

SCHOOL COMMITTEE POLICY MANUAL

ANDOVER PUBLIC SCHOOLS

ANDOVER, MASSACHUSETTS 01810

This manual contains the official policies of the Andover School Committee.

Policy development in a modern, forward-looking school system is a dynamic, ongoing process. New problems, issues, and needs give rise to the continuing need to develop new policies or to revise existing ones. In December 2018, the Andover School Committee completed a comprehensive review of each district policy making the necessary modifications to address new issues requiring a policy position, updates to remain in compliance with legal requirements, and other considerations of the sitting committee. The Committee, with assistance and recommendations from its policy subcommittee, is tasked with ensuring that this manual remains current and with the assistance of the Superintendent's office ensures that as policy changes are adopted, these will be communicated to the Andover Public School community.

In conjunction with the policy review project, the Andover School Committee has adopted this online, searchable manual to enable improved accessibility to the district's policies. By law, a hard copy of this document is also maintained for public reference in the Superintendent's Office.

How to Use this Manual

The school department operates according to policies established by the School Committee. The committee then appraises the effects of its policies and makes revisions as necessary.

In the interests of harmony, efficiency, uniformity of interpretation, coordination of effort, and in fairness to all concerned, the committee makes this manual available to all who are affected by its policies.

Please Note: All copies of this manual, whether electronic or paper copy, are the property of the Andover Public Schools.

How the Manual is organized

The manual is organized in accordance with the classification system developed by the National School Boards Association. This system provides an efficient means of coding and finding policies and other documents. There are 12 major classifications each assigned an alphabetical code:

[A](#) -- FOUNDATIONS AND BASIC COMMITMENTS

[B](#) -- SCHOOL BOARD GOVERNANCE AND OPERATIONS

[C](#) -- GENERAL SCHOOL ADMINISTRATION

[D](#) -- FISCAL MANAGEMENT

[E](#) -- SUPPORT SERVICES

[F](#) -- FACILITIES DEVELOPMENT

[G](#) -- PERSONNEL

[H](#) -- NEGOTIATIONS

[I](#) -- INSTRUCTIONAL PROGRAM

[J](#) -- STUDENTS

[K](#) -- SCHOOL-COMMUNITY RELATIONS

[L](#) -- EDUCATION AGENCY RELATIONS

Sub classification under each heading is based on logical sequence and alphabetical sub coding. For an example of the sub coding system, examine the pages immediately following the tab for Section A--Foundations and Basic Commitments.

The pages that follow the tab for each major section present the classification system, section by section, and serve as a table of contents for each section or "chapter" of this manual.

How to Find a Policy.

1. Consider where the policy statement would be filed among the 12 major classifications. Click the title link to review the Table of Contents for that section to review the listing to find the term that most closely fits the topic of interest. Click the code letter link to reach the policy.
2. Use the basic SEARCH function located at the top of the online manual screen OR the Advanced Search function tab also located at the top of the screen to enter a search phrase. Advanced searches may be saved for future use.

Using the Signs and Symbols

Various signs and symbols are used in connection with the classification system. They are for your use in locating and/or in examining policies. Included are the following:

Also: Certain policies bear two codes in the upper right hand corner. The second is in parentheses and is preceded by 'Also'. This means that the identical policy is filed under both codes.

-R This symbol following a code indicates that the statement is guidance for implementing the policy which precedes it, not a committee policy.

-E Exhibit. This symbol following a code indicates that the statement is a reference document to the coded policy.

DATES:

Where possible, the original date of adoption/issuance appears immediately following each policy. In other instances, an approximate adoption or re-approval date is used.

LEGAL REFERENCE:

Pertinent legal references are given to inform the reader where in state law s/he may find the statutes that relate to a specific policy. Unless otherwise noted, all references direct the reader to the General Laws of the Commonwealth of Massachusetts (cited as M.G.L., Chapter and section).

CONTRACT REFERENCE:

Agreements reached through negotiations with recognized staff organizations have the full force of committee policy. References to negotiated agreements are provided, as appropriate, to direct the reader to statements in these agreements.

CROSS REFERENCE:

Certain policies relate to others. Cross-references are provided following many statements to help the reader find all of the related information needed.

About Policies and Procedures

Generally, the role of a School Committee is to set policy and the role of the administration is to implement it through procedures.. Written policies are the chief means by which a School Committee governs the schools, and administrative procedures are one of the means by which the committee's policies are implemented. The following definitions provide a distinction between these two types of statements:

POLICIES are principles adopted by the School Committee to chart a course of action. They are broad enough to indicate a line of action to be taken by the administration in meeting a number of day-to-day problems while being narrow enough to give the administration clear guidance.

PROCEDURES are detailed directions usually developed by the administration to put policy into practice.

These definitions are serviceable some of the time. They reflect sound theory of governance and administration. But policies and procedures are obviously closely related. They can and do merge, making it difficult to ascertain where one begins and the other ends. For example:

- * State and federal governments require school committees to make or officially approve detailed policies and procedures in certain areas.
- * A School Committee signs contracts and agreements that may contain and interweave policies and procedural detail.
- * The public, staff, or school committee members may demand that the School Committee itself, not the administration, establish specific procedures in certain sensitive areas.

It is the intermingling of policy and procedure in law, in contracts, and in adopted statements of the School Committee that can cause confusion. Sometimes they are not easily separated. Therefore, the separation of policies and procedures in this manual follows several "rules of thumb" in addition to basic theory:

1. When the school system's practice in a particular area is established by law, any informational statement covering the practice is presented as "policy." (A law may, of course, be quoted or referred to in a policy or procedure.)
2. When a school system's practice in a particular area has been established through a negotiated agreement, any statement pertaining to that practice is presented as "policy."
3. Where the School Committee has interwoven procedures with policy and where separation would interfere with their meaning, the entire statement is presented as a policy.
4. Where the School Committee has adopted rules and by-laws concerning its own organizational and operating procedures, these statements appear as policy. As long as the administration operates within the guidelines of policy adopted by the committee, it may issue procedures without prior committee approval, unless law requires committee action, or unless the committee has specifically asked that certain types of procedures be submitted for committee approval. The School Committee is to be informed of all school system procedures issued by the administration. All such procedures are subject to committee review.

Is the Manual Complete?

No. The manual contains all of the current approved policies of the school committee to date, however there may at any time be a need to add, revise, or delete a policy.

Additionally, state and federal laws and regulations change. No matter how well conceived and well developed, a policy manual can never be 100% complete and 100% up-to-date. Policy development is a continuing process. From time to time, new policies, procedures, and reference documents will be developed, coded under the classification system, and will be updated both online and in the physical manual.

Should the need arise, supplemental sub codes may be added to the classification system to accommodate topics not covered by existing codes. For example, IGA is the code for BASIC INSTRUCTIONAL PROGRAM. The Code Finder Index lists various programs from IGAA, CITIZENSHIP EDUCATION to IGAJ, DRIVER EDUCATION.

Order of Precedence

School committee policies and procedures, as well as negotiated agreements with staff bargaining units, must be read and interpreted in the light of federal laws and regulations and the Massachusetts General Laws and State regulations. Wherever inconsistencies of interpretation arise, the federal and state law and regulations prevail. A conflict between a local policy or procedure and a negotiated agreement must be interpreted in line with the contract for members of the particular bargaining unit.

Terminology

The masculine, feminine and neuter genders as used in this manual import one another, and the singular shall include the plural whenever applicable.

It is the hope of the Andover School Committee that this collection of policies and reference information will make greater harmony and efficiency possible in all areas of school operations. This will enable the committee to devote more time to its primary duty--the development of long-range policies and planning for the future of the school system.

Andover Public Schools

December 2018

SECTION A - FOUNDATIONS AND BASIC COMMITMENTS

AA SCHOOL DISTRICT LEGAL STATUS

AB THE PEOPLE AND THEIR SCHOOL DISTRICT

AC NONDISCRIMINATION AND HARASSMENT PREVENTION

AC-R NONDISCRIMINATION AND HARASSMENT PREVENTION

ACA NONDISCRIMINATION ON THE BASIS OF SEX

ACAB SEXUAL HARASSMENT

ACE NONDISCRIMINATION ON THE BASIS OF DISABILITY

ADC SMOKING ON SCHOOL PREMISES

ADDA BACKGROUND CHECKS

ADDA-R DCJIS MODEL CORI POLICY

ADF WELLNESS POLICY ANDOVER PUBLIC SCHOOLS

AE COMMITMENT TO ACCOMPLISHMENT

File: AA - SCHOOL DISTRICT LEGAL STATUS

The legal basis for public education in the District is vested in the will of the people as expressed in the Constitution of Massachusetts and state statutes pertaining to education.

Under the General Laws of Massachusetts,

"... Every town shall maintain... a sufficient number of schools for the instruction of all children who may legally attend a public school therein."

The public educational system of Andover_structurally is a department of the town operated under laws pertaining to education and under regulations of the Massachusetts Board of Education. The area served by the Andover Public Schools is coterminous with the Town of Andover.

Established by law

LEGAL REFS.: Constitution of Massachusetts, Part II, Chapter V, Section II

M.G.L. [71:1](#)

CROSS REF.: [BB](#), School Committee Legal Status

Historical Note: Massachusetts has the oldest public school system in the nation. Dating back to 1647, the laws of the Massachusetts Bay Colony required towns to provide for a program of public education.

File: AB - THE PEOPLE AND THEIR SCHOOL DISTRICT

The School Committee has the dual responsibility for implementing statutory requirements pertaining to public education and local citizens' expectations for the education of the community's youth. It also has an obligation to determine and assess citizens' desires. When citizens elect delegates to represent them in the conduct of public education, their representatives have the authority to exercise their best judgment in determining policies, making decisions, and approving procedures for carrying out the responsibility.

The School Committee therefore affirms and declares its intent to:

1. Formally and unequivocally oppose bigotry, racism, violence, and hate, wherever such may occur and in whatever form such may take. We will remain steadfast in our defense of tolerance and our commitment to the values of respect, inclusion and empathy. We strive to be a place welcome to all races, religions, creeds, genders, and orientations.
2. Maintain two-way communication with citizens of the community. The public will be kept informed of the progress and problems of the school system, and citizens will be urged to bring their aspirations and feelings about their public schools to the attention of this body, which they have chosen to represent them in the management of public education.
3. Establish policies and make decisions on the basis of declared educational philosophy and goals. All decisions made by this Committee will be made with priority given to the purposes set forth, most crucial of which is the optimal learning of the children enrolled in our schools.
4. Act as a truly representative body for members of the community in matters involving public education. The Committee recognizes that ultimate responsibility for public education rests with the state, but individual School Committees have been assigned specific authority through state law. The Committee will not relinquish any of this authority since it believes that decision-making control over the children's learning should be in the hands of local citizens as much as possible.

File: AC - NONDISCRIMINATION AND HARASSMENT PREVENTION

The Andover School Committee is committed to the prevention of discrimination based upon sex (including pregnancy and pregnancy-related conditions), race, color, national origin, ethnicity, religion, age, disability, sexual orientation, gender identity, or any other characteristic protected by law. This policy has been developed to ensure that the educational opportunities and potential of all students, and the employment conditions of all employees, are not threatened or limited by unlawful discrimination, and to ensure that individuals are free to work, learn, and develop relationships without fear of intimidation, humiliation or degradation.

This commitment to the community is affirmed by the following statements that the School Committee intends to:

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

The Committee's policy of nondiscrimination and prevention of harassment extends to students, staff, the general public, and individuals with whom it does business. No person shall be excluded from or discriminated against in admission to an Andover public school or in obtaining the advantages, privileges, and courses of study of such public school on account of race, color, sex, gender identity, religion, national origin, sexual orientation, disability, pregnancy or pregnancy related conditions, or any other characteristic protected by law.

The prohibition against discrimination includes a prohibition against harassment on the basis of the protected characteristics described in this policy. It shall be a violation of this policy for students or staff to harass other students or staff through the conduct defined below. Further, any retaliation against an individual who has reported, witnessed, or complained about prohibited conduct or retaliation against individuals who have provided information during an investigation into a complaint of prohibited conduct is similarly unlawful and will not be tolerated.

Unlawful and Prohibited Conduct Defined: Unlawful and prohibited conduct includes, but is not limited to, actions which are related to a person's sex/gender, gender identity, race, color, national origin, ethnicity, religion, age, disability or sexual orientation when such actions are unwelcome and unsolicited by the recipient. Harassment based on these characteristics includes all conduct that:

1. has the purpose or effect of creating an intimidating, hostile, humiliating, or offensive work or education environment;

2. has the purpose of substantially or unreasonably interfering with a person's work or academic performance; or
3. otherwise adversely affects a person's academic standing or employment opportunities.

Examples of prohibited conduct include, but are limited to:

Verbal conduct: name calling, teasing, jokes or other derogatory or dehumanizing remarks, whether made by an individual or a group;

Physical contact: unwelcome touching of a person or person's clothing or any other act of physical intimidation or bullying;

Written conduct: notes, cartoons, calendars, graffiti, offensive or graphic posters, pictures, photos, drawings, electronic or digital messages, or designs on clothing that are offensive to another person on the basis of the protected characteristics described in this policy;

Blackmail: threatening to engage in conduct that is designed to, or reasonably can be expected to, harm another individual.

Retaliation: Retaliation includes any form of intimidation, reprisal, or harassment directed against an individual because he or she makes a complaint of discrimination or harassment under this policy, witnesses an incident of discrimination or harassment, or provides information during an investigation into a complaint of discrimination or harassment.

Any such conduct undertaken electronically, including through social media, messaging applications, or other cyber activity, is also prohibited. The foregoing is meant to provide some concrete examples, but is not meant to be an all inclusive list of conduct prohibited by this policy. For more details concerning sexual harassment and the procedures to be followed in cases of potential sexual harassment, refer to section [ACAB](#), Sexual Harassment.

This policy applies to conduct on all school premises, on school buses, and at all school-sponsored programs and activities. Any prohibited conduct that occurs off school premises or outside of school-related or school-sponsored programs or activities will be regarded as conduct in violation of this policy if it has a continuing effect on or creates a hostile environment for the victim of the conduct on school premises, on school buses, or at school-sponsored programs and activities.

Please note that while this policy sets forth the Andover Public Schools' goals of promoting a workplace and school environment that is free of discrimination and harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for workplace or school conduct which the District deems unacceptable, regardless of whether that conduct satisfies the definition of unlawful and prohibited conduct set forth in this policy.

Anyone who has a complaint or feels that they have been discriminated against or harassed in violation of this policy, should raise a complaint by following the procedure in section AC-R. Any staff member who becomes aware of an incident of discrimination or harassment in violation of this policy is obligated to report the incident by following the procedure in section AC-R (and may also have mandatory reporting obligations under M.G.L. c. [119, § 51A](#)).

LEGAL REFS.: Title VI, Civil Rights Act of 1964

Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972

Executive Order 11246, as amended by E.O. 11375

Equal Pay Act, as amended by the Education Amendments of 1972

Title IX, Education Amendments of 1972

Rehabilitation Act of 1973

Education for All Handicapped Children Act of 1975

M.G.L. [71B:1](#) et seq. (Chapter 766 of the Acts of 1972)

M.G.L. [76:5](#); Amended 2011

M.G.L. [76:16](#)

BESE regulations 603CMR [26.00](#) Amended 2012

BESE regulations 603CMR [28.00](#)

CROSS REFS.: [ACA](#)- [ACE](#), Subcategories for Nondiscrimination

[GBA](#), Equal Employment Opportunity

[JB](#), Equal Educational Opportunities

[JICFB](#), Bullying Prevention

UPDATED: January 2019

File: AC-R - NONDISCRIMINATION AND HARASSMENT PREVENTION

Any student or employee of the District who feels that he or she has been discriminated against or subjected to harassment for any of the reasons cited in section [AC](#) above, or who becomes aware of an incident of such discrimination or harassment, should utilize the following procedure to report the incident (complaints of sexual harassment should be reported and will be processed as set forth in section [ACAB](#)):

Complaint Procedure

1. Report the incident(s) to a trusted staff member or to any grievance officer. Staff members who become aware of an incident of possible sexual harassment must immediately notify a grievance officer.
All complaints shall be investigated promptly.
2. Where appropriate in light of the nature of the allegations and facts involved, the grievance officer may attempt to resolve the problem in an informal manner. If the grievance officer attempts to resolve the problem, he/she shall take the following steps:
 - a. The grievance officer will meet with the charging party in order to obtain a clear understanding of that party's allegations.
 - b. The grievance officer will attempt to meet with the charged party in order to obtain his/her response to the allegations.
 - c. The grievance officer will interview any witnesses.
 - d. The grievance officer will hold as many meetings with the parties and any witnesses as is necessary to make factual findings.
 - e. The grievance officer will make a written record of all interviews and factual findings.

On the basis of the grievance officer's assessment of the situation he/she may:

- Attempt to resolve the matter informally through reconciliation; or
- Report the matter and transfer the record for further assessment to:
 - o In cases where the charged party is a student, the building Principal where that student attends school; or
 - o In cases where the charged party is a staff member, the Superintendent or designee.

In either case, the grievance officer shall notify the parties of the transfer by certified mail.

3. Upon receipt of a matter from the grievance officer and after reviewing the record made by the grievance officer, the Principal or Superintendent or designee may attempt to gather any more information necessary to decide the case. At this stage, the parties may present witnesses and other evidence and may also be represented. At all times, the District will observe due process protections for the parties involved. Using the preponderance of the evidence standard, the Principal or Superintendent or designee will decide the case and impose any disciplinary action deemed appropriate. The parties, to the extent permissible by law, shall be informed of the disposition of the complaint. All matters will remain confidential to the extent possible. If it is determined that conduct in violation of APS policy has occurred, the District will act promptly to eliminate the offending conduct.

Alternative Complaint Procedure

In the case of more serious allegations (such as sexual assault or other sexual violence), the following process will apply in lieu of the Complaint Process described above:

Upon receipt of a complaint, the grievance officer shall immediately report the incident to:

- In cases where the charged party is a student, the building Principal where that student attends school;
or
- In cases where the charged party is a staff member, the Superintendent or designee.

The Principal or the Superintendent or designee will determine the appropriate steps to investigate the matter, make findings of fact, and issue a decision. At all times, the District will observe due process protections for the parties involved. Factual findings will be based on the preponderance of the evidence standard. All decisions that impose disciplinary action will include specific reference to the applicable policies on student and staff discipline. The actions taken by the District may include, but are not limited to, notifying appropriate law enforcement authorities.

Additional Information

The grievance officer, upon request, will provide the charging party with contact information for the government agencies that handle claims of unlawful discrimination and harassment. The charging party also has the right to invoke the complaint procedure for Chapter 622 of the Acts of 1971 and/or Title IX of the 1972 Education Amendments.

Any person who seeks information concerning the application of Title IX and/or Chapter 622 and its regulations should contact the Title IX Compliance Officer, Dr. Julie Riley, (978) 247-7025, Andover Public Schools, 30 Whittier Court, Andover, MA 01810; or Program Quality Assurance Services at the Massachusetts Department of Elementary and Secondary Education, (781) 338-3700, 75 Pleasant Street, Malden, MA 02148; or the Office for Civil Rights, U.S. Department of Education, (617) 289-0111, 5 Post Office Square, 8th Floor, Boston, MA 02109.

REVISED: September 2, 2021

File: ACA - NONDISCRIMINATION ON THE BASIS OF SEX

The School Committee, in accordance with Title IX of the Education Amendments of 1972, declares that the school system does not and will not discriminate on the basis of sex in the educational programs and activities of the public schools. This policy will extend not only to students with regard to educational opportunities, but also to employees with regard to employment opportunities.

The School Committee will continue to ensure fair and equitable educational and employment opportunities, without regard to sex, to all of its students and employees.

The Committee will designate an individual to act as the school system's Title IX compliance officer. All students and employees will be notified of the name and office address and telephone number of the compliance officer.

LEGAL REFS.: Title IX of the Education Amendments of 1972

45 CFR, Part 86, (Federal Register, 6/4/75)

M.G.L. [76:5](#); [76:16](#) (Chapter 622 of the Acts of 1971)

BESE 603 CMR [26:00](#)

CROSS REF.: [AC](#), Nondiscrimination

File: ACAB - SEXUAL HARASSMENT

Sexual harassment of students or of employees by other students, employees, vendors and other third parties will not be tolerated in the Andover Public Schools ("District"). The alleged harassment must involve conduct that occurred within the school's own program or activity, including at a location or under circumstances where the school owned, or substantially controlled, the premises; exercised oversight, supervision or discipline over the location or participants; or funded, sponsored, promoted or endorsed the event where the alleged harassment occurred; and must have occurred against a person in the United States. This policy is in effect while students are on school grounds, District property or property within the jurisdiction of the District, on school buses, or while attending or engaging in school-sponsored activities.

Students whose behavior is found to be in violation of this policy will be subject to disciplinary action up to and including suspension or expulsion pursuant to disciplinary codes. Employees who have been found to violate this policy will be subject to discipline up to and including, termination of employment, subject to contractual disciplinary obligations.

The District will promptly and reasonably investigate allegations of sexual harassment through designation of a Title IX Coordinator and building based employees, as set forth below

Sexual harassment is unwelcome conduct of a sexual nature. The definition includes unwelcome conduct on the basis of sex that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity. It also includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment includes conduct by an employee conditioning an educational benefit or service upon a person's participation in unwelcome sexual conduct, often called quid pro quo harassment and, sexual assault as the Federal Clery Act defines that crime.

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

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

The legal definition of sexual harassment is broad and in addition to the above examples other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating an environment that is hostile, offensive, intimidating, to male, female, or gender non-conforming students or employees may also constitute sexual harassment.

Because the District takes allegations of sexual harassment seriously, we will respond promptly to complaints of sexual harassment and, following an investigation where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose corrective action as is necessary, including disciplinary action where appropriate.

Please note that while this policy sets forth our goals of promoting an environment that is free of sexual harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment. For example, conduct that constitutes harassment other than sexual harassment, bullying, violation

of the student discipline code or school district workplace rules, unlawful discrimination, hazing, or student misconduct statutes, will be investigated and addressed under the District relevant policies and the applicable laws.

A complainant is an individual who is alleged to be the victim of conduct that could constitute sexual harassment. A respondent is an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment or a violation of this policy.

Retaliation against a complainant because the complainant has filed a sexual harassment complaint or assisted or participated in a sexual harassment investigation or proceeding, is also prohibited. A student or employee who is found to have retaliated against another in violation of this policy will be subject to disciplinary action up to and including student suspension and expulsion or employee termination.

The complainant does not have to be the person at whom the unwelcome sexual conduct is directed. The complainant, regardless of gender, may be a witness to and personally offended by such conduct.

NOTICE OF SEXUAL HARASSMENT

The regulations require a school district to respond when the district has actual knowledge of sexual harassment. Schools must treat seriously all reports of sexual harassment that meet the definition of sexual harassment and the conditions of actual notice and jurisdiction, whether or not the complainant files a formal complaint. A formal complaint is a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment. Schools are required to investigate every formal complaint and respond meaningfully to every known report of sexual harassment.

Upon receipt of allegations the Title IX Coordinator shall promptly contact the complainant confidentially to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant that supportive measures are available with or without the filing of a formal complaint, and explain the process for filing a formal complaint. Supportive measures include, but are not limited to, non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to education programs or activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or to deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, school building/campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the building/campus, and other similar measures.

Where there has been a finding of responsibility, the regulations require remedies designed to restore or preserve access to the school's education program or activity.

DUE PROCESS PROTECTIONS

Due process protections in connection with investigation and decision-making regarding a complaint include the following:

- 1) If the allegations do not meet the definition of sexual harassment or do not satisfy the requirements regarding location or connection to an educational program of the school district, the allegations shall be dismissed for purposes of Title IX, but may be investigated and addressed under other prohibitions in the student discipline code, relevant collective bargaining agreements or other laws under which they fit;
- 2) A presumption of innocence throughout the grievance process, with the burden of proof on the school;

- 3) A complainant's wishes with respect to whether the school investigates will be respected unless the Title IX Coordinator determines that signing a formal complaint to initiate an investigation over the wishes of the complainant is not clearly unreasonable in light of the known circumstances;
- 4) A prohibition of the single investigator model, instead requiring a decision-maker separate from the Title IX Coordinator or investigator;
- 5) Proof by a preponderance of the evidence, subject to limitations;
- 6) The opportunity to test the credibility of parties and witnesses through disclosure of evidence and opportunity to submit additional questions, subject to "rape shield" protections;
- 7) Written notice of allegations and an equal opportunity to review the evidence upon filing a formal complaint;
- 8) An objective evaluation of all relevant evidence, inculpatory and exculpatory, and avoidance of credibility determinations based on a person's status as a complainant, a respondent, or a witness;
- 9) Title IX Coordinators, investigators, and decision-makers must be trained and free from bias or conflict of interest;
- 10) A right to appeal from a determination regarding responsibility and from a dismissal of a formal complaint or the allegations therein, where the determination or dismissal involved any of the following: procedural irregularity that affected the outcome; newly-discovered evidence that could affect the outcome; or the Title IX Coordinator, the investigator, or the decision-maker had a conflict of interest or bias that affected the outcome;
- 11) As long as the process is voluntary for all parties, after being fully informed and written consent is provided by both parties, a school may facilitate informal resolution of a formal sexual complaint, but no such informal resolution can be used where the allegations are that an employee sexually harassed a student.

A district may establish an informal investigation process that may, upon the request of the complainant be followed by a formal process.

The Title IX Coordinator in the District is **Dr. Julie Riley, Assistant Superintendent for Teaching and Learning, Andover Public Schools, 30 Whittier Court, Andover, MA 01810, 978-247-7025**. The Title IX Coordinator or the school building Principal shall be the initial entity to receive the sexual harassment complaint. In all cases the Title IX Coordinator shall be informed, as soon as possible, of the filing of the complaint. Nothing in this policy shall prevent any person from reporting the prohibited conduct to someone other than those above designated complaint recipients. An employee with actual knowledge of conduct that may violate this policy must report to the Title IX Coordinator.

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

INVESTIGATIONS

The investigating officer shall be an Assistant Principal in the building or other appropriate administrator designated by the Principal. The investigation shall be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances and in compliance with applicable law. The investigation will be prompt, thorough, and impartial, and will include, at least, a private interview with the complainant, with the

respondent, and with witnesses. The investigator shall give the parties equal opportunity to present fact and expert witnesses and other inculpatory and exculpatory evidence; shall give each party the same opportunity to select an advisor of the party's choice who may, but need not be, an attorney; shall send written notice of all interviews or meetings; shall send to the parties evidence directly related to the allegations, in electronic form or hard copy, with at least 10 days for the parties to inspect, review, and respond; and shall prepare and submit an investigative report that fairly summarizes the relevant evidence to the decision-maker, who shall be the Principal or his/her designee (other than the investigator).

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

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

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

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

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

The investigator will draft an investigation report that fairly summarizes the relevant evidence including, but not limited to, interviews with parties and witnesses, written evidence, audio/video recordings, and site visits. The investigator will provide the decision maker, with a report including all evidence obtained during the course of the investigation. The decision-maker shall upon receipt send the report in electronic format or hard copy to the parties and their advisors with 10 days for the parties to respond, including submitting written relevant questions that each party wants asked of a party or witness, subject to the protections of the Rape Shield Law. Before reaching a determination, the decision-maker shall provide to the parties the answers to the submitted questions and the opportunity for limited follow up questions.

DETERMINATIONS

The decision-maker shall issue a written determination regarding responsibility with findings of fact, conclusions about whether the alleged conduct occurred, the rationale for the result as to each allegation, any disciplinary sanctions imposed on the respondent, and whether remedies will be provided to the complainant.

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

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

APPEALS

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

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

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

RECORD KEEPING REQUIREMENTS

Schools must create and maintain records documenting every Title IX sexual harassment complaint. This could include mediation, restorative justice, or other models of alternative dispute resolution. Schools must keep records regarding the school's response to every report of sexual harassment of which it becomes aware even if no formal complaint was filed, including documentation of supportive matters offered and implemented for the complainant.

This policy, or a summary thereof that contain the essential policy elements shall be distributed by the District to its students and employees and each parent or guardian shall sign that they have received and understand the policy.

Please note that the following entities have specified time limits for filing a claim.

The Complainant may also file a complaint with:

- The Mass. Commission Against Discrimination, 1 Ashburton Place, Room 601
Boston, MA 02108.
Phone: 617-994-6000.

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

- The United States Equal Employment Opportunity Commission,
John F. Kennedy Bldg.
475 Government Center
Boston, MA 02203.

LEGAL REF. M.G.L. [151B:3A](#)

Title IX of the Education Amendments of 1972

BESE 603 CMR [26:00](#)

34 CFR 106.44 (a), (a)-(b)

34 CFR 106.45 (a)-(b) (1)

34 CFR 106.45 (b)(2)-(b)(3,4,5,6,7) as revised through June 2020

Note: A summary of the attached Policy, as adopted, must be sent to parents/guardians, students, employees, unions, and prospective employees of the school district including Title IX Coordinator(s), investigator(s) and the decision-maker. The above referenced employees must attend training sessions on the implementation of the Policy.

SOURCE: ANDOVER September 2, 2020; Revised September 2, 2021

File: ACE - NONDISCRIMINATION ON THE BASIS OF DISABILITY

Title II of the Americans With Disabilities Act of 1992 requires that no qualified individual with a disability shall, because the District's facilities are inaccessible to or unusable by individuals with disabilities, be excluded from participation in, or be denied the benefits of the services, programs, and activities of the District or be subject to discrimination. Nor shall the District exclude or otherwise deny services, programs, or activities to an individual because of the known disability of a person with whom the individual is known to have a relationship or association.

Definition: A "qualified individual with a disability" is an individual with a disability who, with or without reasonable modification to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the District.

Reasonable Modification: The District shall make reasonable modification in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the District can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.

Communications: The District shall take the appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others. To this end, the District shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in, and enjoy benefits of, a service, program, or activity conducted by the District. In determining what type of auxiliary aid or service is necessary, the District shall give primary consideration to the requests of the individuals with disabilities.

Auxiliary Aids and Services: "Auxiliary aids and services" includes (1) qualified interpreters, note takers, transcription services, written materials, assisted listening systems, and other effective methods for making aurally delivered materials available to individuals with hearing impairments; (2) qualified readers, taped texts, audio recordings, Braille materials, large print materials, or other effective methods for making visually delivered materials available to individuals with visual impairments; (3) acquisition or modification of equipment or devices and (4) other similar services and actions.

Limits of Required Modification: The District is not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. Any decision that, in compliance with its responsibility to provide effective communication for individuals with disabilities, would fundamentally alter the service, program, or activity or unduly burden the District shall be made by the School Committee after considering all resources available for use in funding and operating the program, service, or activity. A written statement of the reasons for reaching that conclusion shall accompany the decision.

Notice: The District shall make available to applicants, participants, beneficiaries, and other interested persons information regarding the provisions of Title II of the American With Disabilities Act (ADA) and its applicability to the services, programs, or activities of the District. The information shall be made available in such a manner as the School Committee and Superintendent find necessary to apprise such persons of the protections against discrimination assured them by the ADA.

