, Lisa Furlong; Asst. Principal, Nick Marcos

Newburyport High School: Principal, Andrew Wulf; Associate Principal, Mike Testa

INVESTIGATION

Upon receipt of a report or complaint of alleged harassment, the responsible administrator shall initiate a timely investigation of the complaint. Interim measures shall also be taken to protect the complainant from further harassment during the pendency of the investigation.

If warranted by the circumstances of the complaint, the School District's Civil Rights Officer may assist the school contact with the investigation, may assume responsibility for the investigation, or may authorize an investigation by a third party who shall report to the District's Civil Rights Officer.

The investigation may consist of personal interviews with the complainant(s), the individual(s) against whom the complaint is filed, and others that may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.

In determining whether the conduct alleged constitutes a violation of this policy, the investigator shall consider the surrounding circumstances, including but not limited to: the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationship between the parties involved and the context in which the alleged conduct occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all facts and surrounding circumstances.

Upon completion of the investigation, the harassment contact shall generate an investigation report, which will include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy. The complainant will be informed in writing as to whether or not the allegation of harassment was substantiated. In accordance with state and federal law regarding law or records privacy, the complainant will also be informed that appropriate corrective action has been taken.

CORRECTIVE ACTION

Upon completion of an investigation and substantiation of the complaint, the School District will take appropriate corrective action. Such action may include, but is not limited to: an apology, direction to stop the offensive behavior, counseling, training, warning, suspension, exclusion, expulsion, transfer, remediation, termination or discharge. School District action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Massachusetts and federal laws and School District policies.

In the case of substantiated harassment by an employee, the Superintendent will include a written statement of the findings, the corrective action taken, and the consequences of continued harassment, in the individual's personnel file.

In the case of substantiated harassment by a student, the principal will include a written statement, as above, in the student's discipline file.

During the entire process of reporting, investigating, and corrective action (if applicable), confidentiality will be maintained to every extent possible. If harassing conduct constitutes a hate crime or abuse/neglect of a child, it will be reported to the appropriate state agencies/authorities as required by law.

RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES Nothing in this policy shall be deemed to effect a complainant's right to other remedies at law, including administrative appeals or lawsuits. Administrative agencies with jurisdiction in these matters include:

The Massachusetts Commission Against Discrimination
One Ashburton Place,

Room 601 Boston, MA 02108
(617) 727-3990

Massachusetts Department of Elementary and Secondary Education
75 Pleasant Street
Malden, MA 02148
(781) 388-3300

The U.S. Department of Education,
Office for Civil Rights
5 Post Office Square, 8th Floor
Boston, MA 02109-3921
(617) 289-0111

Newburyport Police Department
4 Green Street Newburyport, MA 01950
(978) 462-4411

Anti-Bullying Policy

Bullying Prevention and Intervention Plan

In accordance with Massachusetts General law c. 71, § 37O, the Newburyport Public Schools developed a Bullying Prevention and Intervention Plan during the 2010 – 2011 school year, which was approved by the Department of Elementary and Secondary Education (DESE). In addition to requirements including training, professional development, identification of investigation protocol, etc., the law requires each Plan to include a statement prohibiting bullying, cyberbullying, and retaliation. The statement must be included in the Plan and included in the student handbook, and the staff handbook. The following statement is incorporated directly from M.G.L. c. 71, § 37O (b), and describes the law's requirements for the prohibitions of bullying.

Acts of bullying, which include cyberbullying, are prohibited:

- (i) on school grounds and 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 of schools; 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 through the use of technology or an electronic device that is not owned, leased, or used by a school district or school, if the acts create event a hostile environment at school for the target or witnesses, infringe on their rights at school, or materially and substantially disrupt the education process or the orderly operation of a school.

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

The full plan can be found on our website (www.newburyport.k12.ma.us), in the main offices in our schools, and in other areas to ensure that all students, parents, staff and community know of its existence.

Bresnahan and Molin Schools Anti-Bullying Policy

At the Newburyport Elementary Schools everyone should feel safe and have no fear that anyone will say or do something that will harm them physically, socially or emotionally. Harming someone in this way is called bullying. Bullying happens when someone is repeatedly hurting, frightening, threatening, or leaving someone out on purpose. Bullying will not be tolerated at our elementary schools.