Compliance Coordinator: The District shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title II of ADA, including any investigation of any complaint communicated to it alleging its noncompliance or alleging any actions that would be prohibited under ADA. The District shall make available to all interested individuals the name, office address, and telephone number of the employee(s) so designated and shall adopt and publish procedures for the prompt and equitable resolution of complaints alleging any action that would be prohibited under the ADA. The school system receives federal

financial assistance and must comply with the above requirements. Additionally, the School Committee is of the general view that:

1. Discrimination against a qualified disabled person solely on the basis of disability is unfair; and
2. To the extent possible, qualified disabled persons should be in the mainstream of life in the school community. Accordingly, employees of the school system will comply with the above requirements of the law and policy statements of this Committee to ensure nondiscrimination on the basis of disability.

LEGAL REFS.: Rehabilitation Act of 1973, Section 504

Education for All Handicapped Children Act of 1975

M.G.L. [71B:1](#) et seq. (Chapter 766 of the Acts of 1972)

Title II, Americans with Disabilities Act of 1992

Board of Education Chapter 766 Regulations, adopted 10/74, as amended through 3/28/78

CROSS REFS.: [IGB](#), Support Services Programs

File: ADC - TOBACCO PRODUCTS ON SCHOOL PREMISES PROHIBITED

Use of any tobacco products, including, but not limited to: cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco and snuff and electronic cigarettes, electronic cigars, electronic pipes or other similar products that rely on vaporization or aerosol, within the school buildings, school facilities, on school grounds or school buses, or at school sponsored events by any individual, including school personnel and students, is prohibited at all times.

A staff member determined to be in violation of this policy shall be subject to disciplinary action.

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

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

Signs shall be posted in all school buildings informing the general public of the District policy and requirements of state law.

LEGAL REF: M.G.L. [71:37H](#); [270:6](#)

File: ADDA - BACKGROUND CHECKS

It shall be the policy of the school district that, as required by law, a state and national fingerprint criminal background check will be conducted to determine the suitability of full or part time current and prospective school employees, who may have direct and unmonitored contact with children. School employees shall include, but not be limited to any apprentice, intern, or student teacher or individuals in similar positions, who may have direct and unmonitored contact with children. The School Committee shall only obtain a fingerprint background check for current and prospective employees for whom the School Committee has direct hiring authority. In the case of an individual directly hired by a school committee, the chair of the School Committee shall review the results of the national criminal history check. The Superintendent shall also obtain a state and national fingerprint background check for any individual who regularly provides school related transportation to children. The School Committee, Superintendent or Principal, as appropriate, may obtain a state and national fingerprint criminal background check for any volunteer, subcontractor or laborer commissioned by the School Committee, school or employed by the city or town to perform work on school grounds, who may have direct and unmonitored contact with children. School volunteers and subcontractors/laborers who may have direct and unmonitored contact with children must continue to submit state CORI checks.

The fee charged by the provider to the employee and educator for national fingerprint background checks will be \$55.00 for school employees subject to licensure by DESE and \$35.00 for other employees, which fee may from time to time be adjusted by the appropriate agency. The employer shall continue to obtain periodically, but not less than every 3 years, from the department of criminal justice information services all available Criminal Offender Record Information (CORI) for any current and prospective employee or volunteer within the school district who may have direct and unmonitored contact with children.

Direct and unmonitored contact with children is defined in DESE regulations as contact with a student when no other employee who has received a suitability determination by the school or district is present. "Contact" refers to any contact with a student that provides the individual with opportunity for physical touch or personal communication.

This policy is applicable to any fingerprint-based state and national criminal history record check made for non-criminal justice purposes and requested under applicable federal authority and/or state statute authorizing such checks for licensing or employment purposes. Where such checks are allowable by law, the following practices and procedures will be followed.

Requesting CHRI (Criminal History Record Information) checks

Fingerprint-based CHRI checks will only be conducted as authorized by state and federal law, in accordance with all applicable state and federal rules and regulations. If an applicant or employee is required to submit to a fingerprint-based state and national criminal history record check, he/she shall be informed of this requirement and instructed on how to comply with the law. Such instruction will include information on the procedure for submitting fingerprints. In addition, the applicant or employee will be provided with all information needed to successfully register for a fingerprinting appointment.

Access to CHRI

All CHRI is subject to strict state and federal rules and regulations in addition to Massachusetts CORI laws and regulations. CHRI cannot be shared with any unauthorized entity for any purpose, including subsequent hiring determinations. All receiving entities are subject to audit by the Massachusetts

Department of Criminal Justice Information Services (DCJIS) and the FBI, and failure to comply with such rules and regulations could lead to sanctions. Federal law and regulations provide that the exchange of records and information is subject to cancellation if dissemination is made outside of the receiving entity or related entities. Furthermore, an entity can be charged criminally for the unauthorized disclosure of CHRI.

Storage of CHRI

CHRI shall only be stored for extended periods of time when needed for the integrity and/or utility of an individual's personnel file. Administrative, technical, and physical safeguards, which are in compliance with the most recent CJIS Security Policy have been implemented to ensure the security and confidentiality of CHRI. Each individual involved in the handling of CHRI is to familiarize himself/herself with these safeguards.

In addition to the above, each individual involved in the handling of CHRI will strictly adhere to the policy on the storage, retention and destruction of CHRI.

Retention and Destruction of CHRI

Federal law prohibits the repurposing or dissemination of CHRI beyond its initial requested purpose. Once an individual's CHRI is received, it will be securely retained in internal agency documents for the following purposes *only*:

Historical reference and/or comparison with future CHRI requests,

Dispute of the accuracy of the record

Evidence for any subsequent proceedings based on information contained in the CHRI.

CHRI will be kept for the above purposes in a secure location in the office of the superintendent. When no longer needed, CHRI and any summary of CHRI data must be destroyed by shredding paper copies and/or by deleting all electronic copies from the electronic storage location, including any backup copies or files. The shredding of paper copies of CHRI by an outside vendor must be supervised by an employee of the district.

CHRI Training

An informed review of a criminal record requires training. Accordingly, all personnel authorized to receive and/or review CHRI at the district will review and become familiar with the educational and relevant training materials regarding SAFIS and CHRI laws and regulations made available by the appropriate agencies, including the DCJIS.

Determining Suitability

In determining an individual's suitability, the following factors will be considered: these factors may include, but not necessarily be limited to: the nature and gravity of the crime and the underlying conduct, the time that has passed since the offense, conviction and/or completion of the sentence, nature of the position held or sought, age of the individual at the time of the offense, number of offenses, any relevant evidence of rehabilitation or lack thereof and any other factors deemed relevant by the district.

A record of the suitability determination will be retained. The following information will be included in the determination:

The name and date of birth of the employee or applicant;

The date on which the school employer received the national criminal history check results; and,

The suitability determination (either "suitable" or "unsuitable").

A copy of an individual's suitability determination documentation must be provided to another school employer, or to the individual, upon request of the individual for whom the school employer conducted a suitability determination.

Relying on Previous Suitability Determination.

The school employer may obtain and may rely on a favorable suitability determination from a prior employer, if the following criteria are met:

The suitability determination was made within the last seven years; and

The individual has not resided outside of Massachusetts for any period longer than three years since the suitability determination was made; and either

The individual has been employed continuously for one or more school employers or has gaps totaling no more than two years in his or her employment for school employers; or

If the individual works as a substitute employee, the individual is still deemed suitable for employment by the school employer who made a favorable suitability determination. Upon request of another school employer, the initial school employer shall provide documentation that the individual is still deemed suitable for employment by the initial school employer.

Adverse Decisions Based on CHRI

If inclined to make an adverse decision based on an individual's CHRI, the district will take the following steps prior to making a final adverse determination:

Provide the individual with a copy of his/her CHRI used in making the adverse decision;

Provide the individual with a copy of this CHRI Policy;

Provide the individual the opportunity to complete or challenge the accuracy of his/her CHRI;

and

Provide the individual with information on the process for updating, changing, or correcting CHRI.

A final adverse decision based on an individual's CHRI will not be made until the individual has been afforded a reasonable time depending on the particular circumstances not to exceed thirty days to correct or complete the CHRI.

If a school employer receives criminal record information from the state or national fingerprint-based background checks that includes no disposition or is otherwise incomplete, the school employer may request that an individual, after providing him a copy of said background check, provide additional information regarding the results of the criminal background checks to assist the school employer in determining the applicant's suitability for direct and unmonitored contact with children, notwithstanding the terms of General Laws chapter [151B](#), S. 4, (9,9 ½). Furthermore, in exigent circumstances, a school employer may, pursuant to the terms of DESE regulations (see specific regulations in legal

references), hire an employee on a conditional basis without first receiving the results of a national criminal background check. After exhausting several preliminary steps as contained in the above referenced regulation the district may require an individual to provide information regarding the individual's history of criminal convictions; however, the individual cannot be asked to provide information about juvenile adjudications or sealed convictions. The superintendent is advised to confer with legal counsel whenever he/she solicits information from an individual concerning his/her history of criminal convictions.

Secondary Dissemination of CHRI

If an individual's CHRI is released to another authorized entity, a record of that dissemination must be made in the secondary dissemination log. The secondary dissemination log is subject to audit by the DCJIS and the FBI.

The following information will be recorded in the log:

Subject Name;

Subject Date of Birth;

Date and Time of the dissemination;

Name of the individual to whom the information was provided;

Name of the agency for which the requestor works;

Contact information for the requestor; and

The specific reason for the request.

Reporting to Commissioner of Elementary and Secondary Education

Pursuant to state law and regulation, if the district dismisses, declines to renew the employment of, obtains the resignation of, or declines to hire a licensed educator or an applicant for a Massachusetts educator license because of information discovered through a state or national criminal record check, the district shall report such decision or action to the Commissioner of Elementary and Secondary Education in writing within 30 days of the employer action or educator resignation. The report shall be in a form requested by the Department and shall include the reason for the action or resignation as well as a copy of the criminal record checks results. The superintendent shall notify the employee or applicant that it has made a report pursuant to the regulations to the Commissioner.

Pursuant to state law and regulation, if the district discovers information from a state or national criminal record check about a licensed educator or an applicant for a Massachusetts educator license that implicates grounds for license action pursuant to regulations, the Superintendent shall report to the Commissioner in writing within 30 days of the discovery, regardless of whether the district retains or hires the educator as an employee. The report must include a copy of the criminal record check results. The school employer shall notify the employee or applicant that it has made a report pursuant to regulations to the Commissioner and shall also send a copy of the criminal record check results to the employee or applicant.

C.O.R.I. REQUIREMENTS

It shall be the policy of the district to obtain all available Criminal Offender Record Information (CORI) from the department of criminal justice information services of prospective employee(s) or volunteer(s) of the school department including any individual who regularly provides school related transportation to children, who may have direct and unmonitored contact with children, prior to hiring the employee(s) or to accepting any person as a volunteer. State law requires that school districts obtain CORI data for employees of taxicab companies that have contracted with the schools to provide transportation to pupils.

The Superintendent, Principal, or their certified designees shall periodically, but not less than every three years, obtain all available Criminal Offender Record Information from the department of criminal justice informational services on all employees, individuals who regularly provide school related transportation to children, including taxicab company employees, and volunteers who may have direct and unmonitored contact with children, during their term of employment or volunteer service.

The Superintendent, Principal, or their certified designees may also have access to Criminal Offender Record Information for any subcontractor or laborer who performs work on school grounds, and who may have direct and unmonitored contact with children, and shall notify them of this requirement and comply with the appropriate provisions of this policy.

Pursuant to a Department of Education regulation, "½Direct and unmonitored contact with children' means contact with students when no other employee, for whom the employer has made a suitability determination of the school or district, is present. " Contact" refers to any contact with a student that provides the individual with

opportunity for physical touch or personal communication. The school employer may determine when there is potential for direct and unmonitored contact with children by assessing the circumstances and specific factors including but not limited to, whether the individual will be working in proximity with students, the amount of time the individual will spend on school grounds, and whether the individual will be working independently or with others. An individual shall not be considered to have the potential for direct and unmonitored contact with children if he or she has only the potential for incidental unsupervised contact in commonly used areas of the school grounds."

In accordance with state law, all current and prospective employees, volunteers, and persons regularly providing school related transportation to children of the school district shall sign an acknowledgement form authorizing receipt by the district of all available CORI data from the department of criminal justice information services. In the event that a current employee has a question concerning the signing of the acknowledgement form, he/she may meet with the Principal or Superintendent; however, failure to sign the CORI acknowledgement form may result in a referral to local counsel for appropriate action. Completed acknowledgement forms must be kept in secure files. The School Committee, Superintendent, Principals or their designees certified to obtain information under the policy, shall prohibit the dissemination of school information for any purpose other than to further the protection of school children.

CORI is not subject to the public records law and must be kept in a secure location, separate from personnel files and may be retained for not more than three years. CORI shall be shared with the individual to whom it pertains, pursuant to law, regulation and the following model policy, and in the event of an inaccurate report the individual should contact the department of criminal justice informational services.

Access to CORI material must be restricted to those individuals certified to receive such information. In the case of prospective employees or volunteers, CORI material should be obtained only where the Superintendent had determined that the applicant is qualified and may forthwith be recommended for employment or volunteer duties.

The hiring authority, subject to applicable law and the model policy, reserves the exclusive right concerning any employment decision.

The Superintendent shall ensure that on the application for employment and/or volunteer form there shall be a statement that as a condition of the employment or volunteer service the school district is required by law to obtain Criminal Offender Record Information for any employee, individual who regularly provides transportation, or volunteer who may have direct and unmonitored contact with children. Current employees, persons regularly providing school related transportation, and volunteers shall also be informed in writing by the Superintendent prior to the periodic obtaining of their Criminal Offender Record Information.

Records sealed pursuant to law shall not operate to disqualify a person in any examination, appointment or application for public service on behalf of the Commonwealth or any political subdivision thereof.

The Superintendent shall revise contracts with special education schools and other providers to require a signed statement that the provider has met all legal requirements of the state where it is located relative to criminal background checks for employees and others having direct and unmonitored contact with children.

LEGAL REFS.: M.G.L. [6:167](#)-178; [15D:7](#)-8; [71:38R](#), [151B](#), [276:100A](#)

P.L. 92-544; Title 28 U.S.C. § 534; Title 28 C.F.R. 20.33(b)

42 U.S.C. § 16962

603 CMR [51.00](#)

803 CMR 2.00

803 CMR 3.05 (Chapter 149 of the Acts of 2004)

FBI Criminal Justice Information Services Security Policy

Procedure for correcting a criminal record

FAQ - Background Checks

NOTE: The Department of Criminal Justice Information Services (DCJIS) has adopted regulations requiring that it maintain a model CORI policy and that any written policy must meet the minimum standards as found in the model. Therefore, MASC recommends that school districts retain both the school district specific policy incorporated here and the DCJIS model policy attached as [ADDA-R](#).

File: ADDA-R - DCJIS MODEL CORI POLICY

This policy is applicable to the criminal history screening of prospective and current employees, subcontractors, volunteers and interns, and professional licensing applicants.

Where Criminal Offender Record Information (CORI) and other criminal history checks may be part of a general background check for employment, volunteer work, licensing purposes, the following practices and procedures will be followed.

CONDUCTING CORI SCREENING

CORI checks will only be conducted as authorized by the DCJIS, state law, and regulation, and only after a CORI Acknowledgement Form has been completed.

If a new CORI check is to be made on a subject within a year of his/her signing of the CORI Acknowledgement Form, the subject shall be given seventy two (72) hours notice that a new CORI check will be conducted.

ACCESS TO CORI

All CORI obtained from the DCJIS is confidential, and access to the information must be limited to those individuals who have a "need to know". This may include, but not be limited to, hiring managers, staff submitting the CORI requests, and staff charged with processing job applications. The district must maintain and keep a current list of each individual authorized to have access to, or view, CORI. This list must be updated every six (6) months and is subject to inspection upon request by the DCJIS at any time.

CORI TRAINING

An informed review of a criminal record requires training. Accordingly, all district personnel authorized to review or access CORI will review, and will be thoroughly familiar with, the educational and relevant training materials regarding CORI laws and regulations made available by the DCJIS.

USE OF CRIMINAL HISTORY IN BACKGROUND SCREENING

CORI used for employment purposes shall only be accessed for applicants who are otherwise qualified for the position for which they have applied.

Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determinations of suitability based on background checks will be made consistent with this policy and any applicable law or regulations.

VERIFYING A SUBJECT'S IDENTITY

If a criminal record is received from the DCJIS, the information is to be closely compared with the information on the CORI Acknowledgement Form and any other identifying information provided by the applicant to ensure the record belongs to the applicant.

If the information in the CORI record provided does not exactly match the identification information provided by the applicant, a determination is to be made by an individual authorized to make such determinations based on a comparison of the CORI record and documents provided by the applicant.

INQUIRING ABOUT CRIMINAL HISTORY

In connection with any decision regarding employment, volunteer opportunities, or professional licensing, the subject shall be provided with a copy of the criminal history record, whether obtained from the DCJIS or from

any other source, prior to questioning the subject about his or her criminal history. The source(s) of the criminal history record is also to be disclosed to the subject.

DETERMINING SUITABILITY

If a determination is made, based on the verification of identity information as provided in this policy, that the criminal record belongs to the subject, and the subject does not dispute the record's accuracy, then the determination of suitability for the position or license will be made. Unless otherwise provided by law, factors considered in determining suitability may include, but not be limited to, the following:

- (a) Relevance of the record to the position sought;
- (b) The nature of the work to be performed;
- (c) Time since the conviction;
- (d) Age of the candidate at the time of the offense;
- (e) Seriousness and specific circumstances of the offense;
- (f) The number of offenses;
- (g) Whether the applicant has pending charges;
- (h) Any relevant evidence of rehabilitation or lack thereof; and
- (i) Any other relevant information, including information submitted by the candidate or requested by the organization.

The applicant is to be notified of the decision and the basis for it in a timely manner.

ADVERSE DECISIONS BASED ON CORI

If an authorized official is inclined to make an adverse decision based on the results of a criminal history background check, the applicant will be notified immediately. The subject shall be provided with a copy of the organization's CORI policy and a copy of the criminal history. The source(s) of the criminal history will also be revealed. The subject will then be provided with an opportunity to dispute the accuracy of the CORI record. Subjects shall also be provided a copy of DCJIS' *Information Concerning the Process for Correcting a Criminal Record*.

SECONDARY DISSEMINATION LOGS

All CORI obtained from the DCJIS is confidential and can only be disseminated as authorized by law and regulation. A central secondary dissemination log shall be used to record any dissemination of CORI outside this organization, including dissemination at the request of the subject.

File: ADF - WELLNESS POLICY ANDOVER PUBLIC SCHOOLS

It is the intention that Andover Public Schools will make a significant contribution to the general well-being, mental and physical capacity, and learning ability of each student and will afford each the opportunity to fully participate in and benefit from the education process.

The Andover Public Schools will develop, adopt and implement a broad plan for a coordinated school based health program that will:

- Be designed in response to demonstrated needs in the community,
- Be based on models that demonstrate models of effectiveness,
- Emphasize a positive youth development approach,
- Make efficient use of school and community resources,
- Respond to families' needs and preferences; and
- Include goals for Health Education, Physical Education and Nutrition.

The coordinated school based health program plan will incorporate the following components and goals:

1. Health Education

A comprehensive program of health education that is designed to promote healthful living and discourage health-risk behaviors shall be offered pre-Kindergarten through Grade 12.

The health education program will be an integral part of a coordinated school-based health program. It will be consistent with the Massachusetts Health Curriculum Frameworks, coordinated by the district health education coordinator. The health education coordinator will consult with the district coordinator for nursing regarding all issues affecting student based health.

2. Physical Education and Recess

The Andover Public Schools will continue to implement specific learning goals and objectives for physical education for students in Grades pre-Kindergarten through Grade 12, in accordance with state law. A sequential, developmentally appropriate curriculum will continue to be implemented and evaluated to help students develop the knowledge, motor skills, self-management skills, attitudes, and confidence needed to adopt and maintain physical activity throughout their lives.

Students in grades pre-Kindergarten through Grade 5 will have daily-supervised recess, held when possible outdoors, to enable moderate to vigorous physical activity. Faculty and staff will strive not to withhold recess as a disciplinary consequence.

3. Nutrition

Andover Public Schools recognizes that a healthy intake of food and nutrients is essential for students to take full advantage of the learning environment in school. Healthy eating patterns during childhood can

affect eating patterns in later years and students need to gain the knowledge and skills to select a diet that supports health and reduces the risk of illness and future chronic diseases. Students of all ages need the knowledge to make wise food choices in the contemporary food environment, to evaluate food promotion and media messages regarding realistic body size and shape, and to select appropriate foods in varied settings.

The nutrition program will include guidelines for reimbursable school meals which are not less restrictive than regulations and nutrition guidelines issued by the Secretary of Agriculture pursuant to law. The nutrition program will also ensure that profit generation will not take precedence over the nutritional needs of the students. Finally, the nutrition program will include guidelines for nutrition education and promotion.

4. Health Services:

Andover Public Schools recognizes the increasing health and medical needs of our student and staff population. Many of our students require daily nursing care to enable them to perform to their academic potential. Andover Public Schools will strive to provide safe and effective nursing care in all school buildings during the school day. Nursing staff will also act as a liaison between parents, students and community medical professionals.

Health Services will work with a School Health Advisory Group under this Policy.

A School Health Advisory Group shall be established. The Group will consist of representatives chosen from each of the following groups and officials and shall be appointed by the Superintendent:

Parents

Teachers

Students

Coordinator for Nursing Services

Health and Physical Education Coordinator.

Food Services Director

School Physician

School Principal

Credentialed Nutritionist, if available.

Board of Health

General Public of the Town of Andover

The Advisory Group's role and responsibilities will include but not be limited to:

- Recommend procedures to the Superintendent, Principals and School Committee
- Review the policy and protocols annually
- Monitor and evaluate the progress towards compliance with the goals of the policy
- Measure the outcomes of changes as evidenced by various tools including student satisfaction surveys, parent satisfaction surveys, school health statistical data collected in compliance with the Massachusetts Department of Public Health (MDPH) and other collection data and monitoring systems.
- Provide an annual report to the Superintendent of Schools which assesses implementation of this Wellness Policy, including which schools are in compliance and progress toward achieving goals, as well

as recommendations and suggested measures for improving student wellness. This report shall be made available to the public.

- Promote parent and staff education regarding this Policy.
- The Director of Nursing will review Food Allergy guidelines annually with nursing staff.
- The Director of Nursing or school-based nursing staff will annually review emergency plans for individuals experiencing anaphylaxis with administrative, teaching, food services and custodial staff in each school.

The School Health Advisory Group will be responsible for devising a plan for implementation and evaluation of this Policy and is charged to work with the principals of each school to ensure that schools meet the goals of the district wellness policy. The Principal of each school shall be responsible for implementation of this Wellness Policy and all guidelines and protocols established under this Policy in his/her school. The School Health Advisory Group will report to the School Committee annually.

LEGAL REFS: The Child Nutrition and WIC Reauthorization Act of 2004, Section 204, P.L. 108 -265

The Richard B. Russell National School Lunch Act, 42 U.S.C. §§ 1751 - 1769h

The Child Nutrition Act of 1966, 42 U.S.C. §§ 1771 - 1789

CROSS REF.: [EFC](#), Free and Reduced-Cost Food Services

[IHAMA](#), Teaching About Alcohol, Tobacco and Drugs

[KHA](#), Public Solicitations in the Schools

[KHB](#), Advertising in the Schools

Updated: Feb 27, 2020

File: AE - COMMITMENT TO ACCOMPLISHMENT

The School Committee accepts ultimate responsibility for all facets of school operations. Because it is accountable to residents of the District, the School Committee will maintain a program of accountability consisting of the following elements:

- Clear statements of expectations and purpose as these relate to operations, programs, departments, and positions.
- Provisions for the staff, resources, and support necessary to achieve stated expectations and purposes, subject to financial support by residents of the District.
- Evaluation of operations and instructional and staff development programs to determine how well expectations and purposes are being met.
- Specific performance objectives to enable individuals to direct their own efforts to the goals and objectives of the District.
- Evaluation of the efforts of employees in line with stated objectives, with the first purpose of evaluation being to help each individual make a maximum contribution to the goals of the District.

Every effort will be made by the School Committee, Superintendent, and staff to fulfill the responsibilities inherent in the concept of accountability.

SECTION B - BOARD GOVERNANCE AND OPERATIONS

BA SCHOOL COMMITTEE OPERATIONAL GOALS

BAA EVALUATION OF SCHOOL COMMITTEE OPERATIONAL PROCEDURES

BB SCHOOL COMMITTEE LEGAL STATUS

BBA SCHOOL COMMITTEE POWERS AND DUTIES

BBAA SCHOOL COMMITTEE MEMBER AUTHORITY

BBBA/ SCHOOL COMMITTEE MEMBER QUALIFICATIONS/

BBBB OATH OF OFFICE

BBBC SCHOOL COMMITTEE MEMBER RESIGNATION

BBBE UNEXPIRED TERM FULFILLMENT

BCA SCHOOL COMMITTEE MEMBER ETHICS

BDA SCHOOL COMMITTEE ORGANIZATIONAL MEETING

BDB SCHOOL COMMITTEE OFFICERS

BDD SCHOOL COMMITTEE-SUPERINTENDENT RELATIONSHIP

BDE SUBCOMMITTEES OF THE SCHOOL COMMITTEE

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BDFA-E-1 SCHOOL IMPROVEMENT PLAN

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BE SCHOOL COMMITTEE MEETINGS

BEC EXECUTIVE SESSIONS

BEDA NOTIFICATION OF SCHOOL COMMITTEE MEETINGS

BEDB AGENDA FORMAT

BEDD RULES OF ORDER

BEDF VOTING METHOD

BEDG MINUTES

BEDH PUBLIC COMMENT AT SCHOOL COMMITTEE MEETINGS

BEDH-E GUIDELINES FOR PUBLIC COMMENT

BEE SPECIAL PROCEDURES FOR CONDUCTING HEARINGS

BG SCHOOL COMMITTEE POLICY DEVELOPMENT

BGB POLICY ADOPTION

BGC POLICY REVISION AND REVIEW

BGD SCHOOL COMMITTEE REVIEW OF PROCEDURES

BGE POLICY DISSEMINATION

BGF SUSPENSION OF POLICIES

BHC SCHOOL COMMITTEE-STAFF COMMUNICATIONS

BHE USE OF ELECTRONIC MESSAGING BY SCHOOL COMMITTEE MEMBERS

BIA NEW SCHOOL COMMITTEE MEMBER ORIENTATION

BIBA SCHOOL COMMITTEE CONFERENCES, CONVENTIONS, AND WORKSHOPS

BID SCHOOL COMMITTEE MEMBER COMPENSATION AND EXPENSES

BJ SCHOOL COMMITTEE LEGISLATIVE PROGRAM

BK SCHOOL COMMITTEE MEMBERSHIPS

File: BA - SCHOOL COMMITTEE OPERATIONAL GOALS

The School Committee is responsible to the people for whose benefit the school system has been established. The Committee's current decisions will influence the course of education in our schools for years to come. The Committee and each of its members must look to the future and to the needs of all people more than the average citizen finds necessary. This requires a comprehensive perspective and long-range planning in addition to attention to immediate problems.

The School Committee's primary responsibility is to establish those purposes, programs, and procedures that will best produce the educational achievement needed by our students. The Committee is charged with accomplishing this while also being responsible for wise management of resources available to the school system. The Committee must fulfill these responsibilities by functioning primarily as a legislative body to formulate and adopt policy, by selecting an executive officer to implement policy, and by evaluating the results. It must carry out its functions openly, while seeking the comments of public, students, and staff in its decision-making processes.

File: BAA - EVALUATION OF SCHOOL COMMITTEE OPERATIONAL PROCEDURES

The School Committee will periodically establish realistic objectives related to Committee procedures and relationships. At the end of a specified length of time, the Committee will measure its performance against the stated objectives.

The following areas of School Committee operations and relationships are representative of those in which objectives may be set and progress appraised:

1. Communication with the public
2. School Committee - Superintendent relationships
3. School Committee member development and performance
4. Policy development
5. Educational leadership
6. Fiscal management
7. School Committee meetings
8. Performance of subcommittees of the School Committee
9. Interagency and governmental relationships

When the Committee has completed its self-evaluation, the members will discuss the results in detail and formulate a new series of objectives. At the same time, the Committee will set an approximate date on which the next evaluation will be conducted.

Implied in the concept of evaluation is an assumption that individuals and Committees are capable of improvement. The School Committee believes that its performance will be improved if evaluation is carried out systematically in accordance with good planning, conscientious follow-through, and careful assessment of results.

File: BB - SCHOOL COMMITTEE LEGAL STATUS

State law provides that:

Every town at its annual meeting shall in every year when the term of office of any incumbent expires, and except when other provision is made by law, choose by ballot from its registered voters the following town officers for the following terms of office:

. . . five members of the School Committee for terms of three years . . .

The School Committee is the governing board of the town's public school system. Although it functions as a duly elected Committee of town government, the School Committee has, unlike other town boards, autonomous and absolute authority within limitations established by the Commonwealth of Massachusetts to carry out the educational policies of the state and guide the educational process.

LEGAL REFS.: M.G.L. [41:1](#) and [71:37](#) specifically, but powers and duties of School Committees are established throughout the General Laws of Massachusetts Relating to School Committees

CROSS REFS.: [AA](#), School District Legal Status

[BBA](#), School Committee Powers and Duties

File: BBA - SCHOOL COMMITTEE POWERS AND DUTIES

The School Committee has all the powers conferred upon it by state law and must perform those duties mandated by the state. These include the responsibility and right to determine policies and practices and to employ a staff to implement its directions for the proper education of the children of the community.

The Committee takes a broad view of its functions. It sees them as:

- 1. Legislative or policymaking.** The Committee is responsible for the development of policy as guides for administrative action and for employing a Superintendent who will implement its policies.
- 2. Appraisal.** The Committee is responsible for evaluating the effectiveness of its policies and their implementation.
- 3. Provision of financial resources.** The Committee is responsible for adoption of a budget that will enable the school system to carry out the Committee's policies.
- 4. Educational planning and evaluation.** The Committee is responsible for establishing educational goals and policies that will guide the Committee and staff for the administration and continuing improvement of the educational programs provided by the School District.
- 5. Public relations.** The Committee is responsible for providing adequate and direct means for keeping the local citizenry informed about the schools and for keeping itself and the school staff informed about the needs and wishes of the public.

Personnel Matters

The Superintendent shall be appointed by vote of the Committee and shall directly report to the Committee as provided by law and perform all the duties that are prescribed by law and such other duties, not inconsistent thereto, as a majority of the Committee may direct.

The School Committee shall appoint, upon the recommendation of the Superintendent, Assistant/Associate/Deputy Superintendent(s), School Business Administrator, Special Education Administrator, School Physician, School Nurses, and Supervisor of Attendance. Such positions shall not report directly to the School Committee.

LEGAL REF.: M.G.L. [71:37](#) specifically, but powers and duties of School Committees are established throughout the Massachusetts General Laws.

CROSS REF.: [BB](#), School Committee Legal Status; [BDG](#), School Attorney

File: BBAA - SCHOOL COMMITTEE MEMBER AUTHORITY

Authority

Because all powers of the School Committee derived from state laws are granted in terms of action as a group, members of the School Committee have authority only when acting as a Committee legally in session.

The School Committee will not be bound in any way by any statement or action on the part of an individual member except when such statement or action is a result of specific instructions of the Committee.

No member of the Committee, by virtue of his/her office, will exercise any administrative responsibility with respect to the schools or command the services of any school employee.

The School Committee will function as a body and all policy decisions and other matters, as required by law, will be settled by an official vote of the Committee sitting in formal session.

Duties

The duties and obligations of the individual Committee member may be enumerated as follows:

1. To become familiar with the General Laws of the Commonwealth relating to education and School Committee operations, regulations of the Massachusetts Board of Education, policies and procedures of this School Committee and School Department.
2. To keep abreast of new laws and the latest trends in education.
3. To have a general knowledge of the goals, objectives, and programs of the town's public schools.
4. To work effectively with other Committee members without trying either to dominate the Committee or neglect his/her share of the work.
5. To respect the privileged communication that exists in executive sessions by maintaining strict confidentiality on matters discussed in these sessions, except that which becomes part of the public record, once it has been approved for release.
6. To vote and act in Committee impartially for the good of the students.
7. To accept the will of the majority vote in all cases, and to remember that he/she is one of a team and must abide by, and carry out, all Committee decisions once they are made.
8. To represent the Committee and the schools to the public in a way that promotes interest and support.
9. To refer questions and complaints to the proper school authorities.
10. To comply with the accepted code of ethics for School Committee members.

CROSS REF: [BCA](#) School Committee Member Ethics

File: BBBA/BBBB - SCHOOL COMMITTEE MEMBER QUALIFICATIONS/OATH OF OFFICE

In order to serve on the School Committee, an individual must be a registered voter in the town from which he/she is elected or appointed and must take an oath of office as required by law.

Each new member will present to the Committee official certification of having sworn the oath before an officer duly qualified to administer oaths prior to entering on his/her official duties as a member of the Committee.

From the Municipal or District Clerk, newly qualified Committee members, by law, receive, and sign a receipt for, a copy of the Massachusetts open meeting law governing the conduct of Committee meetings in general and executive sessions in particular.

Newly qualified Committee members shall, by law, receive and sign a receipt for, within 30 days of taking office, a copy of the Massachusetts Ethics Commission's Summary of the Conflict of Interest laws. As municipal employees, all School Committee members shall receive a copy of said summary annually. All School Committee members shall, within 30 days of taking office, and every 2 years thereafter, complete the Massachusetts Ethics Commission's online training program. Upon completion of the online training program, members shall provide notice of such completion to be retained for 6 years by the Municipal or District Clerk.

Membership on a School Committee is not limited by race, color, sex, religion, national origin, gender identity or sexual orientation.

LEGAL REFS.: M.G.L. [30A:20](#); [41:1](#); [41:107](#); [76:5](#); [268A:27-28](#);

File: BBBC - SCHOOL COMMITTEE MEMBER RESIGNATION

A current School Committee member who submits a resignation to the appropriate certifying authority terminates School Committee duties at the time of such resignation unless a later time is stated in the resignation.

Should a School Committee member move out of the town or District in which he or she holds office, that member shall be deemed to have vacated the office.

LEGAL REFS.: M.G.L. [41:2](#); [41:109](#)

File: BBBE - UNEXPIRED TERM FULFILLMENT

When a vacancy on the School Committee occurs for any reason, the Board of Selectmen and the remaining members of the Committee share the responsibility for filling it.

As provided in the law, the School Committee will notify the Selectmen that a vacancy has been created within 30 days after it has occurred. After one week's notice has been given by the Committee to the Selectmen, so that voters of the town may have the opportunity to state their candidacy, the two governing bodies will meet to fill the vacancy by roll call vote.

For election to fill a vacancy, a candidate must receive a majority of the votes of the officers entitled to vote. The person so elected will fill the seat on the Committee until the next town election, at which time a member will be elected to serve the remainder of the term, if any.

LEGAL REF.: M.G.L. [41:11](#)

File: BCA - SCHOOL COMMITTEE MEMBER ETHICS

The acceptance of a code of ethics implies the understanding of the basic organization of School Committees under the Laws of the Commonwealth of Massachusetts. The oath of office of a School Committee member binds the individual member to adherence to those state laws which apply to School Committees, since School Committees are agencies of the state.

This code of ethics delineates three areas of responsibility of School Committee members in addition to that implied above:

1. Community responsibility
2. Responsibility to school administration
3. Relationships to fellow Committee members

A School Committee member in his/her relations with his/her community should:

1. Realize that his/her primary responsibility is to the children.
2. Recognize that his/her basic function is to be policy making and not administrative.
3. Remember that he/she is one of a team and must abide by, and carry out, all Committee decisions once they are made.
4. Be well informed concerning the duties of a Committee member on both a local and state level.
5. Remember that he/she represents the entire community at all times.
6. Accept the office as a Committee member as means of unselfish service with no intent to "play politics," in any sense of the word, or to benefit personally from his/her Committee activities.

A School Committee member in his/her relations with his/her school administration should:

1. Endeavor to establish sound, clearly defined policies which will direct and support the administration.
2. Recognize and support the administrative chain of command and refuse to act on complaints as an individual outside the administration.
3. Give the chief administrator full responsibility for discharging his/her professional duties and hold him/her responsible for acceptable results.
4. Refer all complaints to the administrative staff for solution and only discuss them at Committee meetings if such solutions fail.

A School Committee in his/her relations with his/her fellow Committee members should:

1. Recognize that action at official meetings is binding and that he/she alone cannot bind the Committee outside of such meetings.
2. Realize that he/she should not make statements or promises of how he/she will vote on matters that will come before the Committee.
3. Uphold the intent of executive sessions and respect the privileged communications that exists in executive sessions.

4. Not withhold pertinent information on school matters or personnel problems, either from members of his/her own Committee or from members of other Committees who may be seeking help or information on school problems
5. Make decisions only after all facts on a question have been presented and discussed.

File: BDA - SCHOOL COMMITTEE ORGANIZATIONAL MEETING

For the purpose of organizing, the School Committee, at its first regular meeting following the District's annual elections, will elect from its membership a Chairperson and a Vice-Chairperson, each of whom will hold their respective offices for a term of one year or until a successor is elected. This meeting shall be called by the outgoing Chairperson, or in his/her absence by the senior member in length of service, who shall preside until a new Chairperson is elected.

The newly elected Chairperson and Vice-Chairperson will take office at the School Committee's first regularly scheduled meeting following the annual, regular, Town Meeting. The previous Chairperson and Vice-Chairperson shall serve in their respective positions until this time. If the previous Chairperson or Vice-Chairperson is no longer a member of the School Committee the newly elected officers shall accept their roles immediately.

A majority of the members of the School Committee will constitute a quorum. The election will proceed as follows:

1. Nominations for the office of Chairperson will be made from the floor. The Chairperson will be elected by a majority roll-call vote of the members present and voting. If no nominee receives a majority vote, the election will be declared null and void and nominations will be reopened.
2. Upon election, the new Chairperson will preside, calling for the election of a Vice-Chairperson. The procedure used for their election will be the same as that for electing the Chairperson.

Any vacancy among the officers occurring between organizational meetings will be filled by a member elected by the School Committee. The election will be conducted as described above.

Following election of officers at its organizational meeting, the School Committee may proceed into such regular or special business as scheduled on the agenda.

File: BDB - SCHOOL COMMITTEE OFFICERS

Duties of the Chairperson

The chairperson of the School Committee has the same powers as any other member of the Committee to vote upon all measures coming before it, to offer resolutions and to discuss questions. He/she will perform those duties that are consistent with his/her office and those required by law, state regulations, and this Committee. In carrying out these responsibilities, the chairperson will:

1. Sign the instruments, acts, and orders necessary to carry out state requirements and the will of the Committee.
2. Consult with the Superintendent in the planning of the Committee's agendas.
3. Confer with the Superintendent on crucial matters that may occur between Committee meetings.
4. Appoint subcommittees, subject to Committee approval.
5. Call special meetings of the Committee as found necessary.
6. Be public spokesperson for the Committee at all times except as this responsibility is specifically delegated to others.
7. Be responsible for the orderly conduct of all Committee meetings.

As presiding officer at all meetings of the Committee, the chairperson will:

1. Call the meeting to order at the appointed time.
2. Announce the business to come before the Committee in its proper order.
3. Enforce the Committee's policies relating to the order of business and the conduct of meetings.
4. Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference.
5. Explain what the effect of a motion would be if this is not clear to members.
6. Restrict discussion to the question when a motion is before the Committee.
7. Answer all parliamentary inquiries.
8. Put motions to a vote, stating definitely and clearly the vote and result thereof.

Duties of the Vice-Chair

The Vice-Chair of the Committee will act in the absence of the chairperson as presiding officer of the Committee and will perform such other duties as may be delegated or assigned to him/her.

LEGAL REF.: M.G.L. [71:36](#)

Note: The treasurer of the town serves as treasurer of the School Committee.

File: BDD - SCHOOL COMMITTEE-SUPERINTENDENT RELATIONSHIP

The Committee will leave to the Superintendent all matters of decision and administration that come within his/her scope as executive officer or as professional leader of the school system. While the Committee reserves to itself the ultimate decision of all matters concerning general policy or expenditures of funds, it will normally proceed in these areas after receiving recommendations from its executive officer. Further:

1. The Superintendent may seek guidance from the Committee with respect to matters of operation whenever appropriate. If it is necessary to make exceptions to an established policy, he/she will submit the matter to the Committee for advice and direction.
2. The Superintendent will assist the Committee in reaching sound judgments and establishing policies, and will place before the Committee all relevant facts, information, and reports necessary to keep the Committee adequately informed of situations or business at hand.

File: BDE - SUBCOMMITTEES OF THE SCHOOL COMMITTEE

The School Committee will have no standing committees. It may, however, establish special subcommittees at its annual organizational meeting. These subcommittees may be created for a specific purpose and to make recommendations for Committee action.

1. The subcommittee will be established through action of the Committee.
2. The Committee chairperson, subject to approval by the Committee, will appoint the subcommittee chairperson and its members.
3. The subcommittee will be provided with a list of its functions and duties.
4. The subcommittee may make recommendations for Committee action, but it may not act for the School Committee.
5. The Committee chairperson and Superintendent will be ex-officio members of all special subcommittees.
6. A subcommittee will be dissolved by the Committee upon completion of its assignment, or it may be dissolved by a vote of the Committee at any time.

LEGAL REF.: M.G.L. [30A:18-25](#)

CROSS REF.: [BEC](#), Executive Sessions

File: BDF - ADVISORY COMMITTEES TO THE SCHOOL COMMITTEE

The following general policies will govern the appointment and functioning of advisory committees to the School Committee other than the student advisory committee, which is governed by the terms of the Massachusetts General Laws.

1. Advisory committees may be created by the School Committee to serve as task forces for special purposes or to provide continuing consultation in a particular area of activity. However, there will be no standing overall advisory committee to the School Committee.
2. If an advisory committee is required by state or federal law, its composition and appointment will meet all the guidelines established for that particular type of committee.
3. The composition of task forces and any other advisory committees will be broadly representative and take into consideration the specific tasks assigned to the committee. Members of the professional staff may be appointed to the committee as members or consultants, as found desirable.
4. Appointments to such committees will be made by the Committee; appointment of staff members to such committees will be made by the School Committee upon recommendation of the Superintendent.
5. Tenure of committee members will be one year only unless the member is reappointed.
6. Each committee will be clearly instructed as to:
 - a. The length of time each member is being asked to serve.
 - b. The assignment the School Committee wishes the committee to fulfill and the extent and limitations of its responsibilities.
 - c. The resources the School Committee will provide.
 - d. The approximate dates on which the School Committee wishes to receive major reports.
 - e. School Committee policies governing citizens, committees and the relationship of these committees to the School Committee as a whole, individual School Committee members, the Superintendent, and other members of the professional staff.
 - f. Responsibilities for the release of information to the press.
7. Recommendations of committees will be based upon research and fact.
8. The School Committee possesses certain legal powers and prerogatives that cannot be delegated or surrendered to others. Therefore, all recommendations of an advisory committee must be submitted to the School Committee.
9. Advisory committees created under this policy are subject to the Open Meeting Law.

The Committee will have the sole power to dissolve any of its advisory committees and will reserve the right to exercise this power at any time during the life of any committee.

LEGAL REF.: M.G.L. [30A:18-25](#)

CROSS REF.: [JIB](#), Student Involvement in Decision-making

File: BDFA - SCHOOL COUNCILS

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

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

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

The following guidelines define the role of the school council:

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

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

LEGAL REFS.: M.G.L. [71:38Q](#), [71:59C](#)

File: BDFA-E-1 - SCHOOL IMPROVEMENT PLAN

The Principal, in conjunction with the school council, shall be responsible for preparing a written school improvement plan annually. This plan shall be written with the advice of the school council and submitted for approval to the Superintendent and review by the School Committee. The plan should be drafted with the following in mind:

1. The educational goals for the school consistent with the goals and standards, including student performance standards, as adopted by the Massachusetts Board of Education and by the School Committee.
2. An assessment of the needs of the school in light of the proposed educational goals.
3. The means to address student performance.
4. Professional development for the school's professional staff.
5. The enhancement of parental involvement in the life of the school, safety, and discipline.
6. The development of means for meeting the diverse learning needs of every child.
7. Any further subjects as the Principal, in consultation with the school council, shall consider appropriate, except that:
 - a. The council shall have no authority over matters that are subject to Chapter [150E](#), the collective bargaining law, and
 - b. The council may not expand the scope of its authority beyond that established in law or expressly granted by School Committee policy.

File: BDFA-E-2 - SUBMISSION AND APPROVAL OF THE SCHOOL IMPROVEMENT PLAN

The written school improvement plan shall be submitted by the Principal to the Superintendent for approval and the School Committee for review no later than June 1 of the year in which the plan is to be implemented.

Because the implementation of the plan is dependent on the Superintendent's approval, it is important that the school council be aware of certain expectations regarding the school improvement plan. The school improvement plan should:

1. Focus on improvement of student learning.
2. Specify expected student outcomes and measurable/observable results.
3. Align with the mission of the School District and any goals and policies of the School District.
4. Be consistent with state and federal law, School District policy, established curriculum and negotiated agreements.
5. Clearly identify actions to be taken on how changes will be implemented.
6. Include a plan on how to solicit community support for the changes being developed.
7. Indicate anticipated costs and available funding sources.
8. Delineate the method of evaluating and reporting progress and results.

If the school improvement plan is not approved by the Superintendent, it shall be returned to the Principal with specific comments as to the reason(s). The Principal shall revise the plan in cooperation with the school council, and resubmit it for approval.

File: BDFA-E-3 - CONDUCT OF SCHOOL COUNCIL BUSINESS

The Principal shall, by law, serve as co-chair of the council. The second co-chair will be elected annually by the council members at its first meeting of the school year subsequent to the elections of new council members. The co-chairs will be responsible for the preparation of the agenda for the council meetings.

The school council shall convene within 40 days of school opening and shall meet throughout the school year. Meetings will be held outside of school hours. At its first meeting of the school year, the council will set its calendar of regular meetings for the year. Where circumstances warrant, the council may choose to call additional meetings.

School councils shall use consensus as the primary method to resolve issues and to formulate recommendations. Votes by majority may be taken at the discretion of the Principal and Robert's Rules of Order shall prevail if there are questions of procedure.

All meetings of the school council shall conform to the Open Meeting Law, Chapter [30A, Sections 18-25](#), which stipulate that all meetings be open to the public, that meetings be posted at least 48 hours in advance, and that minutes of the meeting shall be maintained as required. The scope of the school council does not require, and therefore does not qualify for, executive session.

The Superintendent shall receive agendas and minutes of all school council meetings. The Superintendent shall provide copies of these materials to members of the School Committee for information.

File: BDG - SCHOOL ATTORNEY

It will be the duty of the counsel for the Committee to advise the School Committee and the Superintendent on the specific legal problems submitted to him/her. He/she will attend meetings upon request and will be sufficiently familiar with Committee policies, practices, and actions under these policies, and with requirements of the school law to enable him/her to offer the necessary legal advice.

Many types of legal assistance are routine and do not require specific Committee approval or prior notice. However, when the Superintendent concludes that unusual types or amounts of professional legal service may be required, he/she will advise the Committee and seek either initial or continuing authorization for such service. A decision to seek legal advice or assistance on behalf of the school system may also be made by the Committee.

The School Committee may use the services provided by the town counsel. The Committee and the Superintendent may seek his/her services to counsel and represent the school system at various times.

LEGAL REFS.: M.G.L. [71:37E](#); [71:37F](#)

File: BE - SCHOOL COMMITTEE MEETINGS

The School Committee will transact all business at official meetings of the Committee. These may be either regular or special meetings, defined as follows:

1. **Regular meeting**: the usual official legal action meeting, held regularly
2. **Special meeting**: an official legal action meeting called between scheduled regular meetings to consider specific topics.

Every meeting of the School Committee, regular or special, will be open to the public unless an executive session is held in accordance with state law.

LEGAL REFS.: M.G.L. [30A:18](#)-25

CROSS REFS.: [BEC](#), Executive Sessions

[BEDA](#), Notification of School Committee Meetings

File: BEC - EXECUTIVE SESSIONS

All meetings of the School Committee are open to attendance by the public and media representatives. However, the Committee has the right to convene in a closed executive session when it meets the following procedural conditions imposed by state law:

1. The Committee will first convene in an open session for which due notice has been given.
2. The Chairperson (or, in his/her absence, the presiding member) will state the purpose for the executive session by stating all subjects that may be revealed without compromising the purpose for which the executive session was called.
3. A majority of the members must vote to enter the executive session, with the vote taken by roll call and recorded in the official minutes.
4. The Chairperson or presiding member will state before entering the executive session whether the Committee will reconvene in open session after the executive session.

The law puts specific limitations on the purposes for which executive sessions may be convened. The Committee may enter executive sessions only to deliberate:

1. The reputation, character, physical condition or mental health, rather than the professional competence, of a single individual, or the discipline or dismissal, including the hearing of charges against, a member of the committee, a school department employee or student, or other individual. The individual has certain rights enumerated in the law including requiring the Committee to hold an open session should the individual so request.
2. Strategy with respect to non-union negotiations or to conduct collective bargaining sessions or contract negotiations with non-union personnel.
3. Strategy with respect to collective bargaining or litigation, if an open meeting might have a detrimental effect. Collective bargaining may also be conducted.
4. The deployment of security personnel or devices.
5. Allegations of criminal misconduct or to discuss the filing of criminal complaints.
6. Transactions of real estate, if an open meeting might be detrimental to the negotiating position of the committee or another party.
7. To comply with the provisions of any general or specific law of federal grant-in-aid requirements.
8. And to consider and interview applicants for employment by a preliminary screening committee (The only position that the school committee would be involved in that might qualify would be for the position of Superintendent.) This exemption only applies if it can be determined that an open meeting will have a detrimental effect in obtaining qualified applicants. This shall not apply to applicants who have passed a prior preliminary screening.
9. To meet or confer with a mediator with respect to any litigation or public business.
10. To discuss trade secrets or confidential competitively-sensitive or other proprietary information conducted by a governmental body as an energy supplier.

(In the first case, an open meeting will be held if the individual involved so requests.)

Accurate records of the proceedings conducted in executive session will be kept and may remain secret only so long as their publication would defeat the purpose of the session.

The School Committee Chair and the Superintendent will review executive session minutes for possible declassification on, at least, a quarterly basis and, if necessary, will consult with legal counsel. The School Committee Chair will bring minutes recommended for declassification to the School Committee for a vote either as part of a consent agenda or for individual action. In either case, there shall be an announcement of the declassification of minutes.

When a specific set of executive session minutes, not yet declassified, is requested by a member of the public, the School Committee shall render a decision on declassification at its next meeting or within 30 days after the request, whichever occurs first.

All votes taken in executive session will be recorded roll call votes, and will become part of the minutes of executive sessions.

LEGAL REFS.: M.G.L. [30A:21](#); [30A:22](#)

CROSS REFS.: [BDE](#), Subcommittees of the School Committee

[BE](#), School Committee Meetings

[KE](#), Public Complaints

File: BEDA - NOTIFICATION OF SCHOOL COMMITTEE MEETINGS

As required by law, a minimum of 48 hours' advance notice (excluding Saturdays, Sundays and legal holidays) will be given for any meeting of the School Committee, including all subcommittee meetings. The only exception permitted is in case of emergency, which the law defines as "a sudden, generally unexpected occurrence or set of circumstances demanding immediate action."

Notification of the dates, times, and places of regular meetings may be accomplished by periodic publication of the schedule for the ensuing months. However, a minimum of 48 hours prior to each meeting the Committee shall cause to be posted a listing of each subject the Chair reasonably anticipates will be discussed at the meeting (the agenda). Notification of a change in a regular meeting time, place, or agenda and notification, including agenda, of a special meeting will be filed with the town clerk at least 48 hours in advance, as required by law.

LEGAL REFS.: M.G.L. [30A:18-25](#)

CROSS REF.: [BE](#), School Committee Meetings

File: BEDB - AGENDA FORMAT

The Superintendent, conferring with the Chairperson of the School Committee, will arrange the order of items on meetings agendas so that the Committee can accomplish its business as expeditiously as possible. The particular order may vary from meeting to meeting in keeping with the business at hand.

The Committee will follow the order of business established by the agenda except as it votes to rearrange the order for the convenience of visitors, individuals appearing before the Committee, or to expedite Committee business.

Any School Committee member, staff member, or citizen may suggest items of business. The inclusion of such items, however, will be at the discretion of the Chairperson of the Committee. A staff member who wishes to have a topic scheduled on the agenda should submit the request through the Superintendent.

The agenda will also provide for time when any citizen who wishes may speak briefly before the School Committee.

The agenda, together with supporting materials, will be distributed to School Committee members no less than three business days prior to the meeting to permit adequate time to prepare for the meeting.

Agendas will be posted and made available to the press.

CROSS REF.: [BEDH](#), Public Comment at School Committee Meetings

File: BEDD - RULES OF ORDER

Robert's Rules of Order, Newly Revised will govern the proceedings of the Committee, except when those rules are in conflict with the Committee's approved policies and regulations.

In accordance with Robert's Rules, the Committee may suspend parliamentary rules of order by a two-thirds vote.

File: BEDF - VOTING METHOD

Open meeting

Votes of the School Committee will be taken by voice vote or a hand count and shall be recorded in the minutes. If the vote is unanimous only that fact need be recorded. No vote taken at an open session shall be by secret ballot.

All actions will require a majority vote of all members present and voting except as state law, Robert's Rules of Order, Newly Revised, or policies of this Committee require a larger majority. A majority of the members of the School Committee will constitute a quorum.

A two-thirds vote will be required to suspend parliamentary rules of order.

Executive Session

A majority of the members of the School Committee must vote to enter into executive session, with the vote taken by roll call and recorded in the official minutes.

All votes taken in executive session will be recorded roll call votes, and will become part of the minutes of executive sessions. Any votes taken to ratify employment contracts or collective bargaining agreements shall be taken in open session.

LEGAL REFS.: M.G.L. [30A:18-25](#); [71:42](#); [71:50](#)

File: BEDG - MINUTES

The minutes of a School Committee meeting constitute the written record of Committee actions; they are legal evidence of what the action was. Therefore, the School Committee shall retain a person who will be responsible for reporting in the minutes all actions taken by the Committee.

Minutes will include:

1. A statement on the nature of the meeting (regular or special), the time, the place, and the approval of the last regular and each subsequent special meeting.
2. Names of the members present or absent, annotated as to arrival and departure times, if during the meeting.
3. A complete record of official actions taken by the Committee relative to the Superintendent's recommendations, to communications, and to all business transacted. Resolutions and motions will be given in their exact wording, accompanied by the names of members moving and seconding and a record of the results of the vote. Reports and documents relating to a formal motion may be omitted if they are referred to and identified by title and date.
4. Notation of formal adjournment.

Copies of the minutes will be sent to all Committee members at least 48 hours in advance of the meeting at which the minutes are to be approved.

The approved minutes will become permanent records of the Committee. Minutes of public meetings and minutes of executive sessions that have been declassified will be in the custody of the Superintendent who will make them available to interested citizens upon request.

LEGAL REFS.: M.G.L. [30A:22](#); [66:10](#)

CROSS REF.: [KDB](#), Public's Right to Know

File: BEDH - PUBLIC COMMENT AT SCHOOL COMMITTEE MEETINGS

All regular and special meetings of the School Committee shall be open to the public. Executive sessions will be held only as prescribed by the Statutes of the Commonwealth of Massachusetts.

The School Committee desires citizens of the District to attend its meetings so that they may become better acquainted with the operations and the programs of our local public schools. In addition, the Committee would like the opportunity to hear the wishes and ideas of the public.

Public comment is not a discussion, debate, or dialogue between individuals and the School Committee. It is an individual's opportunity to express an opinion on issues within the School Committee's authority.

In order that all citizens who wish to be heard before the Committee have a chance and to ensure the ability of the Committee to conduct the District's business in an orderly manner, the following rules and procedures are adopted:

1. At the start of each regularly scheduled School Committee meeting, individuals or group representatives will sign in for an opportunity to speak during public comment. The Chairperson shall determine the length of the public comment segment.
2. Speakers must begin by stating their name and address and will be allowed three (3) minutes to present their material. The presiding Chairperson may permit extension of this time limit.
3. Speakers may offer such criticisms of school operations and programs as concern them, but topics for discussion are to be limited to those items within the School Committee's scope of authority. The authority of the School Committee primarily concerns the review and approval of the school district's budget, the performance of the Superintendent, and the educational goals and policies of the district. In public session the Committee will not hear personal complaints regarding school personnel nor against any member of the school community, apart from the Superintendent. Under most circumstances, administrative channels are the proper means for disposition of legitimate complaints involving staff members.
4. Improper conduct will not be allowed. The Chairperson, after a warning, reserves the right to terminate speech which is not constitutionally protected such as remarks containing obscenities, remarks which constitute true threats that are likely to provoke a violent reaction and cause a breach of peace, or incitement to imminent lawless conduct. Remarks which are known to be false are considered improper and will not be allowed. If a speaker persists in improper conduct or remarks, the Chairperson may terminate that individual's privilege of address.
5. All remarks will be addressed through the Chairperson of the meeting.6. Written comments longer than three (3) minutes may be presented to the Chairperson before or after the meeting for the Committee members' review and consideration at an appropriate time.

LEGAL REFS.: M.G.L. c. [30A: 18-25](#)

CROSS REFS: [BE](#), SCHOOL COMMITTEE MEETINGS

[BEC](#), EXECUTIVE SESSIONS

[BEDA](#), NOTIFICATION OF SCHOOL COMMITTEE MEETINGS

[BEDH-E](#), GUIDELINES FOR PUBLIC COMMENT

SOURCE: Andover

REVISION APPROVED: SC Meeting - May 28, 2020

File: BEDH-E - GUIDELINES FOR PUBLIC COMMENT

A School Committee Meeting is a meeting of a government body at which members of the body deliberate over public business. We welcome the attendance of members of the school district community to view your School Committee as it conducts its regular business meeting.

Massachusetts General Laws Chapter [30A Section 20](#)(g) governs public participation at open meetings covering all public bodies.

Chapter [30A:20](#) [Notice, Remote Participation, Public Participation, Certification]

(g) No person shall address a meeting of a public body without permission of the chair, and all persons shall, at the request of the chair, be silent. No person shall disrupt the proceedings of a meeting of a public body. If, after clear warning from the chair, a person continues to disrupt the proceedings, the chair may order the person to withdraw from the meeting and if the person does not withdraw, the chair may authorize a constable or other officer to remove the person from the meeting.

The School Committee believes that the school district community should have an opportunity to comment to the Committee on issues that affect the school district and are within the scope of the Committee's responsibilities. Therefore, the Committee has set aside a period of time at each regular School Committee meeting to hear from the public. In addition, if the Committee believes that an issue requires deliberation among School Committee members, that issue may be added as an agenda item for a future School Committee meeting.

Any citizen who wishes to make a presentation to the School Committee on an item which is of interest to him/her and within the scope of the Committee's responsibilities may request to be placed on the agenda for a particular meeting. Such request should be in writing and should be received by the Superintendent of Schools at least one week prior to the date of the meeting. Such request should contain background statements which would explain the scope and intent of the agenda item. The Chair of the Committee works with the Superintendent to formulate the meeting agendas. Together they will determine whether or not to place an item on the agenda and if the item is to be taken up, they will also determine when to place an item on the agenda and all parameters to be required of the presenter.

Here are the general rules for the Committee's public comment period:

1. Public Comment shall be for a period to be determined by the Chair and shall generally follow the opening of the meeting. The Committee reserves the right to rearrange its agenda to accommodate scheduled presenters.
2. Any citizen wishing to speak before the Committee shall identify themselves by name and address and shall speak for no longer than 3 minutes unless the Chair extends this time period. No citizen may speak more than once without permission of the Chair. All citizens shall speak to the full Committee through the Chair and shall not address individual members or administrators.
3. Individuals may address topics on the agenda, items specified for public comment, or items within the scope of responsibility of the School Committee. The Chair shall rule out of order any individual who fails to honor the guidelines or who addresses a matter inappropriate for public comment
4. Any Committee member may direct questions to the speaker through the Chair in order to clarify comments of the speaker.

SOURCE: MASC

APPROVED: SC Meeting - January 24, 2019

File: BEE - SPECIAL PROCEDURES FOR CONDUCTING HEARINGS

In conducting all public hearings required by law, and others, as it deems advisable, the School Committee will:

1. Give due and public notice in line with statutory requirements and seek to publicize the meeting in all local media.
2. Make available printed information on the topic of the hearing.
3. Give all persons an equal opportunity to be heard in accordance with the Committee's policy.

The Chairperson of the Committee will preside at the hearing.

The public will be informed at the beginning of the hearing the particular procedure that will be followed in regard to questions, remarks, rebuttals, and any time limitations or other rules that must be followed to give everyone an opportunity to be heard.

In conformance with customary hearing procedures, statements and supporting information will be presented first by the Committee, or by others for the Committee; to comment, citizens must be recognized by the chair, and all remarks must be addressed to the chair and be germane to the topic. To assure that all who wish get a chance to speak, the Chairperson will recognize persons who have not commented previously during the hearing before recognizing persons who wish to remark a second time.

File: BG - SCHOOL COMMITTEE POLICY DEVELOPMENT

The School Committee will develop policies and put them in writing so that they may serve as guides for the discretionary action of those to whom it delegates authority.

The formulation and adoption of these written policies will constitute the basic method by which the School Committee will exercise its leadership in providing for the successful and efficient functioning of the school system. Through the study and evaluation of reports concerning the execution of its policies, the School Committee will exercise its control over school operation.

The School Committee accepts the definition of policy set forth by the National School Boards Association:

Policies are principles adopted by a School Committee to chart a course of action. They tell what is wanted; they may include why and how much. Policies should be broad enough to indicate a line of action to be followed by the administration in meeting day-to-day problems, yet be specific enough to give clear guidance.

The policies of the School Committee are framed, and are meant to be interpreted, in terms of state law, regulations of the Massachusetts Board of Education, and other regulatory agencies of the various levels of government.

File: BGB - POLICY ADOPTION

Adoption of new policies or changing existing policies is solely the responsibility of the School Committee. Policies will be adopted and/or amended only by the affirmative vote of a majority of the members of the School Committee when such action has been scheduled on the agenda of a regular or special meeting.

To permit time for study of all policies or amendments to policies and to provide an opportunity for interested parties to react, proposed policies or amendments will be presented to the Committee in the following sequence:

1. Information item - distribution with agenda
2. Discussion item - first reading of proposed policy or policies; response from Superintendent; report from any advisory Committee assigned responsibility in the area; Committee discussion and directions for any redrafting
3. Action item - discussion, adoption or rejection.