Bullying may happen on the bus, in the school or on the playground. Examples of bullying behavior are:

- Hurting someone physically by hitting, kicking, tripping, pushing, and so on.
- Embarrassing someone on purpose.
- Stealing or damaging another person's things.
- Ganging up on someone.
- Saying something hurtful using various forms of media such as email or text messaging
- Teasing someone in a hurtful way.
- Using put-downs, such as insulting someone's differences.
- Threatening or intimidating someone into a particular action.
- Spreading rumors about someone on purpose to be hurtful.
- Leaving someone out on purpose.
- Trying to get other students to exclude someone.

Staff in our school will do the following things to prevent bullying and help children feel safe at school:

- Supervise students according to building expectations.
- Watch for signs of bullying and stop it when it happens.
- Integrate bullying prevention into the culture of each school.
- Respond quickly and sensitively to bullying reports.
- Take seriously families' and students' concerns about bullying.
- Look into all reported bullying incidents.
- Assign consequences for bullying based on the school discipline code.
- Provide immediate consequences for retaliation against students who report bullying.
- Bullying situations will be responded to on an individual, case-by-case basis.
- Dependent upon the level of bullying behavior, police may be notified and/or become involved.

Students in our school will do the following things to prevent bullying:

- Treat each other respectfully.
- Refuse to bully others.
- Refuse to stand by and let others be bullied.
- Refuse to watch, laugh, or join in when someone is being bullied.
- Try to include everyone, especially those who are often left out.
- Report bullying to an adult.

Discipline Procedure for Bullying Behavior

Warning A staff member may redirect or re-teach the rule with which a student is having difficulty. Depending upon the severity of the offense, the student may be referred directly to the Principal, Assistant Principal, School Counselor or School Psychologist.

Step One: Referred to Principal, Assistant Principal, School Counselor or School Psychologist First Time

An individual conference is held with student(s) involved. School expectations and rules for bullying are reviewed with student. The Incident Solutions sheet is completed and sent home to be signed by the parent and returned. Student is informed of Steps 2-3.

Interventions Step One:

1. Apology and making amends by repairing, cleaning, replacing
2. Loss of privileges

Step Two: Referred to Principal, Assistant Principal or School Counselor, Second Time

Student/Parent/Teacher/ Principal, Assistant Principal, School Counselor or School Psychologist conference required. A behavior plan may be created, which is signed by parent(s) and student.

Interventions Step Two:

1. Loss of privileges.
2. Parent Notification
3. Make an environmental change:
 - a) move seat
 - b) adjust schedule
 - c) increase level of supervision
4. Develop a behavior plan

Step Three: Recurring bullying incidents

Parents will be notified. Conference with Principal, Assistant Principal, School Counselor or School Psychologist could be followed by temporary removal from group activities, in school suspension or out of school suspension. If suspension occurs a meeting is required with the Student/Parent/Teacher/ Principal, Assistant Principal, School Counselor or School Psychologist before student will be allowed to return to class.

Hierarchy of Bullying Behaviors and their Possible Interventions

Definition of Bullying: Bullying is unfair and one-sided; it involves an imbalance of power. It happens when someone is repeatedly hurting, frightening, threatening or leaving someone out on purpose. Like harassment, bullying situations take into account the perception of the victim and not just the individual or group action.

Please note that any of the interventions may be enacted. Depending upon the severity or frequency of the behavior, a Level One offense may arise to that of a Level Two intervention and a Level Two offense may arise to that of a Level Three intervention.

Level One Bullying Behaviors

Gossiping/Spreading Rumors

Embarrassing someone on purpose

Pushing/Kicking/Hitting

Spitting

Mocking, Mimicking

Name-calling/Put Downs

Dirty Looks

Teasing in a hurtful way

Daring someone to break a school rule

Excluding from a group

Level One Possible Interventions

1. Apology and making amends by: hiring, cleaning, replacing, writing an apology note
2. Loss of privileges
3. Parent Notification
4. Develop a behavior plan
5. Make an environmental change: move seat, adjust schedule, increase level of supervision
6. Detention Issued

A pattern of Level 1 offenses may result in interventions for Level 2 offenses and referral for additional intervention services,