Amendments to the policy at the action stage will not require repetition of the sequence, unless the Committee so directs.

The School Committee may dispense with the above sequence to meet emergency conditions.

Policies will be effective upon the date set by the School Committee. This date will ensure that affected persons have an opportunity to become familiar with the requirements of the new policy prior to its implementation.

File: BGC - POLICY REVISION AND REVIEW

In an effort to keep its written policies up to date so that they can be used consistently as a basis for School Committee action and administrative decision, the Committee will review its policies on a regular basis.

The Committee will evaluate how the policies have been executed by the school staff and will weigh the results. It will rely on the school staff, students, and the community for providing evidence of the effect of the policies it has adopted.

The Superintendent is given the continuing commission of calling to the Committee's attention all policies that are out of date or for other reason appear to need revision.

The School Committee directs the Superintendent to periodically recall all policy and regulations manuals for administrative updating and Committee review.

File: BGD - SCHOOL COMMITTEE REVIEW OF PROCEDURES

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

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

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

Rules Pertaining to Staff and Student Conduct

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

LEGAL REF.: M.G.L. [71:37H](#)

File: BGE - POLICY DISSEMINATION

The Superintendent is directed to establish and maintain an orderly plan for preserving and making accessible the policies adopted by the Committee and the procedures needed to put them into effect.

Accessibility is to extend at least to all employees of the school system, to members of the Committee, and, insofar as conveniently possible, to all persons in the community. A policy concerning a particular group or groups in the schools will be distributed to those groups prior to the policy's effective date.

All policy manuals distributed to anyone will remain the property of the Committee and will be considered as "on loan" to anyone, or any organization, in whose possession they might be at any time. They are subject to recall at any time deemed necessary for purposes of updating.

The School Committee's policy manual will be considered a public record and will be available for inspection at the Superintendent's office and online via the district's website.

File: BGF - SUSPENSION OF POLICIES

The operation of any section or sections of School Committee policies not established by law or contract may be temporarily suspended by a two-thirds vote of Committee members present at any regular or special meeting. Any action to suspend policy must be reviewed at the next scheduled meeting and will be so noted on the agenda for that meeting.

File: BHC - SCHOOL COMMITTEE-STAFF COMMUNICATIONS

The School Committee wishes to maintain open channels of communication between itself and the staff. The basic line of communication will, however, be through the Superintendent.

Staff Communications to the School Committee

All communications or reports to the Committee or any of its subcommittees from Principals, supervisors, teachers, or other staff members will be submitted through the Superintendent. This procedure does not deny the right of any employee to appeal to the Committee for administrative decisions on important matters, except those matters that are outside of the Committee's legal authority, provided the Superintendent has been notified of the forthcoming appeal and that it is processed in accordance with the Committee's policy on complaints and grievances. Staff members are also reminded that Committee meetings are public meetings. As such, they provide an excellent opportunity to observe first hand the Committee's deliberations on problems of staff concern.

School Committee Communications to Staff

All official communications, policies, and directives of staff interest and concern will be communicated to staff members through the Superintendent. The Superintendent will develop appropriate methods to keep staff fully informed of the Committee's problems, concerns and actions.

Visits to Schools

Individual School Committee members interested in visiting schools or classrooms will inform the Superintendent of such visits and make arrangements for visitations through the Principals of the various schools. Such visits will be regarded as informal expressions of interest in school affairs and not as "inspections" or visits for supervisory or administrative purposes. Official visits by Committee members will be carried on only under Committee authorization.

File: BHE - USE OF ELECTRONIC MESSAGING BY SCHOOL COMMITTEE MEMBERS

As elected public officials, School Committee members shall exercise caution when communicating between and among themselves via electronic messaging services including, but not limited to, electronic mail (e-mail), text messages, social media postings, internet web forums, and internet chat rooms.

Under the Open Meeting Law, deliberation by a quorum of members constitutes a meeting. Deliberation is defined as movement toward a decision including, but not limited to, the sharing of an opinion regarding business over which the Committee has supervision, control, or jurisdiction. A quorum may be arrived at sequentially using electronic messaging without knowledge and intent by the author.

School Committee members should use electronic messaging between and among members only for housekeeping purposes such as requesting or communicating agenda items, meeting times, or meeting dates. Electronic messaging should not be used to discuss Committee matters that require public discussion under the Open Meeting Law.

Under the Public Records Law, electronic messages between public officials may be considered public records. Therefore, in order to ensure compliance, the School Department shall provide district email addresses to each School Committee member and shall maintain an electronic archive of all email correspondence. School Committee members who do not have a computer or access to these messages shall be provided copies on a timely basis.

LEGAL REF.: M.G.L.[4:7](#); [30A:18-25](#); [66:10](#)

File: BIA - NEW SCHOOL COMMITTEE MEMBER ORIENTATION

In accordance with the requirements of law, each new School Committee member elected to the School Committee is required to complete, within one year of their election or appointment, at least eight hours of orientation training. This orientation shall include, but is not limited to, a review of School Finance, the Open Meeting Law, Public Records Law, Ethics/Conflict of Interest Law, Special Education Law, Collective Bargaining, School Leadership Standards and Evaluations, and the Roles and Responsibilities of School Committee Members.

The School Committee and Superintendent shall assist each new member to understand the Committee's functions, policies and procedures of the Committee as soon after election as possible. Each new member shall be given or provided direct online access to the following materials:

- A. A copy of the School Committee policy manual
- B. A copy of the Open Meeting Law
- C. A copy of the Ethics/Conflict of Interest Regulations
- D. A copy of the district's budget
- E. Collective bargaining agreements and contracts
- F. Student and staff handbooks

Each new member shall also receive any other materials the Chair and/or the Superintendent determine.

The Chair and/or Superintendent shall also clarify policy:

- A. arranging visits to schools or administrative offices
- B. requesting information regarding school district operations
- C. responding to community requests/complaints concerning staff or programs
- D. handling confidential information

Whether appointed or elected, new members should be advised that they are also members of the Massachusetts Association of School Committees, Inc. and should be encouraged to utilize the services and resources MASC provides by attending meetings or workshops specifically designed for new Committee members. Their expenses at these meetings or workshops will be reimbursed in accordance with established School Committee policy.

CROSS REFS: [BBBA/BBBB](#) School Committee Member Qualifications/Oath of Office

LEGAL REF.: M.G.L. [71:36A](#)

File: BIBA - SCHOOL COMMITTEE CONFERENCES, CONVENTIONS, AND WORKSHOPS

To provide continuing in-service training and development for its members, the School Committee encourages the participation of all members at appropriate School Committee conferences, workshops and conventions. However, in order to control both the investment of time and funds necessary to implement this policy, the Committee establishes these principles and procedures for its guidance:

1. The School Committee shall be made aware of School Committee conferences, conventions and workshops. The Committee will periodically decide which meetings appear to be most promising in terms of producing direct and indirect benefits to the school system.
2. Funds for participation at such meetings will be budgeted for on an annual basis. When funds are limited, the Committee will designate which of its members would be the most appropriate to participate at a given meeting.
3. Reimbursement to Committee members for their travel expenses will be in accordance with the travel reimbursement policy.
4. When a conference, convention, or workshop is not attended by the full Committee, those who do participate will be requested to share information, recommendations and materials acquired at the meeting.

LEGAL REFS.: M.G.L. [40:5](#)

CROSS REFS.: [BID](#), School Committee Member Compensation and Expenses

[DKC](#), Expense Reimbursements

File: BID - SCHOOL COMMITTEE MEMBER COMPENSATION AND EXPENSES

The School Committee shall serve without compensation, except that a member of a School Committee of a city, town, regional school district or superintendency union may be compensated for his/her services by a majority vote of the city council in a city having a Plan D or Plan E charter; in a city not having a Plan D or Plan E charter by vote of the city council, subject to the provisions of the charter of such a city; in a town by a majority vote at a town meeting; and in a regional school district or school superintendency by a majority vote of the voting member towns authorized at their respective town meetings, the amount of such compensation, in each case, to be set by the respective cities, towns or groups of towns. No member of a School Committee in any town shall be eligible to the position of teacher, or Superintendent of public schools therein, or in any union school or superintendency union or district in which his/her town participates.

Upon submitting vouchers and supporting bills for expenses incurred in carrying out specific services previously authorized by the Committee, members may be reimbursed from school funds.

Reimbursable expenses may include the cost of attendance at conferences of School Committee associations and other professional meetings or visitations when such attendance and expense payment has had prior School Committee approval.

LEGAL REFS.: M.G.L. [40:5](#); [71:52](#)

CROSS REF.: [BIBA](#), School Committee Conferences, Conventions, and Workshops

File: BJ - SCHOOL COMMITTEE LEGISLATIVE PROGRAM

The School Committee, as an agent of the state, must operate within the bounds of state and federal laws affecting public education. If the Committee is to meet its responsibilities to the residents and students of this community, it must work vigorously for the passage of new laws designed to advance the cause of good schools and for the repeal or modification of existing laws that impede this cause.

To this end:

1. The Committee will keep itself informed of pending legislation and actively communicate its concerns and make its position known to elected representatives at both the state and national level.
2. The Committee will work with its legislative representatives (both state and federal), with the Massachusetts Association of School Committees, and other concerned groups in developing an annual, as well as a long-range, legislative program. One of the major objectives of the Committee's legislative program will be to seek full funding for all state and federally mandated programs.
3. The Committee will annually designate a person--who may or may not be a member of the Committee--to serve as its legislative representative. This person will be authorized to speak on the Committee's behalf with respect to legislation being considered by the Massachusetts Legislature or the United States Congress or their respective committees. In all dealings with individual elected representatives, the Legislature or Congress, the Committee's representative will be bound by the official positions taken by the School Committee.

File: BK - SCHOOL COMMITTEE MEMBERSHIPS

The Committee will maintain memberships in the national, state and regional School Committees (boards) associations and take an active part in the activities of these groups.

It may also maintain institutional memberships in other educational organizations, which the executive officer and Committee find to be of benefit to members and personnel.

The materials and benefits of institutional memberships will be distributed and used to the best advantage of the Committee and the staff.

SECTION C - GENERAL SCHOOL ADMINISTRATION

CA ADMINISTRATION GOALS

CB SCHOOL SUPERINTENDENT

CBD SUPERINTENDENT'S CONTRACT

CBI EVALUATION OF THE SUPERINTENDENT

CCB LINE AND STAFF RELATIONS

CE ADMINISTRATIVE COUNCILS, CABINETS, AND COMMITTEES

CH POLICY IMPLEMENTATION

CHA DEVELOPMENT OF PROCEDURES

CHC PROCEDURES DISSEMINATION

CHCA APPROVAL OF HANDBOOKS AND DIRECTIVES

CHCA-E CONTENT OF HANDBOOKS AND DIRECTIVES

CHD ADMINISTRATION IN POLICY ABSENCE

CL ADMINISTRATIVE REPORTS

CM SCHOOL DISTRICT ANNUAL REPORT

File: CA - ADMINISTRATION GOALS

It is the intent of the School Committee that the District employ qualified personnel to administer the school system efficiently and to require the Superintendent to organize the administration in a manner that will make clear the functions of each position and the relationships among them.

The Superintendent will establish clear lines of communication, both vertically and horizontally, and will form any staff councils or committees needed to provide for efficient conduct of school business. In order to engage in this process in an orderly and effective fashion, each individual and group will be given particular, clear-cut responsibilities. Channels will be established so that the recommendations and decisions of each group can be heard and reviewed by the chief administrative officer concerned, and, where appropriate, by the Superintendent and School Committee.

The organization and administration of the schools will balance responsibility with commensurate authority, subject to the reserved legal powers of the School Committee. This means that a staff member, when assigned a responsibility or a position, will be given the authority to make the decisions necessary to perform the assigned tasks.

For the schools to operate effectively, each administrative officer will be responsible and accountable for making a plan of development for all staff assigned to his/her area of operation.

File: CB - SCHOOL SUPERINTENDENT

The Committee shall employ a Superintendent of Schools and fix his/her compensation. The Superintendent shall act in accordance with Mass. General Laws, and shall perform such other duties consistent with this section as the Committee may determine. He/she shall also prepare such reports as may be required by the State Department of Education and shall submit materials for the Committee's annual report to the Selectmen in sufficient time for printing in the annual report.

LEGAL REFS: M.G.L. [71:59](#), [72:3](#)

File: CBD - SUPERINTENDENT'S CONTRACT

The Committee, upon the appointment of a candidate to be Superintendent, will enter into a written contract with the Superintendent which will meet the requirements of law and will protect the rights of both the Committee and the Superintendent. In accordance with said contract or, in the absence of specific contract language, by vote of the members, the Committee may choose to negotiate a successor contract with an incumbent Superintendent.

LEGAL REFS.: M.G.L. [71:41](#); [71:42](#)

File: CBI - EVALUATION OF THE SUPERINTENDENT

Evaluation can serve the purpose of helping educators and educational leaders continually improve their practice.

Through evaluation of the Superintendent, the School Committee will strive to accomplish the following:

1. Ensure the efforts of the Superintendent are focused on district goals and the standards of professional practice established by state regulation are met by the Superintendent.
2. Ensure all Committee members and the Superintendent are in agreement and clear on the role of the Superintendent and the immediate priorities among his/her responsibilities.
3. Provide excellence in administrative leadership of the school district.
4. Develop a respectful and productive working relationship between the School Committee and Superintendent.

The School Committee and Superintendent will periodically develop a set of performance objectives based on the needs of the school district and in keeping with state regulations for evaluation of the Superintendent. The Superintendent's performance will be reviewed in accordance with specified goals and standards. Additional objectives will be established according to the evaluation cycle agreed upon with the Superintendent.

All School Committee discussion and deliberation related to the Superintendent's performance evaluation shall be conducted in open session in accordance with the open meeting law.

LEGAL REFS: M.G.L. [30A:18](#)-25

603 CMR [35.00](#)

File: CCB - LINE AND STAFF RELATIONS

The School Committee expects the Superintendent to establish clear understandings on the part of all personnel of the working relationships in the school system.

Personnel will be expected to refer matters requiring administrative action to the administrator to whom they are responsible. The administrator will refer such matters to the next higher administrative authority when necessary.

It is expected that the established lines of authority will serve most purposes. But all personnel will have the right to appeal any decision made by an administrative officer through established grievance procedures.

Additionally, lines of authority do not restrict in any way the cooperative, sensible working together of all staff members at all levels in order to develop the best possible school programs and services. The established lines of authority represent direction of authority and responsibility; when the staff is working together, the lines represent avenues for a two-way flow of ideas to improve the program and operations of the school system.

File: CE - ADMINISTRATIVE COUNCILS, CABINETS AND COMMITTEES

The Superintendent may establish such permanent or temporary councils, cabinets and committees as he/she deems necessary for assuring staff participation in decision making, for implementing policies and procedures and for the improvement of the educational program.

Functioning in an advisory capacity, all councils, cabinets and committees created by the Superintendent may make recommendations for submission to the School Committee through the Superintendent. Such groups will exercise no inherent authority. Authority for establishing policy remains with the Committee and authority for implementing policy remains with the Superintendent.

The membership, composition and responsibilities of administrative councils, cabinets and committees will be defined by the Superintendent and may be changed at his/her discretion. However, the School Committee wishes to be kept informed of the establishment and dissolution of these groups as well as their membership and their purpose.

Expenses incurred by such groups for consultative services, materials, and any investigative travel will be paid by the school system, but only within budgetary allotments and when approved in advance by the Superintendent.

File: CH - POLICY IMPLEMENTATION

The Superintendent has responsibility for carrying out, through procedures, the policies established by the School Committee.

The policies developed by the Committee and the procedures developed to implement policy are designed to increase the effectiveness and efficiency of the school system. Consequently, it is expected that all School Committee employees and students will carry them out.

Administrators and supervisors are responsible for informing staff members in their schools, departments, or divisions of existing policies and procedures and for seeing that they are implemented in the spirit intended.

File: CHA - DEVELOPMENT OF PROCEDURES

The Superintendent will be responsible for specifying required actions and designing the detailed arrangements under which the school system will be operated in accordance with School Committee policy. These detailed arrangements will be designed to implement policies, goals, and objectives of the Committee and will be one of the means by which the school system will be governed.

In the development of procedures, the Superintendent may involve at the planning stage those who would be affected by the procedures, including staff members, students, parents/guardians, and the public. He/she must weigh with care the counsel given by representatives of staff, student and community organizations. He/she will inform the Committee of such counsel in presenting pertinent reports of procedures and in presenting procedures for Committee approval.

As long as the Superintendent operates within the guidelines of policy adopted by the Committee, he/she may issue procedures without prior Committee approval unless Committee action is required by law, or the Committee has specifically asked that certain types of procedures be given Committee approval, or the Superintendent recommends Committee approval in light of strong community attitudes or probable staff reactions.

File: CHC - PROCEDURES DISSEMINATION

It will be the responsibility of the Superintendent to see that the procedures developed to implement Committee policies and administer the school system are appropriately distributed.

A procedure concerning a particular group or groups in the schools will be distributed to the group(s) prior to the effective date of the procedure.

File: CHCA - APPROVAL OF HANDBOOKS AND DIRECTIVES

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 hand-book setting forth the rules pertaining to conduct of students. The school council 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 procedure. 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.

LEGAL REFS.: M.G.L. [71:37H](#)

File: CHCA-E - CONTENT OF HANDBOOKS AND DIRECTIVES

Notwithstanding any general or special law to the contrary all student handbooks shall contain the following provisions:

1. Any student who is found on school premises or at school-sponsored or school related events, including athletic games, in possession of a dangerous weapon or a controlled substance, may be subject to expulsion from school by the Principal.
2. Any student who assaults any employee of the School District may be subject to expulsion from school by the Principal.
3. Any student who is charged with a violation of either (1) or (2) above shall be notified in writing of their opportunity for a hearing, provided, however that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the Principal. After said hearing the Principal may decide to suspend rather than expel a student.
4. Any student who has been expelled shall have the right to appeal to the Superintendent.
5. When a student is expelled under the provisions listed above and applies for admission to another school for acceptance, the Superintendent of the sending school shall notify the Superintendent of the receiving school of the reasons for the pupil's expulsion.

LEGAL REFS.: M.G.L. [71:37H](#)

File: CHD - ADMINISTRATION IN POLICY ABSENCE

When action must be taken within the school system where the Committee has provided no guides for administrative action, the Superintendent will have the power to act. The Superintendent's decisions, however, will be subject to review by the Committee.

File: CL - ADMINISTRATIVE REPORTS

The School Committee will require reports from the Superintendent concerning conditions of efficiency and needs of the schools.

School building administrators will be required to keep such records and make reports as the Superintendent may direct or require.

Upon receipt of the Superintendent's reports, the Committee will take steps to appraise the effectiveness with which the schools are achieving the educational purposes of the school system.

Because statistical information often has a time value, each administrator will give careful consideration to all procedures related to reports, accounting, and general business matters that are required for the administration of the school program and will make accurate and prompt return on scheduled dates of all required statistical and other information.

File: CM - SCHOOL DISTRICT ANNUAL REPORT

An annual report covering the diversified activities of the school system and the administration's recommendations for their improvement will be prepared by the Superintendent and presented to the School Committee. Upon Committee approval, the report will be made available to the public and used as one means for informing the parents/guardians, citizens, Commissioner of Education and others of the programs and conditions of the town's public schools.

LEGAL REFS.: M.G.L. [72:4](#)

SECTION D - FISCAL MANAGEMENT

DA FISCAL MANAGEMENT GOALS

DB ANNUAL BUDGET

DBC BUDGET DEADLINES AND SCHEDULES

DBD BUDGET PLANNING

DBG BUDGET ADOPTION PROCEDURES

DBJ BUDGET TRANSFER AUTHORITY

DD FUNDING PROPOSALS AND APPLICATIONS

DGA AUTHORIZED SIGNATURES

DH BONDED EMPLOYEES AND OFFICERS

DI FISCAL ACCOUNTING AND REPORTING

DIE AUDITS

DJ PURCHASING

DJA PURCHASING AUTHORITY

DJAA RECYCLING

DJE PROCUREMENT REQUIREMENTS

DK PAYMENT PROCEDURES

DKC EXPENSE REIMBURSEMENTS

File: DA - FISCAL MANAGEMENT GOALS

The quantity and quality of learning programs are directly dependent on the effective, efficient management of allocated funds. It follows that achievement of the school system's purposes can best be achieved through excellent fiscal management.

As trustee of local, state, and federal funds allocated for use in public education, the Committee will fulfill its responsibility to see that these funds are used wisely for achievement of the purposes to which they are allocated.

Because of resource limitations, there is sometimes a temptation to operate so that fiscal concerns overshadow the educational program. Recognizing this, it is essential that the school system take specific action to make sure education remains central and that fiscal matters are ancillary and contribute to the educational program. This concept will be incorporated into Committee operations and into all aspects of school system management and operation.

In the school system's fiscal management, it is the Committee's intent:

1. To engage in thorough advance planning, with staff and community involvement, in order to develop budgets and to guide expenditures so as to achieve the greatest educational returns and the greatest contributions to the educational program in relation to dollars expended.
2. To establish levels of funding that will provide high quality education for the students.
3. To use the best available techniques for budget development and management.
4. To provide timely and appropriate information to all staff with fiscal management responsibilities.
5. To establish maximum efficiency procedures for accounting, reporting, business, purchasing and delivery, payroll, payment of vendors and contractors, and all other areas of fiscal management.

File: DB - ANNUAL BUDGET

The annual budget is the financial expression of the educational program of the school department, and it reflects the goals and objectives of the School Committee to meet the needs of all students.

The budget then is more than just a financial instrument and requires on the part of the Committee, the staff, and the community an orderly and cooperative effort to ensure sound fiscal practices for achieving the educational goals and objectives of the school system.

Public school budgeting is regulated and controlled by legislation, state regulations, and local School Committee requirements. The operating budget for the school system will be prepared and presented in line with state policy and will be developed and refined in accordance with these same requirements.

The Superintendent will serve as budget officer but he/she may delegate portions of this responsibility to members of his/her staff, as he/she deems appropriate. The three general areas of responsibility for the Superintendent as budget officer will be budget preparation, budget presentation, and budget administration.

LEGAL REFS.: M.G.L. [71:34](#); [71:37](#) and [71:38N](#)

File: DBC - BUDGET DEADLINES AND SCHEDULES

Preparation of the annual budget will be scheduled in stages throughout the school year with attention to certain deadlines established by law and charter. The budget for each function will be prepared yearly from a level services baseline.

The calendar year for budget preparation will be determined by calculating backwards from the final adoption date.

Whatever dates assigned, the final date for the submission of the budget to the Selectmen will be arranged cooperatively with the School Committee and finance committee. The Selectmen have authority to impose a date as early as December 31.

In reaching its decision on the budget amount that it will submit to the Selectmen, the School Committee will also observe the statutory requirement of holding a public hearing on the proposed budget not less than seven days after the notice for this hearing has been published in a local newspaper.

LEGAL REFS.: M.G.L. [71:38N](#)

Town Charter (See local reference)

File: DBD - BUDGET PLANNING

The first priority in the development of an annual budget will be the educational welfare of the children in our schools. However, the School Committee will also attempt to balance the valid interests of the taxpayers.

Budget decisions reflect the attitude and philosophy of those charged with the responsibility for educational decision-making. Therefore, a sound budget development process must be established to ensure that the annual operating budget accurately reflects this school system's goals and objectives.

In the budget planning process for the school system, the School Committee will strive to:

1. Engage in thorough advance planning, with staff and community involvement, in order to develop budgets and guide expenditures in a manner that will achieve the greatest educational returns and contributions to the educational program in relation to dollars expended.
2. Establish levels of funding that will provide high quality education for all our students.
3. Use the best available techniques for budget development and management.

The Superintendent will have overall responsibility for school budget preparation, including the construction of, and adherence to, a budget calendar.

File: DBG - BUDGET ADOPTION PROCEDURES

Authority for adoption of the final school budget lies with the citizens who comprise, and who are entitled to vote at, the town meeting. The school budget is presented as part of the total town budget for action at the annual town meeting.

LEGAL REFS.: M.G.L. [71:34](#)

Town Charter, (See local reference)

File: DBJ - BUDGET TRANSFER AUTHORITY

In keeping with the need for periodic reconciliation of the school department's budget, the School Committee will consider requests for transfers of funds between the general expense and general salary accounts as they are recommended by the Superintendent.

The Committee wishes to be kept abreast of the need for any adjustments within the general expense and general salary accounts.

All funds in the general account not expended by the close of the fiscal year will be returned to the town.

File: DD - FUNDING PROPOSALS AND APPLICATIONS

The School Committee will encourage the administration to seek and secure possible sources of state, federal, and other special funds that will enhance the educational opportunities for the children in our schools, and that are consistent with the mission and goals of the Andover Public Schools as expressed in School Committee policy and in guidance issued by the Superintendent.

The Superintendent will keep informed of possible funds available to the school system under the various state and federal programs, and in what manner these funds can best be used in the school system.

The Superintendent will be responsible for seeking out and coordinating the development of proposals for all specially funded projects. The Superintendent shall provide prior notice to the School Committee of his/her intent to submit a proposal for any such specially funded project which seeks funds of \$500,000 or more or which binds the district to future financial obligations. School Committee approval shall be required prior to the submittal to the funding source of any proposal which seeks funds of \$1 million or more or which binds the district to future financial obligations.

The Superintendent is authorized to sign all reports for these projects and will be responsible for the proper expenditure of funds received for such projects.

LEGAL REFS.: M.G.L. [44:53A](#)

P.L. 874 Impact Aid

Board of Education 603 CMR [32:00](#); [34:00](#)

Revised: August 21, 2019

File: DGA - AUTHORIZED SIGNATURES

The Chairperson (or designee) of the School Committee and the Superintendent will sign payrolls presented for approval.

The town treasurer, who also serves as the school department treasurer, signs all checks drawn against school department funds. No other signature is valid.

LEGAL REF.: M.G.L. [41:52](#)

File: DH - BONDED EMPLOYEES AND OFFICERS

Each employee of the school system who is assigned the responsibility of receiving and dispensing school funds will be bonded individually or covered by a blanket bond. The town will pay the cost of the bond.

LEGAL REFS.: M.G.L. [40:5](#)

File: DI - FISCAL ACCOUNTING AND REPORTING

The Superintendent will be ultimately responsible for receiving and properly accounting for all funds of the school system.

The accounting system used will conform with state requirements and with good accounting practices, providing for the appropriate separation of accounts, funds, and special monies.

The School Committee will receive monthly financial statements during the school year from the Superintendent showing the financial condition of the school department. Such other financial statements as may be determined necessary by either the Committee or the administration will be presented as found desirable.

LEGAL REF.: Board of Education 603 CMR [10:00](#)

File: DIE - AUDITS

An audit of the school department's accounts should be conducted annually. In addition, the Committee may request a private audit of the school system's accounts at its discretion.

The Committee will consider recommendations made by the auditor for maintaining an efficient system for recording and safeguarding the school department's assets.

File: DJ - PURCHASING

The School Committee declares its intention, when appropriate, to purchase competitively without prejudice and to seek maximum educational value for every dollar expended.

The acquisition of materials, equipment and services will be centralized in the Superintendent's office of the school system.

The Superintendent will serve as purchasing agent. He/she will develop and administer the purchasing program for the schools in keeping with legal requirements and with the adopted school budget.

School purchases will be made only on official purchase orders approved for issuance by the appropriate unit head and signed by the Superintendent, with such exceptions as may be made by the latter for emergency purchases.

LEGAL REFS.: M.G.L. [7:22A](#); [7:22B](#); [30B](#); [71:49A](#)

File: DJA - PURCHASING AUTHORITY

Authority for the purchase of materials, equipment, supplies, and services is extended to the Superintendent through the detailed listing of such items compiled as part of the budget-making process.

The purchase of items and services on such lists requires no further Committee approval except when by law or Committee policy the purchases or services must be put to bid.

LEGAL REF.: M.G.L. [30B](#)

CROSS REF.: [DJE](#), Bidding Requirements

File: DJAA - RECYCLING

The Andover Public Schools recognize the need to make more efficient use of our natural resources, create markets for the materials collected in recycling programs, and reduce solid waste volume and disposal costs. The District is committed to purchasing products which are environmentally preferable and/or made of recycled materials whenever such products meet quality requirements and are available at reasonable prices and terms.

District schools will recycle, whenever feasible, materials that would otherwise become waste, including paper, cardboard, bottles, and cans consistent with local, state and federal regulations. District schools will also collaborate with Food Services personnel on efforts to reduce cafeteria waste.

Success in reducing waste through recycling is based on the cooperation of all the individuals in the school community, as well as incorporating best practices and lessons learned. Wherever practical, recycling containers will be collocated with trash receptacles to encourage participation. Additionally, to ensure success in the recycling efforts, all district personnel are expected to support recycling efforts throughout the schools and teachers are encouraged to include educational lessons on recycling in their curriculums. The School Committee directs the Superintendent or designee to monitor compliance with the above and to champion a "reduce-reuse-recycle" ethic at all public schools and administrative offices.

The School Committee shall make its best effort to ensure its recycling policy is aligned and compatible with the Town of Andover Public Works operations and sustainability objectives.

SOURCE: ANDOVER - APPROVED May 28, 2020

File: DJE - PROCUREMENT REQUIREMENTS

All purchases of materials and equipment and all contracts for construction or maintenance in amounts exceeding \$50,000 will be based upon competitive bidding. All purchases valued between \$10,000 and \$50,000 shall require the procurement officer to attempt to secure 3 quotes for all materials, equipment, or services. All purchases valued at less than \$10,000 shall require the use of sound business practices to secure the best quality at the best price.

An effort will be made to procure multiple bids for all purchases in excess of \$50,000. When recommending acceptance of a bid, the Superintendent will inform the School Committee, whenever possible, of the competitive price of a reasonable substitute for the item specified.

When bidding procedures are used, bids will be advertised appropriately. Suppliers will be invited to have their names placed on distribution lists to receive invitations to bid. When specifications are prepared, they will be distributed to all merchants and firms who have indicated an interest in bidding.

All bids will be submitted in sealed envelopes, addressed to the Superintendent and plainly marked with the name of the bid and the time of the bid opening. Bids will be opened in public at the time specified, and all bidders will be invited to be present.

The Committee reserves the right to reject any or all bids and to accept the bid that appears to be in the best interest of the school system. The Committee reserves the right to waive any informality in, or reject, any or all bids or any part of any bid. Any bid may be withdrawn prior to the scheduled time for the opening of the bids. Any bid received after the time and date specified will not be considered. All bids will remain firm for a period of 30 days after opening.

The bidder to whom an award is made may be required to enter into a written contract with the school system.

LEGAL REF.: M.G.L. [7:22A](#); [7:22B](#); [30B](#)

CROSS REF.: [DJA](#), Purchasing Authority

File: DK - PAYMENT PROCEDURES

All claims for payment from school department funds will be processed in accordance with procedures developed by the Superintendent. Payment will be authorized against invoices properly supported by approved purchase orders, with properly submitted vouchers, or in accordance with salaries and salary schedules approved by the School Committee.

As an operating procedure, the Committee will receive monthly lists of bills for payment from school department funds. The lists will be certified as correct and approved for payment by the School Committee and then forwarded to the municipal auditor for processing and subsequent payment by the municipal treasurer. Actual invoices, statements, and vouchers will be available for inspection by the School Committee.

The Superintendent will be responsible for assuring that budget allocations are observed and that total expenditures do not exceed the amount allocated in the budget for all items.

The school building administrators will be responsible for observing budget allocations in their respective schools.

LEGAL REFS.: M.G.L. [41:41](#); [41:52](#) [41:56](#)

File: DKC - EXPENSE REIMBURSEMENTS

Personnel and school department officials who incur expenses in carrying out their authorized duties will be reimbursed by the school department upon submission of a properly completed and approved voucher and any supporting receipts required by the Superintendent.

When official travel by a personally owned vehicle is authorized, mileage payment will generally be made at the current IRS rate. However, a monthly travel stipend, in an amount established by the Committee, may be paid to the Superintendent, Assistant Superintendent, Business Manager, and others authorized by the Committee who are required to travel regularly within the school system on official business.

To the extent budgeted for such purposes in the school budget, approval of travel requests by School Committee members must have prior approval of the School Committee. Staff travel requests within budgetary limits may be approved by the Superintendent. Staff travel requests that exceed budgetary limits will require the approval of the School Committee and the identification of funding sources by administration. Each request will be judged on the basis of its benefit to the school district.

LEGAL REFS.: M.G.L. [40:5](#); [44:58](#)

SECTION E - SUPPORT SERVICES

EB SAFETY PROGRAM

EBAB PEST MANAGEMENT POLICY

EBB FIRST AID

EBC EMERGENCY PLANS

EBCD EMERGENCY CLOSINGS

EBCFA FACE COVERINGS

EC BUILDINGS AND GROUNDS MANAGEMENT

ECA BUILDINGS AND GROUNDS SECURITY

ECAC VANDALISM

ECAF SECURITY CAMERAS IN SCHOOLS

ECE MOTORIZED VEHICLES

EDC AUTHORIZED USE OF SCHOOL-OWNED MATERIALS

EEA STUDENT TRANSPORTATION SERVICES

EEAA STUDENT TRANSPORTATION

EEAE SCHOOL BUS SAFETY PROGRAM

EEAEA BUS DRIVER EXAMINATION AND TRAINING

EEAEB DRUG AND ALCOHOL TESTING FOR SCHOOL BUS AND COMMERCIAL VEHICLE DRIVERS

EEAEC STUDENT CONDUCT ON SCHOOL BUSES

EEAG STUDENT TRANSPORTATION IN PRIVATE VEHICLES

EEAJ MOTOR VEHICLE IDLING ON SCHOOL GROUNDS

EFC FREE AND REDUCED PRICE FOOD SERVICES

EFD MEAL CHARGE POLICY

File: EB - SAFETY PROGRAM

Accidents are undesirable, unplanned occurrences that can result in tragic consequences--bodily harm, loss of school time, property damage, legal action, and even fatality. The School Committee will guard against such occurrences by taking every possible precaution to protect the safety of all students, employees, visitors and others present on school property or at school-sponsored events.

The Committee will comply with safety requirements established by governmental authorities and will insist that its staff adhere to recommended safety practices as these pertain, for example, to the school plant, special areas of instruction, student transportation, school sports and occupational safety.

The practice of safety will also be considered a facet of the instructional program of the schools. Instruction will include accident prevention as well as fire prevention; emergency procedures; traffic, bicycle, and pedestrian safety.

The Superintendent will have overall responsibility for the safety program of the school system. It will be the responsibility of the Superintendent to see that appropriate staff members are kept informed of current state and local requirements relating to fire prevention, civil defense, sanitation, public health, and occupational safety.

Efforts directed toward the prevention of accidents will succeed only to the degree that all staff members recognize that preventing accidents is a daily operational responsibility.

LEGAL REF.: M.G.L. [71:55C](#) and Acts of 1985c 614 Sec 1

Board of Education 603 CMR 36:00

CROSS REFS.: [EEAE](#), School Bus Safety Program

[GBGB](#), Staff Personal Security and Safety

[IHAM](#), Health Education

[JL](#), Student Welfare

File: EBAB - PEST MANAGEMENT POLICY

The Andover Public Schools are committed to providing a safe and properly maintained environment for all staff, students and visitors. To achieve this end, the School District will implement integrated pest management procedures for its buildings and grounds.

The integrated pest management procedures shall include implementation of appropriate prevention and control strategies, notification of certain pesticide and herbicide uses, record keeping, education and evaluation.

Integrated pest management procedures will determine when to control pests and what method of control to choose. Strategies for managing pest populations will be influenced by the pest species, location and whether and at what population level its presence poses a threat to people, property or the environment. The full range of action alternatives, including no action, will always be considered.

I. OVERVIEW AND GOALS

- A. The Superintendent or designee shall develop and implement an integrated pest management program.
- B. An integrated pest management program is a pest control approach that emphasizes using a balanced combination of tactics (cultural, mechanical, biological, chemical) to reduce pests to a tolerable level while using pesticides and herbicides as a last resort to minimize health, environmental and economic risks.
- C. Pesticides and herbicides will be used only as a last resort, based on a review of all other available options.
- D. The integrated pest management program shall strive to:
 - 1. Reduce any potential human health hazard.
 - 2. Reduce loss or damage to school structures or property.
 - 3. Minimize the risk of pests from spreading in the community.
 - 4. Enhance the quality of facility use for school and community.
 - 5. Minimize health, environmental and economic risks.

II. RESTRICTIONS ON USE OF PESTICIDES AND HERBICIDES

- A. When pesticides or herbicides are used, they must be classified as an EPA Category III or IV. Application of any pesticide or herbicide may be performed only by certified applicators.
- B. Application of pesticides and herbicides may only be accomplished during a school break or when the building will be clear of students for at least 48 hours.

III. NOTIFICATION OF PESTICIDE AND HERBICIDE USE

- A. When pesticides or herbicides are used outdoors, notice of their use will be provided to parent/guardians, staff and students and will also be posted in a common area.
- B. When pesticides and herbicides are used in a building, the site will provide a 48-hour pre-notification in the form of posting the product name, purpose, application date, time and method and the Material Safety Data Sheet on all entrance doors. A contact person will also be listed.

C. In the event of an EPA registered pesticide or herbicide application in or around a building site during the school year or summer session, a notice (including the product name, purpose, contact person, and application date, time and method), will be sent home in writing with students in the affected building at least 5 days prior to application.

IV. RECORD-KEEPING

A. The District will keep a record of pesticides and herbicides used, amounts and locations of treatments and will keep any Material Safety Data Sheets, product labels and manufacturer information on ingredients related to the application of the pesticides or herbicides.

B. All records of pesticides and herbicides used and correspondence will be available for public review upon notice and during normal school hours.

V. STAFF RESPONSIBILITIES AND EDUCATION

A. Designated staff (School Nutrition, Buildings and Grounds, etc.) will participate in sanitation and pest exclusion procedure appropriate to their roles. For example: keeping doors closed, repairing cracks, removing food waste within 12 hours, keeping lids on garbage receptacles and keeping vegetation properly out.

B. Ongoing education of all appropriate District staff will be a priority to ensure a safe and clean environment.

LEGAL REF.: Chapter 85 of the Acts of 2000, "An Act to Protect Children and Families from Harmful Pesticides."

File: EBB - FIRST AID

The district attempts to provide a safe environment. If an accident or sudden illness occurs, school personnel will administer first aid and, if warranted, call emergency medical services. In the case of illness that may include an infectious disease the school physician shall be notified in accordance with law.

First aid is defined as the immediate and temporary care given in case of an accident or sudden illness, which enables the child to be taken safely home or to a physician. It does not include diagnosis or treatment. Any care beyond first aid will not be given.

At each school, procedures will be developed for the proper handling of an injury to, or sudden illness of, a child or staff member. These will be made known to the staff and will incorporate the following requirements:

1. The school nurse or another trained person will be responsible for administering first aid.
2. When the nature of an illness or an injury appears in any way serious, every effort will be made to contact the parent/guardian and/or family physician immediately.
3. In extreme emergencies, the school nurse, school physician or Principal may make arrangements for immediate transport to a hospital of injured or ill students, contacting parent or guardian in advance if at all possible.
4. The teacher or other staff member to whom a child is responsible at the time an accident occurs will make out a report on an official form providing details about the accident. This will be required for every accident for which first aid is given.
5. All accidents to students and staff members will be reported as soon as possible to the Superintendent and, if the Superintendent deems appropriate, to the School Committee.

LEGAL REFS.: M.G.L. [71:55A](#); [71:56](#)

CROSS REF.: [JLC](#), Student Health Services and Requirements

File: EBC - EMERGENCY PLANS

Advance planning for emergencies and disasters is essential to provide for the safety of students and staff; it also strengthens the morale of all concerned to know that plans exist and that students and staff have been trained in carrying out the plans.

The Superintendent will develop and maintain plans that meet the requirements of state law for preparedness in case of fire, civil emergencies, and natural disasters.

The Superintendent shall develop, in consultation with school nurses, school physicians, athletic coaches, trainers, and local police, fire and emergency personnel, an Emergency Medical Response Plan for each school in the district. Each Plan shall include:

1. A method establishing a rapid communications system linking all parts of the school campus, including outdoor facilities, to local Emergency Medical Services along with protocols to clarify when EMS and other emergency contacts will be called.
2. A determination of EMS response times to any location on the campus.
3. A list of relevant contacts with telephone numbers and a protocol indicating when each person shall be called, including names of experts to help with post-event support.
4. A method to efficiently direct EMS personnel to any location on campus, including the location of available rescue equipment.
5. Safety precautions to prevent injuries in classrooms and on the school campus.
6. A method of providing access to training in CPR and first aid for teachers, athletic coaches, trainers, and other school staff which may include CPR training for High School students; provided that School Committees may opt out of instruction in CPR pursuant to Section [1 of Chapter 71](#).
7. In the event the school possesses Automated External Defibrillators (AEDs), the location of all available AEDs, whether the location is fixed or portable, and a list of personnel trained in its use.

The Superintendent shall annually review the response sequence with local police and fire officials. Plans shall be submitted to local police and fire officials and the DESE at least every 3 years by September 1 or when changes occur. Plans must be updated in the case of new construction or other physical changes to the school campus.

Building Principals will meet all requirements for conducting fire drills and Emergency Response drills (at least once per year) to give students practice in moving with orderly dispatch to designated areas under emergency conditions, and the staff practice in carrying out their assigned responsibilities for building evacuation.

LEGAL REF: M.G.L. [69:8A](#)

Section 363 of Chapter 159 of the Acts of 2000

Section 7 of Chapter 284 of the Acts of 2014

CROSS REF.: [EBCD](#), Emergency Closings

[JL](#), Student Welfare

[JLC](#), Student Health Services and Requirements

File: EBCD - EMERGENCY CLOSINGS

The Superintendent may close the schools or dismiss them early in the event of hazardous weather or other emergencies that threaten the health or safety of students and personnel. While it may be prudent, under certain circumstances, to excuse all students from attending school, to delay the opening hour or to dismiss students early, the Superintendent has the responsibility to see that as much of the administrative, supervisory and operational activity is continued as may be possible. Therefore, if conditions affect only a single school, only that school will be closed.

In making the decision to close schools, the Superintendent will consider many factors, including the following principal ones relating to the fundamental concern for the safety and health of the children:

1. Weather conditions, both existing and predicted.
2. Driving, traffic, and parking conditions affecting public and private transportation facilities.
3. Actual occurrence or imminent possibility of any emergency condition that would make the operation of schools difficult or dangerous.
4. Inability of teaching personnel to report for duty, which might result in inadequate supervision of students.
5. Safety of students walking to school and to bus stops.

The Superintendent will weigh these factors and take action to close the schools only after consultation with public works and public safety authorities and with school officials from neighboring towns. Students, parents and staff will be informed early in each school year of the procedures that will be used to notify them in case of emergency closings.

LEGAL REFS.: M.G.L. [71:4](#); [71:4A](#)

CROSS REF.: [EBC](#), Emergency Plans

File: EBCFA - FACE COVERINGS

The Andover Public Schools District is committed to providing a safe and operational learning environment as schools continue to operate during the COVID-19 pandemic. According to public health experts, one of the best ways to limit the spread of coronavirus and to keep members of our school community safe is the use of face masks. Therefore, the following requirements are in place **when it is determined masking will be required** by Andover Public Schools throughout the District or in individual buildings and programs.

All individuals inside school buildings and on school transportation, even when social distancing is observed, must wear a face mask that:

- covers the nose and mouth;
- fits securely and comfortably against the side of the face;
- is secured with ties or ear loops;
- allows for breathing without restriction;
- does NOT have an exhalation valve or vent;
- can be laundered and machine dried without damage or change of shape if a multi-use mask;
- is a fresh mask as recommended by the CDC or Massachusetts Department of Public Health if single use.

Students and staff are not required to wear face masks **outdoors** even if defined social distance is not observed. This applies to:

- recess;
- physical education classes;
- athletics as defined by the Massachusetts Executive Office of Energy and Environmental Affairs (MA EEA) and adopted by the Massachusetts Interscholastic Athletic Association (MIAA);
- learning environments; and
- eating and drinking.

Individuals may be excused from the mask requirement if they:

- have trouble breathing;
- are unconscious or incapacitated;
- cannot remove a face mask without assistance.

Accommodations will be made for individuals for whom face masks are not possible due to medical conditions, disability impact, a significant impediment to communication, or other health or safety factors, which for students may include behavioral challenges. Medical documentation acceptable to APS is required for a requested accommodation. Any accommodations must be approved by the building principal in consultation with the school nurse or local Board of Health. Face shields or physical barriers may provide an alternative in some instances. Parents may not excuse their child from the face mask requirement by signing a waiver.

Face masks will be required **indoors** except:

- during approved mask breaks of less than 15 minutes;
- while eating or drinking during designated snack and lunch; and
- while alone in an office or classroom.

A student's face mask or face covering is to be provided by the student's family. Staff members are responsible for providing their own face mask or face covering. However, the district will supply a disposable face mask for individuals who arrive at a building, or want to board school transportation, without one.

If students are in violation of this policy, the building principal or designee will consult with the parent/guardians to determine whether an accommodation is appropriate, and/or the student may be removed from the school building until such time as they can comply with the requirement.

Violations of this policy by staff will be handled in the same manner as other violations of all School Committee policy.

Visitors in violation of this policy will be denied entry to the school/district facility.

The School Committee delegates the authority to the Superintendent **to invoke or rescind the mask requirements under this policy** throughout the District or in individual buildings or programs as deemed operationally necessary to protect the health and safety of the school community as circumstances change or arise, based on data and professional judgment. Such decision shall be made in consultation with the Director of Nursing and Andover Director of Public Health and shall consider guidance from the Centers for Disease Control (CDC), the American Academy of Pediatrics (AAP), the Massachusetts Department of Elementary and Secondary Education (DESE), and the Massachusetts Department of Public Health. The School Committee must be notified of any decision by the Superintendent to invoke or rescind the mask requirements under this policy and the basis for such decision, including the input of the Director of Nursing and the Director of Public Health.

The Superintendent may exercise this authority with respect to the District, an individual school building, an individual school-sponsored event or program, or individual events or programs being conducted by non-APS groups using APS facilities.

The following requirements apply whether or not masking is required for all students and staff within an Andover Public School building or program.

- **Students and staff who test positive for Covid-19 must follow State of Massachusetts Isolation and Quarantine Guidelines in effect at the time.**
- **Masks are required in all school nursing offices.**
- **Masks must be worn wherever required by a state or federal public health order.**

Students and staff shall retain the option to wear a mask whenever and wherever desired at times when or locations where masking is not mandated by the school district. Students and staff who are not fully vaccinated or are immunocompromised are strongly advised to wear a mask when inside an APS building or while attending a school sponsored event or program.

The School Committee recognizes that because of their individual circumstances (e.g., they are immunocompromised or live with vulnerable individuals or individuals who cannot be vaccinated), a teacher may prefer students wear masks in their classroom. The School Committee fully supports such requests and encourages the school community to voluntarily honor such requests.

The School Committee believes that all students deserve every opportunity to achieve academic success in a safe, secure learning environment. Good citizenship in schools is based on respect and consideration for the rights and choices of others. Students are expected to conduct themselves in a way that respects those rights and choices.

Further, NO student shall be subjected to harassment, intimidation, bullying, or cyber-bullying for their personal choice to wear or to not wear a mask during times when, or at locations where, masks are not required by the District.

Any student engaging in conduct demonstrating disrespect for another student's choice with respect to masking, including harassment, intimidation, bullying, or cyber-bullying, will be subject to discipline as defined in School Committee policies [JIC](#): Student Conduct and [JICFB](#): Bullying Prevention.

This policy will remain in place until rescinded by the School Committee.

CROSS REF: [EEAEC](#): Student Conduct On School Busses

[GBEB](#): Staff Conduct

[JIC](#): Student Discipline

[JICFB](#): Bullying Prevention

[KE](#): Public Complaints

LEGAL REF:

REFS:

Massachusetts Department of Public Health - Mask Advisory Updated December 21, 2021

<https://www.mass.gov/doc/updated-advisory-regarding-masks-and-face-coverings-july-30-2021-0/download>

Centers for Disease Control and Prevention - Guidance for Covid-19 Prevention in K-12 Schools Updated January 22, 2022 -

<https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/k-12-guidance.html>

Centers for Disease Control and Prevention - Guidance for Covid-19 Prevention on Public Transportation

<https://www.cdc.gov/coronavirus/2019-ncov/travelers/face-masks-public-transportation.html>

Massachusetts Department of Elementary and Secondary Education -Press Release: Statewide School Mask Requirement Will Be Lifted February 28

<https://mailchi.mp/doe.mass.edu/press-releasestatewide-school-mask-requirement-will-be-lifted-february-28>

American Academy of Pediatrics - Recommendations for Opening Schools in Fall 2021

<https://services.aap.org/en/news-room/news-releases/aap/2021/american-academy-of-pediatrics-updates-recommendations-for-opening-schools-in-fall-2021/>

American Academy of Pediatrics - Guidance for Safe Schools and Promotion of In-Person Learning Updated January 14, 2022

<https://www.aap.org/en/pages/2019-novel-coronavirus-covid-19-infections/clinical-guidance/covid-19-planning-considerations-return-to-in-person-education-in-schools/>

SOURCE: ANDOVER - September 2, 2020 (adopted from MASC August 2020 template) Updated 10/1/20; 5/20/21; REVISED 08/16/21; REVISED March 3, 2022

File: EC - BUILDINGS AND GROUNDS MANAGEMENT

The School Committee's most important function is to provide for the education of children, and it recognizes that the education of children is dependent upon many factors, including a proper physical environment that is safe, clean, sanitary, and as comfortable and convenient as the facilities will permit or the use requires.

The supervision over the care and safekeeping of property used by the school department will be the general responsibility of the Superintendent. He/she will work with other town departments, as necessary, to develop a comprehensive and well-defined plan for the proper maintenance, cleanliness, and safekeeping of all school buildings and grounds to ensure that each school is equally well maintained, equipped, and staffed.

The Superintendent will establish procedures and employ such means as may be necessary to provide accurate information in regard to the nature, condition, location, and value of all property used by the school department; to safeguard the property against loss, damage, or undue depreciation; to recover and restore to usefulness any property that may be lost, stolen or damaged; and to do all things necessary to ensure the proper maintenance, cleanliness, and safekeeping of school property.

Within the separate schools, the building administrator will be responsible for proper care, maintenance, and cleanliness of buildings, equipment and grounds.

LEGAL REF.: M.G.L. [71:68](#)

File: ECA - BUILDINGS AND GROUNDS SECURITY

Public school buildings and grounds are one of the greatest investments of the town. It is deemed in the best interest of the school department and town to protect the investment adequately.

Security should mean not only maintenance of a secure (locked) building, but protection from fire hazards and faulty equipment, and safe practices in the use of electrical, plumbing, and heating equipment. The Committee expects close cooperation with fire and law enforcement departments and with insurance company inspectors.

Access to school buildings and grounds outside of regular school hours will be limited to personnel whose work requires it. An adequate key control system will be established, which will limit access to buildings to authorized personnel and will safeguard against the chance of entrance to buildings by unauthorized persons.

Funds and valuable records will be kept in a safe place and under lock and key.

Protective devices designed to be used as safeguards against illegal entry and vandalism will be installed when appropriate to the individual situation. Employment of security personnel may be approved in situations where special risks are involved.

File: ECAC - VANDALISM

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

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

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

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

File: ECAF - SECURITY CAMERAS IN SCHOOLS

The School Committee works to maintain a safe and secure environment for its students, staff, visitors, and facilities. In pursuit of this objective, the Andover School Committee authorizes the use of electronic surveillance cameras in school buildings and on its property to ensure the health, welfare and safety of all students, staff and visitors, to deter theft, vandalism, violent conduct, and other detrimental behavior, to safeguard district buildings, grounds and equipment, and to monitor unauthorized individuals in or on school property, including on school buses and vans.

Security cameras may be used in such buildings and locations as are deemed appropriate by the Superintendent in consultation with school administrators and local law enforcement officials. Such use shall be subject to the following general guidelines:

1. Installation and use of security cameras shall occur only in locations where there is no reasonable expectation of privacy.
2. When cameras are installed in a building or other location, Andover Public Schools students /families and staff shall be notified through handbooks and appropriate signage at public entryways, that cameras have been installed, that they may be used and their recordings viewed at any time, and that students and staff who are identified through such use as having violated any laws, regulations, APS policies, or APS rules will be subject to appropriate disciplinary action.
3. The Superintendent shall establish procedures regarding the viewing, disclosure, retention, disposal, and security of recordings or images from security cameras in accordance with applicable laws and regulations. Such procedures shall include procedures to ensure the storage of recordings to avoid tampering and to protect confidentiality; procedures which limit access to appropriate school administrators; and procedures regarding appropriate access by law enforcement officials. The Superintendent may from time to time amend procedures as deemed necessary and appropriate. Such procedures shall be published in applicable handbooks. The Superintendent may, from time to time, issue further guidance that is consistent with current laws and this policy.

File: ECE - MOTORIZED VEHICLES

Andover school system property may not be used by non-registered motor vehicles, and the use of registered motor vehicles shall be limited to paved areas of the property designated for such use.

Sufficient parking spaces at each school will be allocated to accommodate the motor vehicles belonging to school staff and visitors. Additional spaces available at the high school will be assigned for student use according to the following:

1. Students who wish to drive vehicles licensed for highway use to and from school and park on school property, will be allowed to do so based on availability of parking spaces and subject to a fee established by the School Committee. The privilege will be withdrawn for driving to endanger, speeding, parking or driving in unauthorized spaces, and for students not in good standing because of their school conduct.
2. Seniors will be given priority over other students, providing their applications are received at the commencement of the school year.

File: EDC - AUTHORIZED USE OF SCHOOL-OWNED MATERIALS

The School Committee wishes to be of assistance, whenever possible, to other town departments and community organizations. Therefore, permission to use school equipment may be granted by the Superintendent upon request by responsible parties or organizations.

Staff members may use school equipment when the use is related to their school employment, and by students when the equipment is to be used in connection with their school related studies or extracurricular activities.

Proper controls will be established by the Superintendent to assure the user's responsibility for, and return of, all school equipment.

File: EEA - STUDENT TRANSPORTATION SERVICES

The major purpose of the school system's transportation services is to aid students in getting to and from school in an efficient, safe, and economical manner.

The school system will contract for transportation services. The School Committee will award contracts on a competitive bid basis. Bus contractors and taxi contractors, who will be held responsible for the safe operation of school buses, will comply with all applicable state laws and regulations, including but not limited to:

1. Specifications for school bus design and equipment
2. Inspection of buses
3. Qualifications and examinations of bus drivers
4. Driving regulations
5. Small vehicle requirements, if applicable
6. Insurance coverage
7. Adherence to local regulations and directives as specified in bid contracts

The Superintendent, working with the bus contractor and other appropriate administrators, will be responsible for establishing bus schedules, routes, stops, and all other matters relative to the transportation program.

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

CROSS REF.: [EEAA](#), Walkers and Riders

File: EEAA - STUDENT TRANSPORTATION

Students will be entitled to transportation to and from school at the expense of the public schools when such transportation conforms to applicable provisions of the Massachusetts General Laws. Reimbursement to the school system for transportation costs is given by the Commonwealth only for (a) students living at least one and one half miles from school, (b) students who live more than one mile from the nearest bus stop, and (c) students with special needs for whom transportation must be provided.

Additionally, the Committee will provide transportation for students as follows:

Students in grades K - 6.

K - 6 students will receive free transportation if the distance over the most direct public ways between a student's residence and the school he/she is entitled to attend exceeds 1.5 miles.

At the noon hour only:

Kindergarten students will be transported free if the distance over the most direct public ways between a student's residence and the school he/she is entitled to attend exceeds 1.0 mile.

Students in grades 7 - 12.

a. At its discretion, the School Department may furnish transportation to students in grades 7 - 12, if the distance over the most direct public ways between a student's residence and the school he/she is entitled to attend exceeds 2.0 miles, provided, however, that the parent(s) or guardian(s) of such students SHALL pay a Transportation User Fee in an amount established annually, by the School Committee.

b. No eligible student as defined in 3 a., above, shall be denied transportation because of financial hardship, subject to the school district's terms and conditions.

Exceptions to these guidelines may be made at the discretion of the Superintendent or designee. This will apply particularly to any student whom the Superintendent, in consultation with public safety officials, has determined must travel in a hazardous area to and from school. These students will be transported regardless of the mileage limits listed.

LEGAL REFS.: M.G.L. [40:5](#); [71:7A](#); [71:68](#); [71B:5](#)

CROSS REF.: [EEA](#), Student Transportation Services

File: EEAE - SCHOOL BUS SAFETY PROGRAM

The safety and welfare of student riders will be the first consideration in all matters pertaining to transportation. Safety precautions will include the following:

1. Children will be instructed as to the proper procedure for boarding and exiting from a school bus and in proper and safe conduct while aboard.
2. Emergency evacuation drills will be conducted at least twice a year to acquaint student riders with procedures in emergency situations.
3. All vehicles used to transport children will be inspected periodically for conformance with state and federal safety requirements.
4. Classroom instruction on school bus safety will be provided.

LEGAL REFS.: M.G.L. [90:7b](#) as amended by Ch. 246 Acts of 1986

M.G.L. [90:1](#) et seq.; 713:2; 713:7L

Highway Safety Program Standard No. 17

CROSS REF.: [EB](#), Safety Program

File: EEAEA - BUS DRIVER EXAMINATION AND TRAINING

The School Committee reserves the right to approve or disapprove persons employed by the bus contractor to drive school transportation vehicles.

1. Courteous and careful drivers will be required.
2. Each driver will file with school officials a medical certificate and submit to a request for a CORI check.
3. Only persons who are properly licensed by the state and have completed the driver-training program will be permitted to drive school buses.
4. The contractor will furnish the School Committee with a list of names of drivers and their safety records for the last three years.
5. The contractor will notify school officials as soon as possible of any change of bus drivers.

LEGAL REFS.: Highway Safety Program Standard No. 17

M.G.L. [90:7B](#); [90:8A](#); [90:8A ½](#)

File: EEAEB - DRUG AND ALCOHOL TESTING FOR SCHOOL BUS AND - COMMERCIAL VEHICLE DRIVERS

The District shall adhere to federal law and Department of Transportation regulations requiring a drug and alcohol-testing program for school bus drivers and commercial vehicle drivers. Such testing will be conducted for five different situations: pre-employment, randomly, following an accident, following an authorization to return to duty, and upon reasonable suspicion that a driver is under the influence of alcohol or using drugs.

The District will comply with Department of Transportation protocols regarding the collection and testing necessary to establish whether alcohol or drugs are present in the driver's system, and regulations will be established for the steps to be taken in the event that test results are positive.

This program shall comply with the requirements of the Code of Federal Regulations, Title 49, Section 382 et seq. The Superintendent or designees shall adopt and enact procedures consistent with the federal regulations, defining the circumstances and procedures for testing.

LEGAL REF.: 49 U.S.C. sec. 2717 et seq. (Omnibus Transportation Employee Testing Act of 1991)

49C.F.R. Part 40 Procedures for Transportation Workplace and Drug and Alcohol Testing Programs

49C.F.R. Part 382 Controlled Substance and Alcohol Use and Testing

49 C.F.R. Part 391 Qualifications of Drivers

File: EEAEC (also [JICC](#)) - STUDENT CONDUCT ON SCHOOL BUSES

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

To ensure the safety of all students who ride in buses, it may occasionally be necessary to revoke the privilege of transportation from a student who abuses this privilege. Parents of children whose behavior and misconduct on school buses endangers the health, safety, and welfare of other riders will be notified that their children face the loss of transportation privileges in accordance with regulations approved by the School Committee.

File: EEAG - STUDENT TRANSPORTATION IN PRIVATE VEHICLES

District-arranged school buses generally will be used for the transportation of students participating in co-curricular or extracurricular activities. Where school bus transportation is available, students must use the school bus in order to participate in the activities. The only exceptions to the foregoing are:

- 1) a student with a current, valid driver's license may transport himself/herself and not any other students to or from a practice or training session; and
- 2) a student may be transported from an activity by his or her own parent(s)/legal guardian(s).

In some instances, including athletic practices and trainings which are conducted off campus, school buses may not be available, or may not be available both to and from those activities. In those instances, a student may be transported to or from an activity by his or her own parent(s)/legal guardian(s).

Alternatively, private vehicles may be permitted to transport students to or from school activities that fall within the academic day or extended school day provided all of the following conditions are met:

1. The activity has the approval of the Superintendent of Schools.
2. The owner of the vehicle being used in transporting students must file evidence with the Superintendent of personal liability insurance coverage on the vehicle in the minimum amounts of \$100,000 - \$300,000 or more and must acknowledge that his/her policy will be first in the line of coverage in the event of any accident.
3. All operators/drivers (a) establish that they possess a current, valid driver's license which allows them to transport others and (b) pass the CORI background check as required by Policy [ADDA](#).
4. The parents/legal guardians of students to be transported in this manner will be fully informed as to this means of transportation and will sign a statement acknowledging that the determination that the operator/driver has adequate qualifications and skills has been made solely by them and that they waive/release any and all claims against the school district.
5. The School Committee recognizes that certain school-sponsored athletic activities require that students' ability to participate involve transportation by private means because the necessary facilities for practice and training are located off campus and because school buses are not made available for practices and training. For each such sport, and prior to the commencement of that sport's season, the head coach shall determine the identity of not more than five (5) operators/drivers who shall be the designated drivers during the season. Each such designated driver shall comply with the requirements of paragraphs 2 and 3, above. Each participating student who will utilize the services of the designated drivers shall comply with the requirements of paragraph 4, above. The foregoing provision does not apply to a student with a current, valid driver's license who chooses to transport himself/herself and not any other students to or from such activities.

CROSS REF.: [ADDA](#), Background Checks

File: EEAJ - MOTOR VEHICLE IDLING ON SCHOOL GROUNDS

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

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

NO IDLING

PENALTIES OF \$100 FOR FIRST OFFENSE AND \$500

FOR SECOND AND SUBSEQUENT OFFENSES

M.G.L. C. [90, § 16B](#) AND 540 CMR 27.00

It shall be the responsibility of the school administration to ensure that each school bus driver employed by the School District and not by a school bus contractor shall, upon employment and at least once per year thereafter, sign a document acknowledging the receipt of copies of M.G.L. c. [90, § 16B](#) and 540 CMR 27.00. The prohibitions contained in M.G.L. c. [90, § 16B](#) shall be enforced by state or local law enforcement agencies.