Level Two Bullying Behaviors

Threatening to take or destroy a possession

Taking or destroying a possession

Making verbal threats to harm or intimidate

Encouraging others to exclude someone

Encouraging others to spread rumors

Retaliation against someone reporting bullying

Humiliating someone publically

Teasing in a racial/sexual manner

Level Two Possible Interventions

1. Loss of privileges
2. Making amends by school-based community service/ writing an apology note
3. Detention issued
4. Student Behavior Plan/Counseling Intervention
5. In-school suspension
6. Out-of-school suspension

Level Three Bullying Behaviors

Physical Violence

Threatening with a weapon

Retaliation

Racial/Sexual Harassment

Level Three Possible Interventions

1. Student Behavior Plan/Counseling Intervention
2. In-school suspension
3. Out-of-school suspension

Please note that possible interventions may be used from the list above based on the offense

Policy on Student Conduct and Discipline

For a comprehensive and current list of District Policies, please visit the district website at <https://www.newburyport.k12.ma.us/District--Parent-Info/Policies/index.html>

Some policies of particular interest include:

- JICD Anti-Bullying Policy (Adopted 6-19-17)
- Policy Against Harrassment (Adopted 6-20-16)
- Wellness Policy (Updated 3-2018)

- Home Schooling Policy and Application
- Technology Acceptable Use Policy (Adopted 6-9-16)

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

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

Suspension

It is the policy of the School Committee that suspension is a necessary tool to maintain order and is a valuable educational device for serious offenses. Since suspension involves excluding a student from the educational program of the school, thereby depriving said student of his/her right to an education, the following procedures have been established:

Temporary Suspension: A temporary suspension is defined as a temporary exclusion of up to and including ten (10) days by a properly authorized school official of a student from a regular school program; such suspension may take place within as well as outside the school facility.

Due Process Suspension for Up to Ten (10) Days: A student facing a temporary (up to ten (10) days) suspension shall be given oral or written notice of the charge(s) against him/her with an explanation of the evidence against him/her. The student will be afforded the opportunity to present his/her version of the incident to an impartial decision maker. This presentation of the evidence to an impartial decision maker should precede the suspension, except where students whose presence in the school poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process. Under these circumstances, the student may be immediately removed from school and the necessary notice and hearing should follow as soon as is practicable. *Goss v. Lopez*, 419 U.S. 565 (1975).

Students are responsible for making up all class assignments missed during their period of suspension. Staff members shall provide the student with a reasonable opportunity to make up missed work when appropriate.

When a student is suspended long term (10 or more consecutive days) the district has a responsibility to provide every student with an opportunity to make academic progress during the period of suspension whether in-school, out-of school, or expulsion.

During the suspension period, students are not allowed to participate in or attend any school activities. A student who is on external suspension is not to be on school grounds or in the school building.

MASSACHUSETTS GENERAL LAWS

Expulsion

Pursuant to Massachusetts state law, Chapter 71, section 37H, students may be expelled for the following reasons:

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, may be subject to expulsion from the school or school district by the principal.

B. Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a controlled substance including, but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from the school or school district by the principal.

C. Any student who assaults a principal, assistant principal, teacher, teacher's aide or other educational staff on school premises or at school-sponsored or school-related events, including athletic games, may be subject to expulsion from the school or school district by the principal. Any student who is charged with a violation of any of the above shall be notified in writing of an opportunity for a hearing before the principal. 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 (10) days from the date of the expulsion in which to notify the superintendent of his/her appeal.

Felony Complaint or Conviction

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 may suspend said student for a period of time determined appropriate by the principal if the principal determines that the student's continued presence in the school would have a substantial detrimental effect on the general welfare of the school. The student has the right to appeal this suspension to the superintendent in accordance with Massachusetts State Law, Chapter 71, section 37H 1/2.

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 may expel said student if the principal determines that the student's continued presence in the school would have a substantial detrimental effect on the general welfare of the school. The student has the right to appeal this expulsion to the superintendent in accordance with Massachusetts State Law, Chapter 71, section 37H1/2.