LEGAL REFS.: M.G.L. c. [71:37H](#), c. [90:16B](#) and 540 CMR 27.00

File: EFC - FREE AND REDUCED PRICE FOOD SERVICES

The school system will take part in the National School Lunch Program and other food programs that may become available to assure that all children in the schools receive proper nourishment.

In accordance with guidelines for participation in these programs, and in accordance with the wishes of the Committee, no child who a teacher believes is improperly nourished will be denied a free lunch or other food simply because proper application has not been received from his/her parents or guardians.

As required by state and federal regulations, the School Committee approves this policy statement pertaining to eligibility for free milk, free meals, and reduced price meals.

LEGAL REFS.: National School Lunch Act, as amended (42 USC 1751-1760)

Child Nutrition Act of 1966

P.L. 89-642, 80 Stat. 885, as amended

M.G.L. [15:1G](#); [15:1L](#); [69:1C](#); [71:72](#)

File: EFD - MEAL CHARGE POLICY

I. Purpose

The goal of the Andover Public Schools is to provide students with healthy, nutritious meals each day so they can focus in school, while also maintaining the financial integrity of the program and minimizing stigmatization of children with meal charges. However, unpaid meal charges place a large financial burden on the Food Services Department, as this department is a self-supporting business. The purpose of this policy is to ensure compliance with federal reporting requirements for the USDA Child Nutrition Program, and to provide oversight and accountability for the collection of outstanding student meal balances.

The intent of this policy is to establish uniform meal account procedures throughout the Andover Public Schools. The provisions of this policy pertain to regular priced school breakfast and lunch meals only. While the USDA Child Nutrition Program does not require that a student who pays for regular priced meals be served a meal without payment, the Andover Public Schools provides this policy as a courtesy to those students in the event that they forget or lose their lunch money.

II. Policy

Negative Balances and Meal Charges

All students will pay for meals at the district's published standard rate as determined by their meal benefit status (full pay, reduced-price, or free) each day. After the balance reaches zero and enters the negative, students will not be allowed to purchase a la carte items such as a second entrée (pizza slice, bagel, etc.), snack, ice cream, or an additional beverage. The child will still be allowed to take a meal, and that meal will continue to be charged to the account at the standard lunch rate based on their meal benefit status. *The parent is responsible for any meal charges incurred.** If it is a financial hardship, please contact food services directly at 978-247-5520 to discuss payment options such as an individualized repayment plan.

If a student is without meal money on a consistent basis, the administration will investigate the situation more closely and take further action as needed. If financial hardship exists, parents and families are encouraged to apply for free or reduced-price lunches for their child.

If you need assistance applying for free or reduced-price school meals, please contact the Nutrition Coordinator or Director of Food Services at 978-247-5520 or visit www.lunchapp.com to apply online.

Account Tracking/Blocks

***Parents/Guardians** are responsible for all meal payments to the food service program. Notices of low or deficit balances will be sent to parents/guardians via email, post mail, and/or telephone at regular intervals during the school year. Parents have the ability to track student purchases via www.sendmoneytoschool.com regardless of whether or not they use the website to deposit money. If student purchases become an issue, parents have the ability to put a block on the account to prohibit the child from purchasing those items. Blocks that the Food Service Department can put on the child's account include: "No Breakfast," "No Lunch," "No Snack Food," and "Cash Only for A La Carte." To put a block on your child's account, please contact the nutrition office at 978-247-5520.

Point of Sale

All school cafeterias possess computerized point of sale/cash register systems that maintain records of all monies deposited and spent for each student and said records are available by setting up an account at www.sendmoneytoschool.com or by speaking with the cafeteria manager. The point of sale service is designed to prevent overt identification of student meal benefits statuses. Cashiers will alert students of low balances and send them home with a deposit envelope prior to the account reaching zero. Parents will also receive automated

low-balance emails weekly, if applicable. If emails do not result in payment, parents will receive a phone call from the nutrition department.

Making Payments

Students/Parents/Guardians pay for meals in advance via www.sendmoneytoschool.com or with a check payable to Andover Food Service. Further details are available on our webpage at www.andoverschoolnutrition.com. Funds should be maintained in accounts to minimize the possibility that a child may be without meal money on any given day. Any remaining funds for a particular student, whether positive or negative, will be carried over to the next school year.

Refunds

Refunds for withdrawn and/or graduating students require a written request for a refund of any money remaining in their account to be submitted. An e-mail request is also acceptable. Students who are graduating at the end of the year also have the option to transfer funds to a sibling's account or to donate to a student in need with a written request.

LEGAL REFS: M.G.L. [71:72](#)

SECTION F - FACILITIES DEVELOPMENT

[FA](#) FACILITIES DEVELOPMENT GOALS

[FCB](#) RETIREMENT OF FACILITIES

[FF](#) NAMING NEW FACILITIES

[FFA](#) MEMORIALS

File: FA - FACILITIES DEVELOPMENT GOALS

The School Committee believes that any educational program is influenced greatly by the environment in which it functions. The development of a quality educational program and of school facilities that help implement that program must go hand in hand.

Therefore, it is the Committee's goal to provide the facilities needed for the number and educational requirements of students in the school system and to provide the kinds of facilities that will best support the educational program. To best use local resources, it is the Committee's intent, wherever possible, to partner with the Massachusetts School Building Authority.

Recognizing that school facilities are long-term community investments, the Committee will develop projects that reflect cost-effective designs, are consistent with good engineering practice, and use high quality construction, with attention to current and future technological practices for students, faculty, and school staff. The facility planning process will comply with state law and the regulations. Sites will be chosen to meet the educational need, maximize the use of any available community resources, and minimize any possible adverse education, environmental, social, or economic impacts on the community. Whenever possible, the cultural as well as educational needs of the community will be considered in planning facilities.

LEGAL REF.: M.G.L. [70B](#)

963 CMR 2.00

File: FCB - RETIREMENT OF FACILITIES

When a school building becomes inadequate by virtue of age, condition, size of site, lack of need, or other overriding limitations, and cannot reasonably and economically be brought up to the current educational standards, the building should be considered for a comprehensive closing study. The Superintendent will recommend to the School Committee the facilities which appear to justify further analysis.

The School Committee may seek both professional advice and the advice of the community in making its recommendations as to the retirement of any school facility. This will permit the public, which originally acquired the property, to benefit from its recycling or retirement.

A closing study will include direct involvement by those neighborhoods considered in the study and will be concerned with all or some of the following factors:

1. Age and current physical condition of the facilities, its operating systems, and program facilities
2. Adequacy of site, location, access, surrounding development, traffic patterns, and other environmental conditions
3. Reassignment of children, including alternative plans according to Committee policy
4. Transportation factors, including numbers of children bussed, time, distance, and safety
5. Alternative uses of the building
6. Cost/Savings
 - a. Personnel
 - b. Plant Operation
 - c. Transportation
 - d. Capital Investment
 - e. Alternative Use
7. Continuity of instructional and community programs

File: FF - NAMING NEW FACILITIES

Naming a school facility is an important matter that deserves thoughtful attention. Personal prejudice or favoritism, political pressure, or temporary popularity should not be an influence in choosing a name for a school, a portion of a school, or a portion of school grounds. Whenever possible, the wishes of the community, including parents and students, should be considered in naming school facilities.

The School Committee has the authority to approve the naming and renaming of buildings, structures, and facilities located on school property. The School Committee also has the authority to name subsections of existing structures or facilities, such as classrooms, auditoriums, and gymnasiums.

Names and/or wording associated with school facilities shall be consistent with school district policies and promote messages aligned with the mission, vision and goals of the school district. To the extent possible, names and/or wording should be designed not to restrict the use of a space or inhibit changing the function of the space should that become necessary in the future.

When the opportunity to name or dedicate a new school or school related property, structure or facility is forthcoming, an orderly procedure will be communicated at the next available School Committee meeting. The Committee's agendas should clearly reflect the intent to consider, review, and vote on naming opportunities.

Submission of a name for a school space may be made by any resident or by the Superintendent, in writing, and should be made to the School Committee Chair. If a name is being initiated at the local school level, the Principal must take reasonable steps to include the School Council and PTA/PTO in the nomination of the name before submission to the School Committee.

The written request should specify the intent of the requestor and the reasons why this particular name would fit the facility. It should offer appropriate background information on the person or organization after which the facility will be named. An offer of a financial contribution to the School District may accompany the naming request, but the School Committee is not obligated to accept or reject a name based upon financial considerations alone. Philanthropic contributions in support of the School District are encouraged by the School Committee. The School Committee may acknowledge generous donors by designating appropriate spaces within the School District's facilities consistent with the level of financial commitment.

Following the submission of a naming request, the School Committee Chair will specify a consideration period that allows for public comment, following which the Committee will deliberate and vote on the name.

File: FFA - MEMORIALS

The School Committee recognizes that the death of a student, member of the staff, or prominent community member is deeply felt by the school community. As places designed primarily to support learning, school sites should not serve as the main venue for permanent memorials.

Permanent memorials within the schools shall be limited in form to perpetual awards or scholarships.

Any permanent memorials in existence before the adoption of this policy can only be removed by a vote of the School Committee.

SECTION G - PERSONNEL

GA PERSONNEL POLICIES GOALS

GBA EQUAL EMPLOYMENT OPPORTUNITY

GBEA STAFF ETHICS/CONFLICT OF INTEREST

GBEB STAFF CONDUCT

GBEBC GIFTS TO AND SOLICITATIONS BY STAFF

GBEBD ONLINE FUNDRAISING AND SOLICITATIONS - CROWDFUNDING - PARTICIPATION IN FUNDRAISING RAFFLES AND LOTTERIES

GBEC DRUG-FREE AND ALCOHOL-FREE WORKPLACE POLICY

GBED TOBACCO USE ON SCHOOL PROPERTY BY STAFF MEMBERS PROHIBITED

GBGB STAFF PERSONAL SECURITY AND SAFETY

GBGE DOMESTIC VIOLENCE LEAVE POLICY

GBGF FAMILY AND MEDICAL LEAVE POLICY

GBI STAFF PARTICIPATION IN POLITICAL ACTIVITIES

GBJ PERSONNEL RECORDS

GCA PROFESSIONAL STAFF POSITIONS

GCBA PROFESSIONAL STAFF SALARY SCHEDULES

GCBB EMPLOYMENT OF PRINCIPALS

GCBC PROFESSIONAL STAFF SUPPLEMENTARY PAY PLANS

GCD PROFESSIONAL STAFF HOLIDAYS

GCE PROFESSIONAL STAFF RECRUITING/ POSTING OF VACANCIES

GCF PROFESSIONAL STAFF HIRING

GCG SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT

GCIA PHILOSOPHY OF STAFF DEVELOPMENT

GCJ PROFESSIONAL TEACHERS STATUS

GCK PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS

GCO EVALUATION OF PROFESSIONAL STAFF

GCQD RESIGNATION OF PROFESSIONAL STAFF MEMBERS

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[GDF](#) NON-EXEMPT STAFF HIRING

[GDI](#) NON-EXEMPT STAFF PROBATION

[GDO](#) EVALUATION OF NON-EXEMPT STAFF

[GDQC](#) RETIREMENT OF NON-EXEMPT STAFF MEMBERS

[GDQD](#) SUSPENSION AND DISMISSAL OF NON-EXEMPT STAFF MEMBERS

File: GA - PERSONNEL POLICIES GOALS

The District's specific personnel goals are:

1. To develop and implement those strategies and procedures for personnel recruitment, screening, and selection that will result in the employment and retention of individuals with the highest capabilities, strongest commitment to quality education, and greatest probability of effectively implementing the system's learning program while strengthening Professional culture and school climate.
2. To develop a general staff assignment strategy that will contribute to the learning program, and to use it as the primary basis for determining staff assignments.
3. To provide positive programs of staff development that contribute both to improvement of the learning program and to each staff member's career development aspirations.
4. To provide for a genuine team approach to education.
5. To develop and use for personnel evaluation positive processes that contribute to the improvement of both staff capabilities and the learning program.
6. To work to ensure a staff that is representative of the diversity of the student body.

LEGAL REF.: 603 CMR [26:08](#) paragraphs 3,7,8,9

File: GBA - EQUAL EMPLOYMENT OPPORTUNITY

The School Committee subscribes to the fullest extent to the principle of the dignity of all people and of their labors and will take action to ensure that any individual within the District who is responsible for hiring and/or personnel supervision understands that applicants are employed, assigned, and promoted without regard to their race, color, religion, national origin, ethnicity, sex, gender identity, sexual orientation, age, genetic information, ancestry, military status, disability, or any other characteristic protected by law. Every available opportunity will be taken in order to assure that each applicant for a position is selected on the basis of qualifications, merit and ability.

LEGAL REF.: M.G.L. [151B:4](#);

BESE Regulations 603 CMR [26:00](#)

CROSS REF.: [AC](#), Nondiscrimination

File: GBEA - STAFF ETHICS / CONFLICT OF INTEREST

The School Committee expects members of its professional staff, including School Committee members, to be familiar with the code of ethics that applies to their profession and to adhere to it in their relationships with students, parents, coworkers, and officials of the school system.

No employee of the Committee will engage in or have a financial interest in, directly or indirectly, any activity that conflicts or raises a reasonable question of conflict with his duties and responsibilities in the school system. Nor will any staff member engage in any type of private business during school time or on school property. Further, no employee shall, in accordance with the conflict of interest law, act in a manner that would cause a reasonable person to think that they would show favor toward someone or that they can be improperly influenced, unless such person makes a public disclosure of the facts of such potential conflict.

Employees will not engage in work of any type where information concerning customer, client, or employer originates from any information available to them through school sources.

Moreover, as there should be no conflict of interest in the super-vision and evaluation of employees, at no time may any administrator responsible for the supervision and/or evaluation of an employee be directly related to him/her.

Every two years, all current employees, including School Committee members, must complete the State Ethics Commission's online training. New employees must complete this training within 30 days of beginning employment and every 2 years thereafter. Upon completing the program, employees should print out the completion certificate and keep a copy for themselves. Employees will be required to provide a copy of the completion certificate to the municipal or district Clerk through the Superintendent's office.

In order to avoid the appearance of any possible conflict, it is the policy of the School Committee that when an immediate family member, as defined in the Conflict of Interest statute, of a School Committee member or district administrator is to be hired into or promoted within the School District, the Superintendent shall file public notice with the School Committee and the Municipal or District Clerk at least two weeks prior to executing the hiring in accordance with the law.

LEGAL REFS.: M.G.L. [71:52](#); [268A:1](#) et seq.

File: GBEB - STAFF CONDUCT

All staff members have a responsibility to familiarize themselves with and abide by federal and state laws and regulations as these affect their work, the policies of the School Committee, and the procedures designed to implement them.

In the area of personal conduct, the Committee expects that teachers and others will conduct themselves in a manner that not only reflects credit to the school system but also sets forth a model worthy of emulation by students.

All staff members will be expected to carry out their assigned responsibilities with conscientious concern.

Essential to the success of ongoing school operations and the instructional program are the following specific responsibilities, which will be required of all personnel:

1. Faithfulness and promptness in attendance at work.
2. Support and enforcement of policies of the Committee and their implementing procedures and school rules in regard to students.
3. Diligence in submitting required reports promptly at the times specified.
4. Care and protection of school property.
5. Concern for and attention to their own and the school system's legal responsibility for the safety and welfare of students, including the need to ensure that students are under supervision at all times.
6. Awareness of and compliance with Special Education laws and regulations.

LEGAL REFS.: M.G.L. [71:37H](#); [264:11](#); [264:14](#)

File: GBEBC - GIFTS TO AND SOLICITATIONS BY STAFF

Gifts

The acceptance of gifts worth \$50 or more by school personnel in a calendar year when the gift is given because of the position they hold, or because of some action the recipient could take or has taken in his or her public role, violates the conflict of interest law. Acceptance of gifts worth less than \$50, while not prohibited by the conflict of interest law, may require a written public disclosure to be made.

In keeping with this policy, no employee of the school district will accept a gift worth \$50 or more that is given because of the employee's public position, or anything that the employee could do or has done in his or her public position. Gifts worth less than \$50 may be accepted, but a written disclosure to the employee's appointing authority must be made if the gift and the circumstances in which it was given could cause a reasonable person to think that the employee could be improperly influenced. The value of personal gifts accepted is aggregated over a calendar year (4 gifts of \$20 value is the same as 1 gift of \$80 if given in the same calendar year).

In general, homemade gifts without retail value are permissible because a reasonable person would not expect an employee would unduly show favor to the giver, so no disclosure is required. Such gifts could include homemade food items (cookies, candy, etc), handpicked flowers, and handmade gifts worth less than \$10 (ten) dollars.

Class Gifts

There is a specific exception to the prohibition against accepting gifts worth \$50 or more, when the teacher knows only that the gift is from the class and not from specific donors. A single class gift per calendar year valued up to \$150 or several class gifts in a single year with a total value up to \$150 from parents/guardians and students in a class may be accepted provided the gift is identified only as being from the class and the names of the givers and the amounts given are not identified to the recipient. The recipient may not accept an individual gift from someone who contributed to the class gift. It is the responsibility of the employee to confirm that the individual offering such gift did not contribute to the class gift.

Gifts for School Use

Gifts given to a teacher solely for classroom use or to purchase classroom supplies are not considered gifts to an individual employee and are not subject to the \$50 limit. However, an employee who accepts such gifts must keep receipts documenting that money or gift cards were used for classroom supplies.

Solicitations

In spirit, the School Committee supports the many worthwhile charitable drives that take place in the community and is gratified when school employees give them their support. However, the solicitation of funds from staff members through the use of school personnel, resources, and school time is prohibited by the conflict of interest law. Therefore, no solicitations of funds for charitable purposes should be made among staff members. Staff members of course remain free to support charitable causes of their own selection.

The School Committee recognizes and appreciates the numerous methods by which Andover Public Schools employees and outside entities raise funds for the support of school programs, events, and activities. In order to avoid any appearance of impropriety, all employees are barred from performing fundraising activities by such outside entities through the use of school facilities, technology, or resources; during regular school hours; or in a manner or by communication which suggests that they are performing these activities in their capacity as an employee.

Notwithstanding any other provisions of this policy, the school district, as a service to the community, may include in its official publications information about events and activities that are sponsored or conducted by other organizations and that are school- or education-related. Such information shall be limited to the name of the event or activity, the name of the organization sponsoring or conducting it, and the date(s), time(s), and location(s) of the event or activity. In order to maintain the separate identities of the district and outside organizations, to avoid confusion, and to ensure the district's compliance with conflict of interest law, the

information shall not include statements which solicit funds on behalf of the organization, including direct links to make donations.

LEGAL REFS.: M.G.L. [268A:3](#); [268A:23](#)

930 CMR 5.00

CROSS REFS.: [KHA](#), Public Solicitations in the Schools

[JP](#), Student Donations and Gifts

File: GBEBD - ONLINE FUNDRAISING AND SOLICITATIONS - CROWDFUNDING - PARTICIPATION IN FUNDRAISING RAFFLES AND LOTTERIES

Online Fundraising and Solicitations - Crowdfunding

School District employees shall comply with all of the following provisions relating to online solicitations and the use of crowdfunding services for school-related purposes as well as all applicable laws, regulations and district policies. No online fundraising may occur except as provided below.

The Superintendent shall have final authority to approve any online fundraising activities by school district employees and shall determine and communicate to Principals the circumstances under which online fundraising proposals shall require Superintendent or School Committee approval in accordance with law and school district policy ([KCD](#)). The Principal of each school shall approve all online fundraising activities within their buildings prior to any employee posting any such fundraising solicitation.

Any solicitation shall be for educational purposes only (e.g., field trips, supplies, supplemental materials, books). The solicitation of personal items (e.g., coats, nutritional snacks) shall only be to benefit students directly. To the extent an employee solicits any technology or software, the employee shall secure the prior written approval of the Director of Technology or designee prior to any such solicitation. Any employee seeking to display or post a photograph of a student in conjunction with a fundraising solicitation must first secure the written consent of the student's parent or guardian.

Employees shall not use a crowdfunding source, or set up their appeal in such a way, that they are asking for donations directly from people over whom the employee making the request has authority, or with whom the public employee is having official dealings (such as parents/guardians of students in a teacher's classroom - the solicitation can state "Classroom X needs tissues and crayons," but it should not be directed to parents/guardians who have shared email addresses with the teacher for purposes of communicating about their student).

Employees using crowdfunding services shall periodically disclose in writing to the Superintendent the names of all individuals whom the employee has directly solicited in any manner including but not limited to oral, written, or electronic solicitation. The Superintendent shall maintain these disclosures as public records available for public review.

Employees may only use crowdfunding services that send the items or proceeds solicited by the employee directly to the employee's school or to the school district. Employees must verify under the crowdfunding service's terms and conditions that they meet all requirements for such solicitation. Items or proceeds directly sent to employees are considered gifts to the employee and may result in violation of state ethics laws.

If an employee's proposal is approved by the crowdfunding service, the employee agrees to use the donated materials solely as stated in the employee's proposal.

If a solicitation is not fully funded within the time period required by the crowdfunding service, or the solicitation cannot be concluded for any reason, every attempt will be made to return donations to the donors. Donations unable to be returned shall only be used as account credits for future solicitations.

Unless otherwise approved by the Superintendent in writing, all goods and/or proceeds solicited and received through any online solicitation shall become the property of the School Committee, and not of the individual employee who solicited the item(s) or funds. The employee is prohibited from taking any such item(s) or funds to another school or location, without the Superintendent's written approval.

Participation in Raffles and Lotteries Connected with Fundraising for School Purposes

The School Committee recognizes and appreciates the efforts of various outside entities which engage in fundraising for the support of various Andover Public Schools programs, activities, and events. One means of

fundraising consists of selling tickets to participate in a raffle, lottery, game of chance, or some other format in which the participant has the opportunity to win money or an item of value. Andover Public Schools employees are free to make personal donations to such fundraising events. However, in order to avoid any appearance of impropriety, Andover Public Schools employees and their immediate family are barred from accepting any gift or prize offered in connection with such fundraising events.

LEGAL REFS: MGL [44:53A](#); [71:37A](#); [268A:3](#); [268A:23](#);

Ethics Commission Advisory Opinion EC-COI-12-1;

CROSS REFS: [GBEA](#), Staff Ethics/Conflict of Interest;

[GBEBC](#), Gifts to and Solicitations by Staff;

[KCD](#), Public Gifts to Schools

File: GBEC - DRUG-FREE AND ALCOHOL-FREE WORKPLACE POLICY

The School District will provide a drug-free and alcohol-free workplace and certifies that it will:

1. Notify all employees in writing that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, is prohibited in the District's workplace, and specify the actions that will be taken against employees for violation of such prohibitions.
2. Establish a drug-free awareness program to inform employees about the dangers of drug and alcohol abuse in the workplace; the District's policy of maintaining a drug-free, alcohol-free work-place; and available counseling, rehabilitation, and employee assistance programs; and the penalty that may be imposed on employees for violations occurring in the workplace.
3. Make it a requirement that each employee whose employment is funded by a federal grant be given a copy of the statement as required.
4. Notify the employee in the required statement that as a condition of employment under the grant, the employee will abide by the terms of the statement, and will notify the District of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
5. Notify the federal agency within ten days after receiving notice from an employee or otherwise receiving notice of such conviction.
6. Take one of the following actions within 30 days of receiving notice with respect to any employee who is so convicted; take appropriate personnel action against such an employee, up to and including termination; or require such employee to participate satisfactorily in an abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement, or other appropriate agency.
7. Make a good faith effort to continue to maintain a drug-free, alcohol-free workplace through implementation of all the provisions of this policy.

LEGAL REFS.: The Drug-Free Workplace Act of 1988

CROSS REFS.: [IHAMB](#), Teaching about Drugs, Alcohol, and Tobacco

[JICH](#), Drug and Alcohol Use by Students

File: GBED - TOBACCO USE ON SCHOOL PROPERTY BY STAFF MEMBERS PROHIBITED

Use of any tobacco products, including, but not limited to: cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco and snuff and electronic cigarettes, electronic cigars, electronic pipes or other similar products that rely on vaporization or aerosolization, within the school buildings, school facilities, on school grounds or school buses, or at school sponsored events by any individual, including school personnel, is prohibited at all times.

Staff members who violate this policy will be referred to their immediate supervisor.

LEGAL REF.: M.G.L. [71:37H](#)

File: GBGB - STAFF PERSONAL SECURITY AND SAFETY

Through its overall safety program and various policies pertaining to school personnel, the Committee will seek to assure the safety of employees during their working hours and assist them in the maintenance of good health.

Employees offered a position as a custodian, maintenance worker or food service worker must successfully pass a pre-employment physical examination (provided at School Committee cost) prior to the date of employment.

The Superintendent may require an employee to submit to a physical examination by a physician appointed by the school system whenever that employee's health appears to be a hazard to children, themselves or others in the school system or when a doctor's certificate is legally required to verify need for sick leave.

School employees, their families and members of their household are eligible to use the confidential services provided by the municipality's employee assistance program,

LEGAL REFS.: M.G.L. [71:54](#); [71:55C](#)

CROSS REFS.: [EB](#), Safety Program

File: GBGE - DOMESTIC VIOLENCE LEAVE POLICY

It shall be the policy of the school district to permit an employee to take up to 15 days of paid domestic violence leave from work in any 12 month period. In order to be eligible for said leave:

- (i) the employee, or a family member of the employee must be a victim of abusive behavior;
- (ii) the employee must be using the leave from work to seek or obtain medical attention, counseling, victim services or legal assistance; secure housing; obtain a protective order from court; appear before a grand jury; meet with a district attorney or other law enforcement official; or attend child custody proceedings or address other issues directly related to the abusive behavior against the employee or family member of the employee; and
- (iii) the employee must not be the perpetrator of the abusive behavior against such employee's family member.

An employee seeking such leave shall exhaust all annual or vacation leave, personal leave and sick leave available to the employee, prior to requesting or taking domestic violence leave, unless the Superintendent waives this requirement.

Except in cases of imminent danger to the health or safety of an employee, advanced notice of domestic violence leave shall be required. If such imminent danger exists, the employee shall notify the employer within 3 workdays that the leave was taken. The notification may be communicated to the employer by the employee, a family member of the employee or the employee's counselor, social worker, health care worker, member of the clergy, shelter worker, legal advocate or other professional who has assisted the employee in addressing the effects of the abusive behavior. If an unscheduled absence occurs, an employer shall not take any negative action against the employee if the employee, within 30 days from the unauthorized absence or within 30 days from the employee's last unauthorized absence in the instance of consecutive days of unauthorized absences, provides any of the documentation found in (1) to (7) below. An employer may require documentation that the employee or employee's family member has been a victim of abusive behavior and that the leave is consistent with clauses (i) to (iii) as above referenced; provided, however, that an employer shall not require an employee to show evidence of an arrest, conviction or other law enforcement documentation for such abusive behavior. The documentation shall be provided to the employer within a reasonable period after the employer requests it.

An employee shall satisfy this documentation requirement by providing any one of the following documents to the employer:

- (1) a protective order, order of equitable relief or other documentation issued by a court of competent jurisdiction as a result of abusive behavior against the employee or employee's family member;
- (2) a document under the letterhead of the court, provider or public agency which the employee attended for the purposes of acquiring assistance as it relates to the employee or family member;
- (3) A police report or statement of a victim or witness provided to police documenting the abusive behavior;
- (4) documentation that the perpetrator of the abusive behavior has admitted to sufficient facts to support a finding of guilt; or has been convicted of, or has been adjudicated a juvenile delinquent by reason of any offense constituting abusive behavior;
- (5) medical documentation of treatment as a result of the abusive behavior;
- (6) a sworn statement, signed under the penalties of perjury, provided by a counselor, social worker, health care worker, member of the clergy, shelter worker, legal advocate or other professional who has

assisted the employee in addressing the effects of the abusive behavior;

(7) a sworn statement, signed under the penalties of perjury, from the employee attesting that the employee has been a victim of or is a family member of a victim of abusive behavior.

All information related to the employee's leave shall be kept confidential and shall not be disclosed, except to the extent that disclosure is:

- (i) requested or consented to, in writing, by the employee;
- (ii) ordered to be released by a court of competent jurisdiction;
- (iii) otherwise required by applicable federal or state law;
- (iv) required in the course of an investigation authorized by law enforcement, including, but not limited to, an investigation by the Attorney General; or
- (v) necessary to protect the safety of the employee or others employed at the workplace.

The Superintendent shall ensure that notice is provided to all employees in the next school year and beyond by appropriately amending the district's employee handbooks, by whatever title they may be known, or by direct notice about the Domestic Violence Law and securing the employees signature acknowledging receipt of the handbook/notice. The Superintendent shall be responsible for notifying all current employees, unless they have been notified through the handbook, of this policy in a manner that he/she deems appropriate.

No employer shall coerce, interfere with, restrain or deny the exercise of, or any attempt to exercise, any rights provided herein or to make leave requested or taken contingent upon whether or not the victim maintains contact with the alleged abuser. No employer shall discharge or in any other manner discriminate against an employee for exercising the employee's rights under law. The taking of domestic violence leave shall not result in the loss of any employment benefit accrued prior to the date of such leave. Upon the employee's return from such leave, he/she shall be entitled to restoration to the employee's original job or to an equivalent position. Definitions of "abuse", "abusive behavior", "domestic violence", "employees" and "family members" may be found in the laws referenced below.

LEGAL REF.: M.G.L. [149:52E](#); Section 10

Chapter 260 of the Acts of 2014

File: GBGF - FAMILY AND MEDICAL LEAVE

The School System shall comply with the mandatory provisions of the Family and Medical Leave Act of 1993. The Superintendent shall issue, and from time to time amend, procedures setting forth the rights and procedures granted by the Act, and shall ensure compliance with those procedures either personally or by delegation, or by some combination of personal oversight and delegation.

LEGAL REFS.: P.L. 103-3, "Family and Medical Leave Act of 1993"

File: GBI - STAFF PARTICIPATION IN POLITICAL ACTIVITIES

The School Committee recognizes that employees of the school system have the same fundamental civic responsibilities and privileges as other citizens. Among these are campaigning for an elective public office and holding an elective or appointive office.

In connection with campaigning (whether for themselves, other candidates, or ballot issues), an employee will not: use school system facilities, equipment or supplies; discuss any campaign with school personnel or students during the working day; use any time during the working day for campaigning purposes. Under no circumstances, will students be pressured into campaigning for anyone by any staff member.

LEGAL REF.: M.G.L. [55](#), [71:44](#)

File: GBJ - PERSONNEL RECORDS

Information about staff members is required for the daily administration of the school system, for implementing salary and other personnel policies, for budget and financial planning, for responding to appropriate inquiries about employees, and for meeting the School Committee's education reporting requirements. To meet these needs, the Superintendent will implement a comprehensive and efficient system of personnel records maintenance and control under the following guidelines:

1. A personnel folder for each present and former employee will be accurately maintained in the central administrative office. In addition to the application for employment and references, the folders will contain records and information relative to compensation, payroll deductions, evaluations, and any other pertinent information.
2. The Superintendent will be the official custodian for personnel files and will have overall responsibility for maintaining and preserving the confidentiality of the files within the provisions of the law.
3. Personnel records are considered confidential under the law and will not be open to public inspection except as allowed by law. Access to personnel files will be limited to persons authorized by the Superintendent to use the files for the reasons cited above.
4. Each employee will have the right, upon written request, to review the contents of his own personnel file with the Human Resources staff.
5. Employees may make written objections to any information contained in the file. Any written objection must be signed by the staff member and will become part of the employee's personnel file. Further, no negative comment will be placed in a staff member's file unless it is signed by the person making the comment and the staff member is informed of the comment and afforded the opportunity to include his written response in the file.
6. Lists of school system employees' names and home addresses will be released only to governmental agencies as required for official reports or to the extent allowed by law.

LEGAL REFS.: Family Educational Rights and Privacy Act, Sec. 438, P.L. 90-247

Title IV, as amended

88 Stat. 571-574 (20 U.S.C. 1232g) and regulations

M.G.L. [4:7](#); [71:42C](#)

Teachers' Agreement

CONTRACT REF.: All Agreements

CROSS REF.: [KDB](#), Public's Right to Know

File: GCA - PROFESSIONAL STAFF POSITIONS

All professional staff positions in the school system will be created initially by the School Committee. It is the Committee's intent to activate a sufficient number of positions to accomplish the school system's goals and objectives and to provide for the equitable staffing of each school building. Although such positions may remain temporarily unfilled, only the Committee may abolish a position it has created.

Each time a new professional staff position is established by the Committee, the Superintendent will present for the Committee's approval a job description for the position, which specifies the jobholder's qualifications and the job's performance responsibilities. The Superintendent will maintain a comprehensive set of job descriptions for all positions.

NOTE: The term position is used here to denote a job that does not currently exist and should not be construed to refer to additional employees doing an existing job (to add a teacher does not require the School Committee to "create" a position as the position of teacher already exists).

File: GCBA - PROFESSIONAL STAFF SALARY SCHEDULES

Teachers

The School Committee will adopt a salary schedule for regular teaching personnel as part of the contract negotiated with the teachers' bargaining unit. The schedule will be designed to recognize and reward training and experience and encourage additional study for professional advancement.

Principals

Salaries will be reviewed annually prior to July 1. The School Committee, with the advice of the Superintendent, will establish compensation. The Superintendent shall establish individual increases based on the circumstances, dynamics, requirements and performance of each Principal.

Administrators

Salaries will be reviewed annually prior to July 1. The Superintendent may, upon the request of the Committee, survey other school systems to determine salaries being paid for comparable positions in each system. The survey will include the effective date of the specified salary.

LEGAL REFS.: M.G.L. [71:40](#); [71:43](#)

CONTRACT REF.: [DBJ](#) - Budget Transfer Authority; Teachers' Agreement

File: GCBB - EMPLOYMENT OF PRINCIPALS

Principals shall be employed by the Andover Public Schools under individual contracts of employment. The School Committee shall approve appropriate parameters for compensation and benefits to be used by the Superintendent in negotiating employment contracts of Principals. The established compensation/benefit levels may be exceeded only with the approval of the School Committee.

Initial contracts issued to Principals may be up to three years in length, and may be reissued by the Superintendent at levels of compensation/benefits, determined by the School Committee, provided that the Superintendent may employ a Principal under the terms and conditions of the previous contract of employment.

The length of second and subsequent contracts of employment for Principals shall be in accordance with state law.

As a condition of employment, each Principal must maintain current certification, adhere to the policies and goals of the School Committee and the directives of the Superintendent, and annually must submit, with the school council, the educational goals and school improvement plan for the school building(s) under his/her direction.

LEGAL REF: M.G.L. [71:41](#); [71:59B](#)

File: GCBC - PROFESSIONAL STAFF SUPPLEMENTARY PAY PLANS

Certain assignments require extra responsibility or extra time over and above that required of other staff members who are on the same position on the basic salary schedule. When such supplemental assignments require extra time and responsibility beyond that regularly expected of teachers, they will receive extra compensation.

Assignments that are to be accorded extra compensation will be designated by the Committee. Appointments to these positions will be made by the Superintendent for District-wide positions or by the Principal with the approval of the Superintendent for building based personnel. The amount of compensation for the position will be established by the Committee at the time the position is created.

A teacher who is offered and undertakes a supplementary pay assignment will receive a supplementary contract specifying the pay, duration and terms of the assignment. If a teacher will not be extended the assignment for the following school year but will remain on the teaching staff, he/she or she will be so notified in writing prior to the expiration of the contract. Upon termination of the assignment, the supplementary pay will cease.

LEGAL REF.: Collective Bargaining Agreement

File: GCD - PROFESSIONAL STAFF HOLIDAYS

Non-union, full-year staff shall receive the following as paid holidays: New Year's Day; Martin Luther King Day; Presidents' Day; Patriots' Day; Memorial Day; Juneteenth Independence Day; Independence Day; Labor Day; Columbus Day; Veterans Day; Thanksgiving Day; Day After Thanksgiving; Christmas Day. Any individual employment contract which proposes paid holidays other than those listed above shall require School Committee approval.

SOURCE: ANDOVER

Updated: 9/16/21

File: GCE - PROFESSIONAL STAFF RECRUITING/POSTING OF VACANCIES

It is the responsibility of the Superintendent, with the assistance of the administrative staff, to determine the professional personnel needs of the school system and it is the responsibility of the Principal, in consultation with the Superintendent, to determine the professional personnel needs of the individual schools. In addition, school councils may review personnel requirements as a means of evaluating the needs of a school. Any recommendations for the creation or elimination of a position must be approved by the School Committee.

The search for good teachers and other professional employees will extend to a wide variety of educational institutions and geographical areas. It will take into consideration the benefits of employing a diverse workforce that embraces a wide range of backgrounds and experiences.

Recruitment procedures will not overlook the talents and potential of individuals already employed by the school system. Any current employee may apply for any position for which he or she has certification and meets other stated requirements.

Openings in the schools will be posted in sufficient time, before the position is filled, to permit current employees to submit applications.

CROSS REF: [AB](#), The People And Their School District

LEGAL REFS.: Collective Bargaining Agreements

File: GCF - PROFESSIONAL STAFF HIRING

Through its employment policies, the District will strive to attract, secure, and hold the highest qualified personnel for all professional positions. The selection process will seek candidates who will devote themselves to the education and welfare of the children attending the schools.

It is the responsibility of the Superintendent, and of persons to whom he or she delegates this responsibility, to determine the personnel needs of the school system and to locate suitable candidates. No position may be created without the approval of the School Committee. The District's goal is to employ and retain personnel who are motivated, will strive always to do their best, and are committed to providing the best educational environment for the children

It will be the duty of the Superintendent to see that persons considered for employment in the schools meet all certification requirements and the requirements of the Committee for the type of position for which the nomination is made.

The following guidelines will be used in the selection of personnel:

1. There will be no discrimination in the hiring process due to race, color, religion, national origin, sex, gender identity, sexual orientation, age, ethnicity, genetic information, ancestry, military status, or disability.
2. The quality of instruction is enhanced by a staff with a wide variation in background, educational preparation, and previous experience. Efforts to employ a diverse workforce are strongly encouraged.
3. The administrator responsible for the hiring of a staff member (in the case of District-wide positions and for the position of Principals, it is the Superintendent; for building-based personnel, it is the Principal with the approval of the Superintendent) is directed to establish a representative screening committee. The administrator also has the final say in determining who will be hired but it is expected that the screening committee's input will be a factor in the decision. For those positions where the hiring authority rests with the School Committee, a representative screening committee may be established by the School Committee, or the School Committee may direct the Superintendent to establish a screening committee to assist the Superintendent in making his/her recommendation to the School Committee.

CROSS REF: [AB](#), The People and Their School District

LEGAL REFS.: M.G.L. [69:6](#); [71:38](#); [71:38G](#); [71:39](#); [71:45](#)

Massachusetts Board of Education Requirements for Certification of Teachers, Principals, Supervisors, Directors, Superintendents and Assistant Superintendents in the Public Schools of the Commonwealth of Massachusetts, revised 1994

BESE Regulations 603 CMR [7:00](#), [26.00](#), and [44:00](#)

File: GCG - SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT

The school system will employ as substitute teachers, to the extent possible, persons who meet the requirements for teacher appointments and will assign teachers substitute-teaching positions on the basis of their areas of competence. When the supply of potential substitutes in a particular subject area is too limited to meet school department needs, there will be active recruitment for substitutes in those areas. All substitute teachers will be expected to provide educational services, rather than to assume merely a student-supervisory role. They will be provided with as much support as possible by building administrators and teachers.

The School Committee will set the daily rate of pay for substitute teachers, including extended-term substitutes. The latter will be granted such additional benefits as approved by the School Committee.

File: GCIA - PHILOSOPHY OF STAFF DEVELOPMENT

All staff members will be encouraged in and provided with suitable opportunities for the development of increased competencies beyond those they may attain through the performance of their assigned duties and assistance from supervisors.

Opportunities for professional growth may be provided through such means as the following:

1. Planned in-service programs and workshops offered within the school system from time to time; these may include participation by outside consultants.
2. Membership on curriculum development committees drawing personnel from within the school system.
3. Released time for visits to other classrooms and schools and for attendance at conferences, workshops, and other professional meetings.
4. Leaves of absence for graduate study, research, and travel.
5. Partial payment of tuition for approved courses.

The Superintendent will have authority to approve or deny released time for conferences and visitations and reimbursements for expenses, provided such activities are relevant to the staff member's assignment and within budget allocations for the purpose.

File: GCJ - PROFESSIONAL TEACHER STATUS

The Superintendent, upon recommendation of the Principal, may award such status to a teacher who has served in the Principal's school for not less than one year or a teacher who has obtained such status in any other public school district in the Commonwealth. The Superintendent will base his/her decisions on the results of evaluation procedures conducted according to Committee policy.

At the end of each of the first three years of a teacher's employment, it will be the responsibility of the Superintendent to notify each employee promptly in writing of the decision on reappointment. Notification to a teacher not being reappointed must be made by **June 15** or at an earlier date if required by a collective bargaining agreement.

A teacher who attains professional teacher status will have continuous employment in the service of the school system subject to satisfactory evaluations. A teacher with professional teacher status whose position is abolished by the School Committee may be continued in the employ of the school system in another position for which he/she is legally qualified.

Nothing in these provisions will be considered as restricting the Superintendent from changing teaching assignments or altering or abolishing supervisory assignments except that, by law, no teacher may be assigned to a position for which he/she is not legally qualified.

LEGAL REFS.: M.G.L. [71:38](#); [71:38G](#); [71:38H](#); [71:41](#); [71:42](#); [71:43](#)

File: GCK - PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS

The basic consideration in the assignment of professional staff members will be the needs of the students and the instructional program.

Therefore, the assignment and transfer of professional staff members will be accomplished by the Superintendent on the basis of the employee's qualifications, the needs of the school system, and the employees' expressed desires.

Care will be exercised by the Superintendent to assure that all schools are staffed with effective teachers.

Within an individual school, the building administrator will have the authority to assign classes and courses, provided this is done with full regard for the teacher's area of certification and the policies delineated above.

CONTRACT REF.: Teachers' Agreement

File: GCO - EVALUATION OF PROFESSIONAL STAFF

In order to assure a high quality of teacher and administrator performance and to advance the instructional programs of the schools, a continuous program for teacher and administrator evaluation will be established by the School Committee. Regular reports will be made to the Superintendent concerning the outcomes of these evaluations.

The evaluation process will include:

1. The development and periodic review of techniques and procedures for making evaluations.
2. Interpretation of the information gained in the evaluative process in terms of the objectives of the instructional program.
3. The application of the information gained to the planning of staff development and in-service training activities, which are designed to improve instruction and increase teacher competence.

The evaluation process will include self-evaluation, supervisor initiated observations, and teacher initiated observations.

The formal evaluations will be written and will be discussed by the supervisor and the person being evaluated. The discussions may either precede or follow the writing of the evaluation document. Copies of the written document will be signed by both parties and incorporated into the personnel files of the teacher or administrator. In addition, the individual and his department chairman (if applicable) will receive a signed copy. The signature should indicate that the evaluation has been read and discussed.

The written evaluation should be specific in terms of the person's strengths and weaknesses. Those areas where improvement is needed should be clearly set forth and recommendations for improvement should be made. Subsequent evaluations should address themselves to any improvement or to any continuing difficulty that is observed.

LEGAL REFS.: M.G.L. [69:1B](#); [71:38](#); [71:38Q](#); [150E](#); [152B](#)

603 CMR [35:00](#)

CONTRACT REF.: Teachers' Agreement

File: GCQD - RESIGNATION OF PROFESSIONAL STAFF MEMBERS

Professional staff members may discontinue their service in the school system during the school year by submitting a written notice of intent to resign to the appropriate hiring authority.

Such written notice of intent to resign will be given to the Superintendent. The staff member will be notified in writing of the Superintendent's action on the resignation.

When a resignation is accepted by the Superintendent, the employee may be expected to continue in service at his or her assigned duties for a period of 30 days after submission of the resignation.

File: GCQF - SUSPENSION AND DISMISSAL OF PROFESSIONAL STAFF MEMBERS

The Superintendent will strive to assist personnel to perform their duties efficiently. However, the Superintendent may dismiss any employee in accordance with state law. Further, the Committee recognizes the constitutional rights of the District's employees and assures them the protection of due process of law. To guarantee such rights, a system of constitutionally and legally sound procedures will be followed in each case of suspension or dismissal of an employee.

When the Superintendent or a Principal determines that sufficient cause exists that a professional employee be suspended or dismissed from service in the school system, he or she will:

1. Be certain that each such case is supported by defensible records.
2. Determine if the individual is to be suspended immediately with the understanding that the suspension will be subject to restoration of salary and position if an appeal is decided in favor of the individual.
3. Follow the procedures for dismissal or suspension that are contained in applicable laws as well as those included in the current agreement with the respective bargaining unit.
4. Provide the individual involved with a written statement that will:
 - a. Indicate whether the action the Superintendent is taking is dismissal or suspension.
 - b. State the reason for the suspension or dismissal.
 - c. Guarantee that all procedures will be in accordance with due process of law.
 - d. Inform employees who have a right to request a hearing under appropriate laws that they may be represented at such a hearing by counsel of their choice.

LEGAL REFS.: M.G.L. [71:42](#); [71:42D](#)

File: GCRD - TUTORING FOR PAY

Definition: "Tutoring" means giving private instruction or help to an individual or group for which the teacher receives remuneration other than through the School Committee.

A teacher cannot recommend that one of his or her own students get tutoring, and then be paid to tutor that same student in a second job.

A teacher may not tutor students who are currently in his/her class or refer that student to another employee of the Andover Public Schools. Even if the teacher does not recommend that the current student receive private tutoring, the teacher should not tutor current students.

Teachers and other public employees may not approach a student, or the student's parents, seeking private tutoring work. A teacher may provide tutoring when the relationship is initiated by the parents or a student, but, if the student is, or in the future may be, under the teacher's authority, the teacher will need to provide a written disclosure.

A teacher cannot use school resources such as classrooms or materials in connection with a private tutoring business. A public school employee cannot use a school or district website to advertise private tutoring services. Schools cannot send home brochures for a particular tutoring service with the children.

Tutoring is not to be recommended for a student unless the appropriate teacher of the student involved is consulted and agrees that it will be of real help. If tutoring seems advisable, the Principal may give the parents a list of persons who are willing to tutor. This list may include teachers, but not the student's teacher of the subject in which he or she is to be tutored.

Tutoring for pay is not to be done in the school building.

Staff members may be required to submit written disclosures in accordance with the procedures and regulations of the Massachusetts Ethics Commission.

LEGAL REF: M. G. L. [268A](#) Mass. Ethics Commission FAQs for Public School Teachers

NOTE: A teacher cannot tutor in their own district if the district is going to pay for the tutoring unless the district has included a provision in the teachers' collective bargaining agreement providing a set amount of extra pay for tutoring by teachers that will be included in the teachers' regular paychecks.

File: GDA - NON-EXEMPT STAFF POSITIONS

Education is a cooperative enterprise in which all employees of the school system must participate intelligently and effectively for the benefit of the children. This school system will employ non-exempt staff members in positions that function to support the education program.

All non-exempt staff positions will be established initially by the Committee. In each case, the Superintendent will submit for the Committee's consideration and action a job description or job specifications for the position.

Although positions may remain temporarily unfilled or the number of persons holding the same type of position reduced in event of de-staffing requirements, only the Committee may abolish a position it has created.

File: GDB - NON-EXEMPT STAFF CONTRACTS AND COMPENSATION PLANS

In establishing rates of pay and levels of compensation for non-exempt staff personnel, the School Committee will take into account the responsibilities of the position, the qualifications needed, past experience of the individual, and years of service in the school department.

Compensation plans will be reviewed as appropriate for all categories of staff. Such review, where applicable, will be carried out in connection with negotiations with representatives of recognized bargaining units. The master agreements with these units will be considered appendices to this manual and will have the full force of School Committee policy.

The School Committee will set the rates of pay for personnel not covered by collective bargaining agreements.

Overtime

Non-exempt staff employees will be paid overtime wages for work performed in excess of 40 hours in a work week as approved by the Superintendent or designee.

In counting hours for the purpose of allowing overtime work and pay, supervisors will consider sick leave, vacation time, and holidays as time worked.

Every effort must be made to minimize overtime by scheduling duties during the regular workday. Overtime will be authorized only by the Superintendent and only to cover emergency situations. All such work will be assigned on a fair and equitable basis.

LEGAL REF.: M.G.L. [71:38](#)

CONTRACT REFS.: All Contracts

File: GDF - NON-EXEMPT STAFF HIRING

Throughout its employment practices, the Andover Public Schools will strive to attract, secure and retain personnel qualified for its non-exempt positions who are committed to serving the school community.

Every effort will be made to recruit, hire and retain employees that reflect the diversity of the community. We will actively recruit candidates that reflect all races, religions, creeds, genders, ages, sexual orientations/identification, and disabilities.

Candidates will be considered based on their merits, which include, but are not limited to, education, training, and work experience. In each instance, the Superintendent and others playing a role in the selection process will seek to employ the best qualified person for the job, taking into consideration the benefits of employing a diverse workforce.

Vacancies in positions will be filled by the Superintendent and/or the Principal in accordance with the law and all applicable regulations and collective bargaining agreements.

LEGAL REFS.: M.G.L. [71:55B](#), [71:59B](#)

File: GDI - NON-EXEMPT STAFF PROBATION

Each non-exempt staff employee will serve a probationary period of 1 year or a period required in their collective bargaining agreement in any position for which they are newly hired or in any new classification to which they are transferred or promoted. During that time, the employee will be adequately assisted and supervised so that their abilities to carry out the required duties, and job performance, may be ascertained. Should their performance be unsatisfactory, a new employee may be released at any time during the probationary period, or an employee who has been transferred to a new classification may be returned to their former position.

File: GDO - EVALUATION OF NON-EXEMPT STAFF

A program of continuous observation and evaluation will be developed to find the right employees to fill vacancies, determine assignments and equitable workloads, and establish wage and salary policies that encourage employees to put forth their best efforts.

The evaluation will cover the major areas of the employee's responsibilities and their job descriptions.

Each employee will be informed of the basis upon which they are to be evaluated in advance of evaluation.

CONTRACT REFS.: All support staff agreements

File: GDQC - RETIREMENT OF NON-EXEMPT STAFF MEMBERS

All benefit eligible non-instructional personnel are required to participate in the Andover Contributory Retirement System.

LEGAL REFS.: Age Discrimination in Employment Law, P.L. 95-256

File: GDQD - SUSPENSION AND DISMISSAL OF NON-EXEMPT STAFF MEMBERS

Non-exempt staff employed by the School District may be terminated by the Principal of the building in which they serve, with the approval of the Superintendent. However, employees may request the Superintendent to review the circumstances of their termination.

In the event of failure to perform as required, the Superintendent may immediately suspend or terminate employment depending upon agreement language.

Non-exempt staff employees may or may not be given prior notice of their dismissal, depending upon the circumstances.

The Superintendent, or the Principal, with the approval of the Superintendent, may also suspend/remove employees from their individual assignments.

SECTION H - NEGOTIATIONS

[**HA**](#) **NEGOTIATIONS GOALS**

[**HB**](#) **NEGOTIATIONS LEGAL STATUS**

[**HF**](#) **SCHOOL COMMITTEE NEGOTIATING AGENTS**

File: HA - NEGOTIATIONS GOALS

The School Committee recognizes that education is a public trust; it therefore is dedicated to providing the best possible educational opportunities for the young people of this community. In negotiations, this objective may be best attained if there is a climate of mutual trust and understanding between the negotiating parties.

The School Committee believes that the best interests of public education will be served by establishing procedures that provide an orderly method for the School Committee and representatives of the staff to discuss matters of common concern.

It is further recognized that nothing in negotiations will compromise the School Committee's legal responsibilities nor will any employee's statutory rights and privileges be impaired.

File: HB - NEGOTIATIONS LEGAL STATUS

All negotiations between the School Committee and recognized employee groups are conducted subject to Chapter [150E](#) of the Massachusetts General Laws. The legal status of negotiations is defined in part by Section 2 of that chapter, as follows:

Employees shall have the right of self-organization and the right to form, join, or assist any employee organization for the purpose of bargaining collectively through representatives of their own choosing on questions of wages, hours, and other terms and conditions of employment, and to engage in lawful, concerted activities for the purpose of collective bargaining or other mutual aid or protection, free from interference, restraint, or coercion. An employee shall have the right to refrain from any or all of such activities, except to the extent of making such payment of service fees to an exclusive representative as provided in section twelve.

Basic to all employer/employee negotiations is the concept of "bargaining in good faith." It is the legal responsibility of both the School Committee and employee organizations to bargain in good faith as they conduct negotiations. However, such obligation does not compel either party to agree to a proposal or make a concession.

LEGAL REF.: M.G.L. [150E:1](#) et seq.

File: HF - SCHOOL COMMITTEE NEGOTIATING AGENTS

The School Committee is responsible for negotiations with recognized employee bargaining units. However, because of the expertise and time required for negotiations, the Committee may hire a negotiator to bargain in good faith with recognized bargaining units to help assure that mutually satisfactory agreements on wages, hours, and other terms and conditions of employment will be developed.

The School Committee will appoint the negotiator and the fee or salary for his services will be established in accordance with the law at the time of appointment.

The duties of the negotiator will be as follows:

1. To negotiate in good faith with recognized bargaining units to arrive at a mutually satisfactory agreement on wages, hours, and working conditions of employees represented by the units.
 - a. The negotiator may recommend members of the administration to serve on the negotiation team. They will not be members of any unit that negotiates with the Committee, and their participation in negotiations must be recommended by the Superintendent and approved by the Committee.
 - b. He/she will direct accumulation of necessary data needed for negotiations, such as comparative information.
 - c. He/she will follow guidelines set forth by the Committee as to acceptable agreements and will report on the progress of negotiations.
 - d. He/she will make recommendations to the Committee as to acceptable agreements.
2. The negotiator will interpret the signed negotiated contracts to administrators and may be called upon to offer advice on various aspects of contract administration during the terms of the contracts with employee organizations.

LEGAL REF.: M.G.L. [71:37E](#)

SECTION I - INSTRUCTION

IB ACADEMIC FREEDOM

IC/ICA SCHOOL YEAR/SCHOOL CALENDAR

ID SCHOOL DAY

IE ORGANIZATION OF INSTRUCTION

IGA CURRICULUM DEVELOPMENT

IGB STUDENT-SERVICES PROGRAMS

IGD CURRICULUM ADOPTION

IHA BASIC INSTRUCTIONAL PROGRAM

IHAI OCCUPATIONAL EDUCATION

IHAM HEALTH EDUCATION

IHAM-R HEALTH EDUCATION

IHAMA PARENTAL NOTIFICATION RELATIVE TO SEX EDUCATION

IHAMB TEACHING ABOUT DRUGS, ALCOHOL, AND TOBACCO

IHB SPECIAL INSTRUCTIONAL PROGRAMS AND ACCOMMODATIONS

IHBA PROGRAMS FOR STUDENTS WITH DISABILITIES

IHBAA OBSERVATIONS OF SPECIAL EDUCATION PROGRAMS

IHBD COMPENSATORY EDUCATION

IHBEA ENGLISH LANGUAGE EDUCATION

IHBF HOMEBOUND INSTRUCTION

IHBG HOME SCHOOLING

IHBG-R HOME SCHOOLING

IHBH ALTERNATIVE SCHOOL PROGRAMS

IHCA SUMMER SCHOOLS

IIB CLASSROOM STAFFING

IJ INSTRUCTIONAL MATERIALS

IJ-R RECONSIDERATION OF INSTRUCTIONAL RESOURCES

IJL LIBRARY MATERIALS SELECTION AND ADOPTION

IJLA LIBRARY RESOURCES

IJND ACCESS TO DIGITAL RESOURCES

IJNDB EMPOWERED DIGITAL USE POLICY

IJNDC INTERNET PUBLICATION

IJNDD POLICY ON SOCIAL MEDIA

IJOA FIELD TRIPS

IJOB COMMUNITY RESOURCE PERSONS/SPEAKERS

IJOC SCHOOL VOLUNTEERS

IK ACADEMIC ACHIEVEMENT

IKAB STUDENT PROGRESS REPORTS TO PARENTS/GUARDIANS

IKE PROMOTION AND RETENTION OF STUDENTS

IKF GRADUATION REQUIREMENTS

IL EVALUATION OF INSTRUCTIONAL PROGRAMS

ILC USE AND DISSEMINATION OF TESTS AND TEST RESULTS

ILD STUDENT SUBMISSION TO EDUCATIONAL SURVEYS AND RESEARCH

IMA TEACHING ACTIVITIES/PRESENTATIONS

IMB TEACHING ABOUT ISSUES/USE OF OUTSIDE SPEAKERS

IMD SCHOOL CEREMONIES AND OBSERVANCES

IMDC ACCOMMODATION FOR RELIGIOUS AND ETHNIC OBSERVANCES

IMG ANIMALS IN SCHOOL

File: IB - ACADEMIC FREEDOM

The School Committee seeks to educate students in the democratic tradition, to foster recognition of individual freedom and social responsibility, to inspire meaningful awareness of and respect for the Constitution and the Bill of Rights.

Fairness in procedures will be observed both to safeguard the legitimate interests of the schools and to exhibit by appropriate example the basic objectives of a democratic society as set forth in the Constitutions of the United States and the Commonwealth.

LEGAL REF.: Constitution of the Commonwealth of Massachusetts

File: IC/ICA - SCHOOL YEAR/SCHOOL CALENDAR

The school calendar for the ensuing year will be prepared by the Superintendent and submitted to the School Committee for approval by November 1st of each year. The number of days or instructional hours scheduled for the school year will be determined in accordance with the following standards set by the Massachusetts Board of Elementary and Secondary Education:

1. The School Committee shall schedule a school year which includes at least 185 school days for each school in the District.
2. Elementary school will operate for a minimum of 180 days. Schools shall ensure that every elementary school student is scheduled to receive a minimum of 900 hours per school year of structured learning time, as defined in regulation. Time which a student spends at school breakfast and lunch, passing between classes, in homeroom, at recess, in non-directed study periods, receiving school services, and participating in optional school programs shall not count toward meeting the minimum structured learning time requirement for that student.
3. Secondary schools will operate for a minimum of 180 days. Schools shall ensure that every secondary school student is scheduled to receive a minimum of 990 hours per school year of structured learning time, as defined in regulation. Time which a student spends at school breakfast and lunch, passing between classes, in homeroom, at recess, in non-directed study periods, receiving school services, and participating in optional school programs shall not count toward meeting the minimum structured learning time requirement for that student.
- 4.. Where state law, regulation, and Department of Elementary and Secondary Education provide flexibility to the School Committee in the scheduling of days and hours, the Superintendent shall make appropriate recommendations to the School Committee for action.

For the information of staff, students, and parents, the calendar will set forth the days schools will be in session; holidays and vacation periods; in service days; and parent conferences.

CROSS REF: [IMDC](#), Accommodation for Religious and Ethnic Observances

LEGAL REFS.: M.G.L. [4:7](#); [15:1G](#); [71:1](#); [71:4](#); [71:4A](#); [71:73](#); [136:12](#)

603 CMR [27.00](#)

SOURCE: ANDOVER - Updated June 2020

File: ID - SCHOOL DAY

The length of the school day is established in the collective bargaining agreements with the various school unions. The specific opening and closing times of the schools will be recommended by the Superintendent and set by the Committee.

The Superintendent is authorized to make minor changes in opening and closing times to simplify transportation scheduling; however, major changes in schedules will be subject to Committee approval.

Parents and guardians will be informed of the opening and closing times set by the Committee. To help insure the safety of all children, parents will also be notified that students will not be admitted into the school building until the start of the official day unless adult supervision is available in accordance with notifications to parents from the building Principal.

LEGAL REFS.: M.G.L. [15:1G](#); [71:1](#); [71:59](#)

603 CMR [27.00](#)

File: IE - ORGANIZATION OF INSTRUCTION

The District offers a diversified educational program compatible with the needs of the community and state standards.

The organizational plan is designed to facilitate the philosophy of educating every student, each to his/her fullest potential.

The structure will consist of three levels -- Primary/Elementary, Middle and Secondary levels.

The Primary/Elementary level includes schools with pre-kindergarten through grade five. The Middle level consists of schools for grades six, seven and eight. The Secondary level consists of schools with grades nine, ten, eleven, and twelve.

Special education services are integrated across each grade level in all schools.

The organization is designed to meet the standards established by the Department of Elementary and Secondary Education Curriculum Frameworks, by Time and Learning regulations, and to serve the needs of all students.

LEGAL REF: 42 U.S.C. 2000d (Title VI of the Civil Rights Act of 1964)

603 CMR [14.00](#)

SOURCE: ANDOVER Updated June 2020

File: IGA - CURRICULUM DEVELOPMENT

Constant adaptation and development of the curriculum is necessary if the District is to meet the needs of the students in its schools. To be successful, curriculum development must be a collaborative enterprise involving staff and administrators utilizing their professional expertise .

The Committee expects its faculty and administration to regularly evaluate the education program and to recommend modifications of practice and changes in curriculum content as well as the addition or deletion of courses to the instructional program.

SOURCE: MASC- Updated June 2020

LEGAL REF: M.G.L. [69:1E](#)

603 CMR [26:05](#)

File: IGB - STUDENT SERVICES PROGRAMS

To support the classroom activities and other instructional needs of the District, various educational services shall be provided. The Student Services staff will work in cooperation with building staff and the administration of the District in the coordination and the supervision of the curriculum implementation of the instructional program, and support services programs.

The Superintendent shall designate responsibility for all services for students who are not eligible for special education assistance, such as psychological services, speech correction, homebound and hospital teaching and such other programs as may be assigned.

CROSS REF.: [ACE](#), Nondiscrimination on the Basis of Handicap

File: IGD - CURRICULUM ADOPTION

The School Committee will rely on its professional staff to design and implement instructional programs and courses of study that will forward the educational goals of the school system.

The Superintendent will have authority to approve new programs and courses of study after they have been thoroughly studied and found to support educational goals. The Committee itself will consider, and officially adopt, new programs and courses when they constitute an extensive alteration in instructional content or approach.

The Committee shall be informed of all new courses and substantive revisions in curriculum. It will receive reports on changes under consideration. Its approval of these reports, including a listing of the high school program of studies, will constitute its adoption of the curriculum for official purposes.

LEGAL REF.: M.G.L. [15:1G](#); [71:1](#); [69:1E](#)

File: IHA - BASIC INSTRUCTIONAL PROGRAM

State law requires that schools:

. . . shall give instruction and training in orthography, reading, writing, the English language and grammar, geography, arithmetic, drawing, music, the history and Constitution of the United States, the duties of citizenship, health education, physical education and good behavior...