Special Education Students – Discipline

The disciplining of students with disabilities eligible for special education is governed by federal and state special education laws and the regulations promulgated thereunder. These laws include the Individuals with Disabilities education Act, 20 U.S.C. 1401 et seq., its implementing regulations 34 C.F.R. 300 et seq.; and Massachusetts General Laws, Chapter 71B and its implementing regulations, 603 C.M.R. 28.00.

Students with disabilities who violate school rules are subject to removal from their current educational placement for up to ten (10) school days per year, to the extent that such a removal would be applied to students without disabilities, without a prior determination as to whether the misconduct is related to the student's disability.

School personnel may order a change in educational placement of a child with a disability to an appropriate Interim Alternative Educational Setting (IAES) that provides the student with a free appropriate public education for the same amount of time that a child without a disability would be subject to discipline, but for not more than forty-five (45) calendar days if the student:

- A. Carries or possesses a weapon to or at school, on school premises, or to or at a school function;
- B. Knowingly possesses or uses illegal drugs at school, a school function, or school sponsored event; or
- C. Sells or solicits the sale of a controlled substance while at school, a school function, or school sponsored event.

Anytime school personnel seek to remove a student from his or her current educational placement for more than ten (10) school days in any school year, this constitutes a "change of placement." A change of placement invokes certain procedural protections under the IDEA, the federal special education law.

These include, but are not limited to:

- A. If the school did not conduct a functional behavioral assessment and implement a behavioral intervention plan for such a student before the behavior that resulted in the discipline, the school shall convene an IEP meeting to develop an assessment plan to address the behavior; or if the child already has a behavioral intervention plan, the IEP Team shall review the plan and modify it, as necessary, to address the behavior.
- B. A review by the IEP Team of the relationship between the child's disability and the behavior subject to the disciplinary action, which is often referred to as the Manifestation Determination.

School personnel may also seek an order from the Department of Education Bureau of Special Education Appeals (BSEA) placing a student in an IAES for up to forty-five (45) calendar days.

Parents/guardians and/or students, where appropriate, may request a hearing at the bureau of Special Education Appeals regarding a disciplinary action described above to challenge the interim alternative educational setting or the manifestation determination.

For a copy of the Massachusetts Department of Education brochure on Special Education Parents' Rights, available in many languages, visit www.doe.mass.edu/sped/parents or contact the Director of Special education at 978 465-4453.

Students on 504 Plans – Discipline

Section 504 of the Rehabilitation Act of 1973 is a federal statute which prohibits a qualified individual with a disability from being excluded from the participation in, denied the benefits of, or subjected to discrimination under any program or activity receiving Federal financial assistance because of his/her disability. 29 U.S.C. § 794 and its implementing regulations, 34 C.F.R. 104 *et seq.* School personnel may not suspend a student on a 504 plan for more than ten (10) school days without first conducting a manifestation determination.

Parental Notification Relative to Sex Education Policy

I. Purpose and Scope

In accordance with Massachusetts General Laws, Chapter 71, s. 32A, the Newburyport Public Schools have adopted the following policy relating to the rights of parents and guardians of our students in relation to curriculum that primarily involves human sexual education or human sexuality issues.

II. Application

The Newburyport Public Schools afford parents or guardians the flexibility to exempt their children from that portion of the curriculum that specifically involves human sexual education or human sexuality issues. Parents must request the exemption in writing to the school principal. No child so exempted shall be penalized by reason of such exemption.

Students who are exempted from that portion of the curriculum specifically involving human sexual education or human sexuality issues will be assigned related coursework and material to occupy the exempted curricular time. Students will be responsible for course materials and performance criteria as determined by state mandated assessments and local school district requirements.

At the beginning of the course the school will inform parents/guardians, in writing, about curriculum that primarily involves human sexual education or human sexuality issues. This notice will include the topics covered in the course as well as the course.

School Committee Electronic Information Use Policy

The Newburyport School System recognizes that telecommunications and other technologies have altered the ways that information may be accessed and communicated by students and staff. The school system supports access by students to rich information resources along with the development by staff of skills to analyze and evaluate such resources. In the past, school instructional and library materials could be screened before being used by students. How information may be acquired and used has drastically changed, and will continue to change. One consequence is that effective screening has become problematic.

The School Committee nonetheless believes that in a free and democratic society operating in an ever-changing world, the educational benefits to students of free and ready access to information outweigh the concerns that go along with that access.

The Committee also believes that with such freedom comes commensurate responsibility. While parents and guardians are responsible for setting overall standards for their children, the school system is responsible for providing guidance and instruction to students in the appropriate use of such resources for educational purposes.

Student Policy Guidelines for Internet Use

The Newburyport Public Schools offer Internet access at each school. The sole purpose of this Internet access is to support education and research by providing students and teachers with access to unique resources and an opportunity for collaborative work. All uses of Newburyport's Internet access (like all other uses of Newburyport's computer facilities) must be in support of and consistent with these educational objectives. All students who use Newburyport's Internet access are expected to read these guidelines and/or to take part in a discussion of the guidelines with a teacher. Adherence to the guidelines is a condition for a student's privilege of Internet access.

Students' Individual Responsibility

All student use of the Internet is to be conducted under faculty supervision. Nevertheless, faculty members are not expected to monitor student use at every moment. Every student is expected to take individual responsibility for his or her appropriate use of the Internet.

All students will have access to the Internet and World Wide Web, with teacher supervision, in classrooms, libraries, or laboratories. Before a student may access the Internet and Web, however, he or she must be familiar with these Guidelines.

Grades K-5: Before students in Grades K-5 will be authorized to access the Internet and World Wide Web, they will take part in a discussion of these Guidelines with their teacher. Teachers will be asked to sign a statement indicating that they have had such a discussion with their class.

Internet Access Is a Privilege

Internet access through the Newburyport Public Schools is a privilege, not a right. A student's access may be canceled by school officials if this privilege is abused. Inappropriate conduct on the Newburyport Public School Internet access will also be subject to disciplinary action, in conformity with the Newburyport Public School Policy on Student Conduct and Discipline (which is published in school handbooks) and the disciplinary policies of individual schools.

Administrators' Access to Student Files

All student Internet files and records may be accessed and examined by administrators for educational and administrative purposes, including the need to ensure that these Internet Guidelines are being adhered to. Administrators will also cooperate in providing access to student Internet files and records to law enforcement authorities. Students should not assume that uses of the Newburyport Public Schools Internet access will be private.

Personal Safety

The Internet is accessible to the public. Unfortunately, this includes people who want to make contact with students for inappropriate purposes or under false pretenses. The Newburyport Public Schools cannot screen the Internet for such inappropriate uses. Therefore, students must be cautious and prudent about supplying personal information and arranging personal meetings. In particular, students should never arrange a personal meeting with a person who was met online without their parents' knowledge and approval. Students should promptly inform their teacher or school administrator of any online communication that the student feels is threatening, harassing, or otherwise inappropriate.

System Security and Resource Limits

Students are expected to follow procedures and guidelines that are issued in order to ensure the security of the Newburyport Public School computer system and to respect its resource limits. These include any downloading guidelines and virus protection procedures that may be issued.

Network Etiquette

Students are expected to learn and to abide by generally accepted rules of Internet network etiquette, as well as rules of school decorum. These include common courtesy, politeness, and the avoidance of vulgar language.

Unacceptable Uses

The following uses of the Newburyport Public Schools Internet access are unacceptable:

1. Posting private or personal information about another person.
2. Attempting to log in through another person's email account or to access another person's files.
3. Accessing or transmitting obscene or pornographic material.

4. Posting chain letters or engaging in “spamming.” (“Spamming” means sending annoying or unnecessary messages to large numbers of people).
5. Engaging in sexual harassment. The Newburyport Public Schools Sexual Harassment Policy, which is included in the individual schools’ handbooks, is applicable to Internet conduct.
6. Participating in any communications that facilitate the illegal sale or use of drugs or alcohol; that facilitate criminal gang activity; that threaten, intimidate, or harass any other person; or that violate any other laws.
7. Plagiarism. “Plagiarism” means the taking of material created by others and presenting it as if it were one’s own.
8. Infringing copyrights. Copyright infringement occurs when a person inappropriately reproduces or transmits material that is protected by copyright. For example, most software is protected by copyright and may not be copied without the permission of the copyright owner.
9. Participating in commercial activities that are not directly related to the educational purposes of the Newburyport Public Schools.

Disclaimer of Liability

The Newburyport Public Schools disclaim all liability for the content of material that a student may access on the Internet, for any damages suffered in the course of or as a result of the student’s Internet use, and for any other consequences of a student’s Internet use.

Personally-Owned Devices Policy

Students in grades kindergarten through eighth, should keep personally-owned devices (including laptops, tablets, smartphones, cell phones, e-readers, iPod touch, gaming devices) turned off and put away during school hours (with the exception of assistive devices) unless in the event of an emergency or as instructed by a teacher or staff for educational purposes. Devices are to be used as part of classroom lessons upon teacher approval. Because of security concerns, when personally-owned mobile devices are used on campus, they must be used over the school network.

This Acceptable Use Policy applies to privately-owned devices accessing the NPS network, the NPS Internet connection, and private networks/Internet connections while on school property. Virus protection for PC’s is required.

Changes in the Guidelines

The Newburyport Public Schools reserve the right to change these Guidelines at any time.

Translation of school documents

The Newburyport Public Schools is committed to its obligation under Title VI of the Civil Rights Act of 1964 (Title VI), Section 504 of the Rehabilitation Act of 1973 (Section 504), and Title II of the Americans with Disabilities Act of 1990 (Title 11). As part of the District's obligations, during initial student registration, all parents/guardians will be inquired, in their native language or a language they can understand, whether they would like notices and information from their child's school and the District to be provided in a language other than English. The District will record this information in all relevant student information files or folders and in any electronic student information system. In addition, during initial student registration, the District will also inquire whether parents/guardians require the student parent handbook translated and, upon Parent request, the District will translate the parent-student handbook into the Parents' native language or a language they can understand.

All notices or documents containing essential information will also be translated for parents/guardians who have requested notices in a language other than English. Essential information includes but is not limited to the following: information about special education matters arising under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973 (e.g., IEP or 504 meetings); report cards and other academic progress reports; information about the disciplinary process; requests for parent/guardian permission for student participation in District/school sponsored programs and activities; promotional materials and announcements distributed to students that contain information about school and District activities for which notice is needed to participate in such activities (e.g., testing, activities requiring an application, parent-teacher conferences, open houses); Student-parent handbooks; documents concerning enrollment or registration; Documents concerning academic options and planning; documents concerning screening procedures requesting a student's language background and a parent's/guardian's preferred method of communication; information related to public health and safety; and any other written information describing the rights and responsibilities of parents/guardians or students and the benefits and services available to parents/guardians and students. The District will also provide written or oral translations of information that is not deemed "essential information" upon receiving a reasonable, specific request for such information from limited-English proficiency ("LEP") parents/guardians.

In addition, when a District employee needs to communicate with an LEP parent/guardian orally regarding essential information, the communication will be provided, without undue delay, in a language that the parent/guardian understands by means of a qualified interpreter.

For any questions please contact the Molin Principal at (978)463-8212.

Student Rights

Right to Education

The Commonwealth of Massachusetts guarantees “an adequate publicly supported education to every child resident.” This right cannot be denied “on the basis of national origin, sex, economic status, race, religion, and physical or mental handicap.” Any person pregnant or married has the same right to an education.

In Massachusetts, a child between the ages of six and 16 is required by law to attend an approved educational institution unless legally excused. All persons from 3 through 21 have the right to an education to suit their individual needs as may be determined through an evaluation process. This process is designed to provide all children unable to function in the regular educational program with an educational plan suited to their special needs. This plan is created as a result of assessments made by psychologists, social workers, physicians, teachers and other professionals.

The evaluation process guarantees due process rights for parents, individualized educational plans, careful and non-discriminatory use of testing, and educational placements in the least restrictive settings. Questions about referrals and eligibility for support services should be directed to the school principal.

Equal Educational Opportunity

Discrimination on account of sex is prohibited by the United States Constitution and federal law. In Massachusetts, the law is more comprehensive than the federal law. For example, Chapter 622 and its implementing regulations include in their coverage the prohibition of sex bias in instructional materials, an area not covered in the federal regulation. It is the policy of the Commonwealth of Massachusetts to afford all persons, regardless of race, color, sex, religion, national origin, economic

status or handicap, equal rights and opportunities in the educational institutions within the State, as described by the guidelines of school policy.

Freedom of Assembly

Students have the right to assemble peacefully. The Students Rights and Responsibilities Law guarantees “the right to assemble peaceably, with the responsibility to obtain prior approval of school officials.”

There is an appropriate time and place for the expression of opinions and beliefs. Conducting or participating in demonstrations which substantially interfere with the operation of the school or classroom is prohibited. All student meetings in school buildings or on school grounds may function only as part of the formal educational process or as authorized by school authorities. Organizations that meet the above conditions are entitled to equal rights of peaceable assembly on school property.

Freedom of Religion

It is the responsibility of the school to protect the religious freedom of students. Students have the right to practice their own religious beliefs as long as they violate neither the constitutional rights of others nor the Supreme Court’s prohibition on the school’s extending the mantle of public sanction or support to any particular religion.

Students have the right to study, examine, discuss, and analyze religious ideas and institutions just as they might explore any other subject included in the curriculum of the Newburyport Schools; therefore, the study of religion and religious holidays as an academic subject or as part of a foreign culture is appropriate.

Patriotic Ceremonies

Certain rights and privileges pertaining to patriotic ceremonies are afforded by the First Amendment. A student may decline to participate in the salute to the flag, the Pledge of Allegiance, and the singing of the National Anthem. The school may not force the student to leave the room or otherwise punish the student. Students who choose to refrain from participation have a responsibility to respect the rights and interest of others who do wish to participate in the ceremony. The student may refuse to perform the ceremony in a manner that will not disrupt the ceremony for other persons.

Freedom of Expression

The First Amendment provides, “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.” Not only is Congress prohibited from infringing upon rights guaranteed by this amendment, but also state officers and employees, school directors, superintendents, principals, and teachers.

The chief purpose of the First Amendment is to encourage a free expression and exchange of ideas however unusual, unpopular, distasteful, or radical, without threat of punishment or reprisal. This free expression and exchange is vital to education in a democracy.

Therefore:

Students have the right of freedom of expression, subject only to the responsibilities to keep such expression from disrupting the educational process, and to allow other points of view to be expressed. Students also have the right to be free from dress codes, subject only to the responsibility to observe reasonable standards of health, safety and cleanliness.

Free speech and expression include not only the actual saying of words, but also symbolic speech such as the wearing of buttons, armbands, decals, and the like. (A student's right to exercise this freedom may not be limited merely because there is a hypothetical fear of disturbance).

Freedom of press includes not only the printing and distribution of a school newspaper, but also the printing and distribution of other newspapers, magazines, pamphlets, leaflets and other literature.

Right to Privacy

Parents, students and former students are guaranteed the rights of confidentiality, inspection, amendment, and destruction of student records. Specifically:

A parent has the right to inspect the school records of his/her child;

A parent has the right to a hearing to contest records that are allegedly inaccurate, misleading, or in violation of the rights of privacy of the student;

Search of an area assigned to a student shall be made in the presence of a witness and, when reasonably possible, in the presence of the student;

Illegal items as defined by federal, state, or local law or a provision of this policy and which may reasonably be determined to be a threat to health, safety, or security of others may be seized by the school authorities and turned over to the police department; and

Items which are used to disrupt or interfere with the educational process may be temporarily removed from a student's possession.

Confidentiality of Records

With a few exceptions, no individuals or organizations but the parent, student, and school personnel working directly with the student are allowed to have access to information in the student record without the specific, informed, written consent of the parent or the student.

Freedom from Corporal Punishment

While "reasonable" corporal punishment is permissible in certain other states, Massachusetts law clearly forbids it:

The power of the School Committee or of any teacher or other employee or agent of the School Committee to maintain discipline on school property shall not include the right to inflict corporal punishment upon any pupil.

The above statement, however, refers only to punishment. As the student has the right to protection from bodily harm, so do all other members of the community. Therefore, in instances where there is a need for a teacher, Principal, or other school official to defend himself or others, to divest a student of a dangerous instrument, or to prevent injury to property, reasonable force may be used. All acts and threats of physical violence are inconsistent with the maintenance of the humane institution and are prohibited.