The law further states that American history and civics, including the Constitution of the United States, the Declaration of Independence, the Bill of Rights, local history and government will be taught as required subjects in the public schools.

Physical education is compulsory for all students, except that no student will be required to take part in physical education exercises if a physician certifies in writing that such exercises would be injurious to the student.

The Fundamental Skills

The business of the schools is to equip all children with the fundamental skills, tools, and attitudes that will lay the basis for learning now and in the future. This means giving highest priority to developing skills in reading, writing, speaking, listening, solving numerical problems, and social emotional learning.

The first claim of the community's and School Committee's resources will be made for the realization of these priorities. School dollars, school talent, school time, and whatever innovation in program is required must be concentrated on these top-ranking goals. No student should be bypassed or left out of the school's efforts to teach the fundamental skills. Schooling for basic literacy must reach all students, in all neighborhoods, and from all homes.

CROSS REF.: [ADE](#), School District Wellness Program

LEGAL REFS.: M.G.L. [71:1,2,3](#); [71:13](#)

603 CMR [26:05](#)

File: IHAI - OCCUPATIONAL EDUCATION

The School Committee recognizes that students in pre-kindergarten through grade 12 should:

1. Be afforded the opportunity to be informed about the world of work.
2. Be aware of the many vocations available to them.
3. Develop a respect for the dignity of work.
4. Be allowed the opportunity to develop an understanding regarding the technical, consumer, occupational, recreational and cultural aspects of industry and technology; they should also be afforded the opportunity to develop skills related to such aspects through creative problem solving experiences.

LEGAL REFS.: M.G.L. [71:37K](#); [71:38A](#) through [71:38F](#); [74:1](#) et seq.

603 CMR [4.00](#)

File: IHAM - HEALTH EDUCATION

Good health depends upon continuous life-long attention to scientific advances and the acquisition of new knowledge.

The School Committee believes that the greatest opportunity for effective health education lies within the public schools because of their potential to reach children at the age when positive, lifelong health habits are best engendered and because the schools are equipped to provide qualified personnel to conduct health education programs.

The School Committee is committed to a sound, comprehensive, research-based health education program as an integral part of each student's general education. Health education will be taught as an integrated academic discipline within classrooms in grades K through 5 and as a separate class in other grades.

The health education program will emphasize a contemporary approach to the presentation of health information, skills, and the knowledge necessary for students to understand and appreciate the functioning and proper care of the human body. Students also will be presented with information regarding complex social, physical and mental health problems, which they might encounter in society. In an effort to help students make intelligent choices on alternative behavior of serious personal consequence, health education will examine the potential health hazards of social, physical and mental problems existing in the larger school-community environment.

In order to promote a relevant, dynamic approach to the instruction of health education, the School Committee will continue to stress the need for curricular, personnel, and financial commitments that are necessary to assure the high quality of the system's health education program.

LEGAL REF.: M.G.L. [71:1](#)

File: IHAM-R - HEALTH EDUCATION

(Exemption Procedure)

Exemption will be granted from a specific portion of health education curriculum on the grounds that the material taught is contrary to the religious beliefs and/or teachings of the student or the student's parent/guardian.

A request for exemption must be submitted in writing to the Principal in advance of instruction in that portion of the curriculum for which the exemption is requested. The request must state the particular conflict involved.

The Principal will confer with the teacher to determine the length of time a student will be exempt. The teacher will develop an alternative activity for which the student will receive credit.

The Principal will inform the parent/guardian of disposition of the request within a reasonable number of school days of receipt of the request.

LEGAL REF.: M.G.L. [71:1](#)

File: IHAMA - PARENTAL NOTIFICATION RELATIVE TO SEX EDUCATION

In accordance with Massachusetts General Laws, the Andover 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. Any student who is exempted by notification 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.

LEGAL REFS: M.G.L. [71:32A](#)

File: IHAMB - TEACHING ABOUT ALCOHOL, TOBACCO, AND DRUGS

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

The alcohol, tobacco, and drug prevention program shall address the legal, social, and health consequences of alcohol, tobacco, and drug use, with emphasis on nonuse by school-age children. The program also shall include information about effective techniques and skill development for delaying and abstaining from using, as well as skills for addressing peer pressure to use alcohol, tobacco, or drugs.

The objectives of this program, as stated below, are rooted in the Committee's belief that prevention requires education, and that the most important aspect of the policies and guidelines of the District should be the education of children and youth on healthy decision-making:

- To prevent, delay, and/or reduce alcohol, tobacco, and drug use among children and youth.
- To increase students' understanding of the legal, social, and health consequences of alcohol, tobacco, and drug use.
- To teach students self-management skills, social skills, negotiation skills, and refusal skills that will help them to make healthy decisions and avoid alcohol, tobacco, and drug use.

The curriculum, instructional materials, and outcomes used in this program shall be recommended by the Superintendent and approved by the School Committee.

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

LEGAL REFS.: M.G.L. [71:1](#) ; [71:96](#)

CROSS REF.: [GBEC](#), Drug Free Workplace Policy

[JICH](#), Drug and Alcohol Use by Students

File: IHB - SPECIAL INSTRUCTIONAL PROGRAMS AND ACCOMMODATIONS

(PROGRAMS FOR CHILDREN WITH SPECIAL NEEDS)

The goals of this school system's special education program are to allow all children to grow and achieve at their own level and to gain independence and self-reliance.

The requirements of law and regulation will be followed in the identification of children with special needs, in referrals for their evaluation, in prescribing for them suitable programs and in assessing their educational progress. In keeping with state requirements, all children with special needs between the ages of three and twenty-two who have not attained a high school diploma or its equivalent will be eligible for special education.

The School Committee believes that most children with special needs can be educated in the regular school program if they are given special instruction, accommodations and the support they need. Their success and the success of all children can be further enhanced when universal design for learning principles and strategies are applied in classrooms to support accessibility of the curriculum. These children should also be given the opportunity to participate in the school system's non-academic and extracurricular activities.

The Committee recognizes that the needs of certain children are so great that special programs, special classes or special schools may be necessary. When appropriate programs, services, or facilities are not available within the public schools, the Committee will provide these children with access to schools where such instruction and accommodations are available.

It is the desire of the Committee that the schools work closely with parents in designing and providing programs and services to children with special needs. Parents will be informed, and conferred with, whenever a child is referred for evaluation. In event of any disagreement concerning diagnosis, program plan, special placement, or evaluation, the parents will be accorded the right of due process.

The Committee will secure properly trained personnel to work with the children with special needs. Since the financial commitment necessary to meet the needs of all of these children is extensive, the Committee will make every effort to obtain financial assistance.

LEGAL REFS.: The Individuals with Disabilities Ed. Act (PL 108-446, adopted 12/03/04)

Rehabilitation Act of 1973

M.G.L. [71B:1](#) et seq.

603 CMR [28:00](#) inclusive

NOTE: A school system's procedures for implementing the law are too extensive to include in a policy manual. Current procedures may be found on the district website and in the Superintendent's office.

File: IHBA - PROGRAMS FOR STUDENTS WITH DISABILITIES

In keeping with the intention of the state of Massachusetts to offer educational opportunities to all students that will enable them to lead fulfilling and productive lives, the District shall provide appropriate educational opportunities to all resident students in accordance with the requirements of state and federal statutes.

LEGAL REF.: Rehabilitation Act of 1973, Section 504

File: IHBA - OBSERVATIONS OF SPECIAL EDUCATION PROGRAMS

1. Parents' request to observe their child(ren), current program, or a potential placement must be made at least five days in advance with the Administrator for Special Education or designee and/or Principal.
2. The Administrator for Special Education or designee shall contact the parent(s) for initial scheduling conversation within five (5) days of receipt of the parents' request.
3. When a parent requests an observation of a special needs student or program, the Special Education Director or designee will seek approval from the Director of Special Education and the building principal before it is processed. Such approval may only be withheld for those reasons outlined within law and DESE regulation.
4. The Administrator for Special Education or designee and/or Principal will work with the classroom teacher and the observer to set up the specifics of the observation (including, but not limited to, scheduling and placement of the observer in the classroom).
5. The number, frequency, and duration of observation periods will be determined on an individual student basis in accordance with law and regulation. The start and end time of observation periods and a schedule of observation periods will be stated in advance. In order to minimize classroom or student disruption, the length of individual observation periods may be limited.
6. If the observer is not the parent, the parent must sign a release for the individual to observe.
7. The number of observers at any one time may be limited.
8. The observer will be informed that he/she is not to interfere with the educational environment of the classroom. If his/her presence presents a problem, he/she will be asked to leave. This notice is particularly important, since the presence of parents can influence both the performance of their child(ren) and those of others.
9. The observer will be asked to submit his/her report of the observation in advance of any follow-up TEAM meeting.
10. The observer will be informed that he/she is there to evaluate the appropriateness of a specific educational program to meet the needs of an individual child. He/she is not there to evaluate a teacher's ability to perform his or her contractual job duties.
11. The observer will be instructed regarding the disclosure of confidential or personally identifiable information relating to other children. Staff must be mindful of removing materials which may be part of students' records from plain view. In the event that removal is not possible the observer may be asked to sign a non-disclosure agreement.
12. A school administrator, or designee, also will observe at the same time and take notes as to what is observed, paying particular attention to note anything that is non-typical concerning the period. This observation summary will be placed in the student's file and provided to the parent(s) prior to any follow-up TEAM meeting.

LEGAL REF.: MGL [71B:3](#)

Massachusetts Department of Elementary and Secondary Education Technical Assistance
Advisory SPED 2009-2 dated January 8, 2009

CROSS REF.: [KI](#), Visitors to Schools

File: IHBD - COMPENSATORY EDUCATION

(Title 1)

Title 1 funds shall be used to provide educational services that are in addition to the regular services provided for District students. By adoption of this policy, the School Committee ensures equivalence in the provision of curriculum materials and supplies.

LEGAL REF.: Title 1, Elementary and Secondary Education Act, as amended

File: IHBEA - ENGLISH LANGUAGE EDUCATION

The District shall provide suitable research-based language instructional programs for all identified English learners in grades Kindergarten through 12 in accordance with the requirements of state and federal statutes and Massachusetts Department of Elementary and Secondary Education (DESE) regulations and guidance.

The District shall identify students whose dominant language may not be English through

- home language surveys that identify a primary home language is other than English
- observations
- intake assessments
- recommendations of parents/guardians, teachers and other persons.

Identified students shall be assessed annually to determine their level of proficiency in the English language.

The District shall certify to DESE each year those students whose dominant language is not English, including specification of the number of non-English languages identified as dominant languages and the number and percent of students who speak each non-English language as their dominant language.

The District shall provide additional information as required by DESE to comply with federal law.

SOURCE: MASC April 2019

LEGAL REFS.: Elementary and Secondary Education Act, as amended

42 U.S.C. 2000d (Title VI of the Civil Rights Act of 1964)

603 CMR [14.00](#)

File: IHBF - HOMEBOUND INSTRUCTION

The School District must provide homebound instruction to students who are unable to attend classes for at least two consecutive weeks or not less than fourteen days due to a physical injury, medical situation, or a severe emotional problem in any school year. The educational instruction is designed to provide maintenance in basic academic courses so when a student returns to school, the student will not be at a disadvantage due to illness or hospitalization.

To qualify for the program, the student's physician must complete the DESE form 28R/3 (or equivalent signed statement) that includes:

- Date the student was admitted to hospital or was confined to home;
- Medical reason for confinement;
- Expected duration of confinement; and
- Medical needs of the student that should be considered in planning home or hospital education services.

This statement must be sent to the administrator in charge of student services. Services will be provided with sufficient frequency to allow the student to continue his or her educational program. The principal will coordinate services with the administrator in charge of student services for eligible students. Students with chronic illness who have recurring home/hospital stays of less than 14 consecutive days, when such recurrences have added up to or are expected to exceed more than 14 school days on the school year, are also eligible for home or hospital educational services.

Home and Hospital educational services under 603 CMR [28.03](#) (J)(c) must begin without undue delay after the school district receives written notice from the student's physician that such services are necessary.

Homebound instruction is offered in elementary and secondary subjects, which do not require laboratories and special equipment, subject in all cases to the availability of qualified teachers. Certified teachers shall be assigned to homebound instruction by the Superintendent or designee.

SOURCE: MASC 2019

Approved by the School Committee - December 5, 2019

File: IHBG - HOME SCHOOLING

The Massachusetts General Law requires the School Committee to determine that a Home Schooling program meets the minimum standards established for public schools in the Commonwealth prior to approving such a program.

When a parent or guardian of a student below the age of 16 wants to establish a home-based educational program for his/her child, the following procedures shall be followed in accordance with the law:

Prior to removing the child from public school:

The parent/guardian must submit written notification of establishment of the home-based program to the appropriate administrator 14 days before the program is established and resubmit notification on an annual basis as long as the child or children are being educated in a home-based environment.

The parent/guardian must certify in writing, on a form provided by the District, the name, age, place of residence, and number of hours of attendance of each child in the program.

The Superintendent shall give the notice to produce records required by law if there is probable cause to believe the program is not in compliance with the law. Factors to be considered by the Superintendent or School Committee in deciding whether or not to approve a home education proposal may be:

1. The proposed curriculum and the number of hours of instruction in each of the proposed subjects.
2. The competency of the parents to teach the children,
3. The textbooks, workbooks and other instructional aids to be used by the children and the lesson plans and teaching manuals to be used by the parents.
4. Periodic standardized testing of the children to ensure educational progress and the attainment of minimum standards.

A student being educated in a home-based program within the District may have access to public school activities of either a curricular or extracurricular nature upon approval of the Superintendent.

A student, with the approval of the School Committee, may be awarded a high school diploma if he/she or she has satisfied the Dept. of Elementary and Secondary Education's competency requirements and has met the District's educational standards for graduation.

LEGAL REFS.: M.G.L. [69:1D](#); [76:1](#), Care and Protection of Charles

Care and Protections of Charles - MASS. Supreme Judicial Court 399 Mass. 324 (1987)

File: IHBG-R - HOME SCHOOLING

1. Requirements for approval of home instruction will include:
 - a. The parent or legal guardian must request permission to hold home instruction on an annual basis.
 - b. A home instruction application form will be provided to the parents or legal guardian. This form must be completed and returned to the Superintendent before approval may be granted.
 - c. The Committee delegates the approval of home instruction to the Superintendent or their designee. Any approval or rejection of an application by the Superintendent is subject to review by the Committee.
2. Parents or a legal guardian in charge of home instruction should make provision for regular testing or use of other indicators of student progress such as standardized achievement tests. As an alternative to home testing and at the request of those in charge of the home instruction, the School District will make provision for inclusion of home-taught children in the annual achievement test battery, which is usually administered in February or March of each school year. The home instruction summary form must include either a summary of home testing results for each required subject for each child or the results of the achievement test that is administered through the School District.
3. Auditing functions of the Committee for the home instruction will include:
 - a. The Committee at any time may request a review by the Superintendent of the attendance rolls, records of test scores or other achievement indicators in each required subject for any child in home instruction.
 - b. The Committee may request at any time that the Superintendent review the instructional materials and methods used by the person(s) responsible for the home instruction.
 - c. The Superintendent will prepare for the Committee an annual summary of the children included in home instruction.
4. Within one week of the ending date of the home instruction, as indicated on the home instruction application form, the School District will mail the parents or legal guardian a home instruction summary form. The completed form should be returned to the School District within 30 days. This summary form must be returned to the School District office before annual approval of home instruction can be made for any succeeding years.
5. The Committee will act in a responsible, cooperative manner to ensure that all children in the School District receive competent, adequate instruction. This concern includes children in home education. If the Committee determines that a home instruction situation is inadequate, a conference between the parents or legal guardian and the Superintendent will be scheduled to find mutually acceptable ways to correct any deficiency.
6. If deficiencies in a home education situation are not corrected or the proper annual application or summary is not completed by the parents or legal guardian, an appropriate referral will be made.

File: IHBH - ALTERNATIVE SCHOOL PROGRAMS

Some children have great difficulty coping with the conventional school program and as a result will drop out of school. Some children require more support and direct supervision than is reasonably available in conventional school settings. And, some children, along with a highly structured academic experience, require a special focus on life skills and an appropriate vocational involvement.

The School Committee will provide alternative education programs where these needs have been identified, where establishment of such programs is feasible, and where the proposed programs fall within the function normally associated with the public school system.

These alternative educational programs will seek to provide an appropriate academic, social, and vocational experience to aid these young people either to reenter the regular school system, move into another educational setting, or prepare them for successful employment.

LEGAL REFS.: M.G.L. [71:37I](#); [71:37J](#)

603 CMR [17.00](#)

File: IHCA - SUMMER SCHOOLS

The school system will conduct summer sessions as a supplement to the instruction offered during the school year, when funding for such programs is available.

To attend tuition-free remedial summer school, students must have the approval of their classroom and/or special subject teachers.

Students at all instructional levels may attend approved summer schools for remedial, enrichment, or make-up purposes. Credit towards graduation requirements may be granted high school students in line with regulations of the School District.

All summer programs will be subject to annual approval by the School Committee.

LEGAL REF.: M.G.L. [71:28](#)

File: IIB - CLASSROOM STAFFING

It shall be the policy of the Andover School Committee to provide classroom teaching personnel sufficient to carry out the stated philosophy of the Andover School System. To carry out this policy, the Andover School Committee will attempt to provide personnel consistent with the perceived needs and desires of the Town of Andover.

It shall be the intent and goal of the School Committee, while maintaining fiscal responsibility and maintaining educational policies, to provide staffing for each of the schools that will enable the principal to reduce classroom teacher-pupil ratios as much as possible. The principal shall have the discretion to provide, in accordance with this policy, those staffing patterns which, in his/her professional judgment, best meet the educational needs of pupils in his/her school.

In this regard, it is the intent and goal of the School Committee to provide classrooms at the various levels in each school as follows:

Pre-K & K: be at or below 20 students per class, and if not feasible, to within a range of 16 to 24.

Grades 1 & 2: be at or below 23 students per class, and if not feasible, to within a range of 19 to 27.

Grades 3-5: be at or below 25 students per class, and if not feasible, to within a range of 21 to 29.

Grades 6-8: be at or below 25 students per class, and if not feasible, to within a range of 21 to 29.

Grades 9-12: be at or below 25 students per class, and if not feasible, to within a range of 21 to 29 and an advisory group range of 15-17 students.

It is recognized that in attempting to provide these average class sizes, that classes may fall above or below the stated goal. In the event that classes increase (or decrease) above (or below) the goal by more than 4 students, additional (or fewer) classes, teachers, or instructional assistance time may be provided. Further deviations from this standard may be approved by the Superintendent, providing fiscal responsibility and educational policies are maintained.

To support this policy, the following actions are to take place:

1. As part of the annual budget development process, the Superintendent will advise the School Committee on projected classes and teacher-pupil ratios. This is to more accurately assess staff needs for the coming school year.
2. By the end of October, the Superintendent will present a final class size report to the School Committee for information. Except in extreme circumstances, classes will not be interrupted relative to increasing or decreasing staff after the first two weeks of school.

The School Committee recognizes that availability of classroom space, staff, school schedule, and other factors will govern the number of students assigned to a class.

File: IJ - INSTRUCTIONAL MATERIALS

The School Committee believes that materials appropriate to the needs of the school program must be available to each student and teacher. These will be furnished by the School Committee subject to budgetary constraints.

The task of selecting instructional materials for programs will be delegated to the professional staff of the school system. Because instructional programs and materials are of great importance, only those that meet the following criteria will be approved by the Committee:

1. They must present balanced views of international, national, and local issues and problems of the past, present and future.
2. They must provide materials that stimulate growth in factual knowledge, literary appreciation, aesthetic and ethical values.
3. They must help students develop abilities in critical reading and thinking.
4. They must help develop and foster an appreciation of cultural diversity and development in the United States and throughout the world.
5. They must provide for all students an effective basic education that does not discriminate on the basis of race, age, color, religion, national origin, sex, gender identity, physical disabilities or sexual orientation.

They should utilize universal design for learning principles and strategies to enhance access to the curriculum for all students.

6. They must allow sufficient flexibility for meeting the special needs of individual students and groups of students.

LEGAL REFS.: M.G.L. [30B:7](#); [71:48](#); [71:49](#); [71:50](#)

BESE regulations 603 CMR [26.00](#)

CROSS REF.: [IJ-R](#) Reconsideration of Instructional Resources

File: IJ-R - RECONSIDERATION OF INSTRUCTIONAL RESOURCES

Material that is challenged usually belongs to one of the three basic categories: religion, ideology, or profanity/obscenity. Board policies regarding these areas shall be as follows:

Religion -- Factual, unbiased material on religions has a place in school libraries.

Ideologies -- Libraries should, with no thought toward swaying reader judgment, make available a balanced collection of primary and factual material, on the level of their students on various ideologies or philosophies which exert or have exerted a strong force, either favorably or unfavorably, in government, current events, politics, education and other phases of life.

Profanity/obscenity -- Materials shall be subjected to a test of literary merit and reality in context using the criteria established.

When a problem concerning instructional resources in a school arises, the disposition of the problem will be made in a reasonable period of time using District adopted procedures.

In accordance with the statement of philosophy, no questioned materials shall be removed from the school pending a final decision. Pending the outcome of the request for reconsideration, however, access to questioned materials can be denied to the students of the parents making the complaint, if they so desire.

If the decision of the School Committee is that the questioned instructional resource be retained, the District will not convene a Review Committee relative to the same complaint for a period of three years. If a substantially different point of view is advanced, it will be investigated. (The period of three years does not apply in this instance).

If an individual or a group undertakes action to keep material from the shelves by checking it out and failing to return it, or by taking turns in keeping it checked out so that it is not available for student use, the Superintendent shall request, in writing, the return of the material. If it is not returned within thirty (30) days, a bill for the current replacement cost of the item shall be rendered to the party holding the item.

After the School Committee has adopted new materials or approved certain methods, that decision will not be reconsidered for a period of three years beginning with the end of the school year when the adoption is made.

File: IJL - LIBRARY MATERIALS SELECTION AND ADOPTION

The School Committee endorses the School Library Bill of Rights, as adopted by the American Library Association, which asserts that the responsibility of the school library is to:

1. Provide materials that will enrich and support the curriculum, taking into consideration the varied interests, abilities, and maturity levels of the students served.
2. Provide materials that will stimulate growth in factual knowledge, literary appreciation, aesthetic values, and ethical standards.
3. Provide a background of information that will enable students to make intelligent judgments in their daily lives.
4. Provide materials on opposing sides of controversial issues so that young citizens may develop under guidance the practice of critical reading and thinking.
5. Provide materials representative of the many religious, ethnic, and cultural groups and their contributions to our American heritage.
6. Place principle above personal opinion and reason above prejudice in the selection of materials of the highest quality in order to assure a comprehensive collection appropriate for the users of the library.

Initial purchase suggestions for library materials may come from all personnel--teachers, coordinators, and administrators. Students will also be encouraged to make suggestions. The librarian will recommend materials to be included in the school library. Final approval and authority for distribution of funds will rest with the building Principal subject to the approval of the Superintendent.

Gifts of library books will be accepted in keeping with the above policy on selection. Complaints about library books will be handled in line with Committee policy on complaints about instructional materials.

LEGAL REF.: 603 CMR [26:05](#)

CROSS REF.: [IJ-R](#), Reconsideration of Instructional Resources

File: IJLA - LIBRARY RESOURCES

The primary objective of the library/media center is to implement its resources to enrich and to support the educational program of the school.

Definition of Library Resources

Library resources are those print, non-print, and digital materials found in school libraries which support curricular and personal information needs.

Criteria for Selection of Library Resources

The criteria for selection of library resources in the District are:

- Needs of the individual student
 - Based on knowledge of students
 - Based on requests of parents and students
- Needs of the individual school
 - Based on knowledge of the curriculum of the school
 - Based on requests from the professional staff
- Provision of a wide range of materials on many levels of difficulty with a diversity of appeal and the presentation of different points of view.
- Provision of materials of high artistic quality.
- Provision of materials with superior format.
- Provision of materials that promote accessibility through universal design for learning principles and strategies.
- Reputable, unbiased, professionally prepared selection aids are consulted as guides.

In accordance with the District's policy of providing instructional materials on opposing sides of controversial issues, it should be noted that neither the media centers nor the District serve as advocates for the ideas expressed in any materials, nor does the presence of any material indicate automatic endorsement of the ideas expressed therein.

Disclosure of Information/Privacy of Circulation Records

Circulation records shall not be made available to anyone except pursuant to such process, order, or subpoena as may be authorized by law.

Re-evaluation (Weeding) of Library Resources

The continuous review of library/media center materials is necessary as a means of maintaining a useful and active collection. As new materials are selected and added, some older materials are withdrawn. The responsibility for determining which materials are to be withdrawn rests with the professional staff.

Among the reasons for withdrawing an item are the following:

- Curricular changes have rendered superfluous some materials (or multiple copies of materials) formerly used but no longer in demand.
- Some materials contain factual material that is no longer accurate nor current.
- Some materials intended for recreational reading have become dated or unattractive and are no longer in demand. (Some such books, which are deemed "standards" or "classics", will be retained even though they rarely circulate).
- Some materials have become worn out, damaged or physically deteriorated and have lost utility and/or appeal.
- Some materials have been superseded by newer items, which present the same information, but in superior format.

Withdrawn library/media center materials are processed in one or more of the following ways:

- Made available to be used as resource or supplementary material by teachers.
- Offered to other media centers in the District, as it is possible that a material, which lacks utility in one building, may have some usefulness in another.
- Contributed to appropriate charitable or educational agencies.
- Discarded, when warranted.

Continuing evaluation is closely related to the goals and responsibilities of library/media centers and is a valuable tool of collection development. This procedure is not to be used as a convenient or expedient means to remove materials presumed to be controversial or likely to be disapproved by segments of the community. Materials are not to be proscribed or removed because of actual or potential partisan or doctrinal disapproval, nor because of the origin, background or views of those contributing to their creation.

File: IJND - ACCESS TO DIGITAL RESOURCES

The School Committee supports the right of students, employees, and community members to have reasonable access to various information formats and believes it is incumbent upon users to utilize this privilege in an appropriate manner.

Safety Procedures and Guidelines

The Superintendent, in conjunction with the Administrator in charge of Instructional Technology, shall develop and implement appropriate procedures to provide guidance for access to digital resources. Guidelines shall address teacher supervision of student computer or tablet use, ethical use of digital resources and issues of privacy versus administrative review of electronic files and communications. In addition, guidelines shall prohibit utilization of digital resources for prohibited or illegal activities and for the use of other programs with the potential of damaging or destroying programs or data.

Internet safety measures shall be implemented that effectively address the following:

- Controlling access by minors to inappropriate matter on the Internet as defined by the Children's Internet Protection Act (CIPA) and the Children's Online Privacy Protection Act (COPPA);
- Safety and security of minors when they are using e-mail, instant messaging applications, and other forms of direct electronic communications;
- Preventing unauthorized access, including hacking, viruses, and other unlawful activities by minors online;
- Unauthorized disclosure, use and dissemination of personal information regarding minors.

The School District shall provide reasonable public notice to address and communicate its internet safety measures.

Empowered Digital Use

All parents of students, all students in grades 4 and above, and all faculty must agree to and sign an Empowered Digital Use form prior to the student or staff member being granted independent access to digital resources and district networks. The required form, which specifies guidelines for using digital resources and district networks, must be signed by the parent or legal guardian of minor students (those under 18 years of age) and, for students in grades 4 and above, also by the student. This document shall be kept on file as a legal, binding document. In order to modify or rescind the agreement, the student's parent/guardian (or the student who is at least 18 years old) must provide the Director of Technology with a written request.

Employee Use

Employees shall use district email, district devices, and district networks only for purposes directly related to educational and instructional purposes.

Community Use

On recommendation of the Superintendent in conjunction with the Administrator in charge of Instructional Technology, the district shall determine when and which computer equipment, software, and information access systems will be available to the community. All guests will be prompted to and must accept the district's Access to Digital Resources Policy before accessing the district network.

Disregard of Rules and Responsibility for Damages

Individuals who refuse to sign required Empowered Digital Use documents or who violate district rules governing the use of district technology or networks shall be subject to loss or restriction of the privilege of using equipment, software, information access systems, and network.

Individuals shall reimburse the district for repair or replacement of district property lost, stolen, damaged, or vandalized while under their care.

LEGAL REFS: 47 USC § 254

Note: FCC regulations that went into effect April 20, 2001, implementing The Children's Internet Protection Act (47 U.S.C. § 254) require each school/district to certify compliance with certain policy requirements in order to maintain eligibility for Internet access discounts and other services provided by the federal government.

File: IJNDB - EMPOWERED DIGITAL USE POLICY

Purpose

The School Committee recognizes the need for students to be prepared to contribute to and excel in a connected, global community. To that end, the district provides ongoing student instruction that develops digital citizenship skill sets for using technology as a tool. Information and communication technology are an integrated part of our curriculum across subjects and grades in developmentally appropriate ways and are aligned with the Massachusetts Curriculum Frameworks and standards, including seeking knowledge and understanding; thinking critically and solving problems; listening, communicating, and interacting effectively; and engaging and competing in a global environment.

Availability

The Superintendent or designee shall implement, monitor, and evaluate the district's system/network for instructional and administrative purposes.

All users shall acknowledge that they understand that using digital devices, whether personal or school owned, and the school district network is a privilege and when using them in accordance with School District guidelines they will retain that privilege.

The Superintendent or designee shall develop and implement administrative guidelines, procedures, and user agreements, consistent with law and policy, which shall include but not be limited to the following:

- Digital devices, software, and networks shall be used in school for educational purposes and activities.
- An individual's personal information (including home/mobile phone numbers, mailing addresses, and passwords) and that of others shall be kept private.
- Individuals will show respect for themselves and others when using technology including social media.
- Users shall give acknowledgement to others for their ideas and work
- Users shall report inappropriate use of technology immediately

These procedures shall be reviewed annually by district administration together with students and teachers and shall provide a springboard for teaching and learning around topics such as internet safety, digital citizenship, and ethical use of technology.

File: IJNDC - INTERNET PUBLICATION

I. PURPOSE

The School District has established a district-wide web page that links users to web pages for the district's individual schools. The School District maintains these web pages for educational purposes only, in furtherance of the educational mission of the School District. All published pages, corresponding links to other sites, and all other platforms on the internet used for school purposes must relate to the district's educational mission.

II. SUPERVISION AND APPROVAL OF WEB PAGES

The Superintendent (or his/her designee) may select the person or persons ("the Webmaster") responsible for overseeing the school district's web pages and maintaining the web pages in a manner consistent with this policy and the school district's Access to Digital Resources Policy. The Webmaster must approve all links from the district web pages to other sites on the Internet, including to social media sites. The Webmaster will review the links to ensure that the links are related to the district's educational mission.

Staff members may publish web pages related to their class projects or courses on their school's web site. Staff members must submit their material to the Webmaster for approval before the material can be published. Staff members may not publish or link to personal web pages as part of the school district web site.

Student or staff work (e.g. voice, likeness, quotes, written material, musical pieces and graphic or other artwork) may be published on the district's web pages, as detailed below. All work that is published will be accompanied by a copyright notice written by the Webmaster that prohibits copying the work without the written consent of the copyright holder.

III. CONTENT STANDARDS

All internet materials are expected to be accurate, grammatically correct and free of spelling errors. Student work may deviate from this standard depending upon the age and grade level of the student. Internet materials should be well-organized and professional in appearance. Internet materials must not contain copyrighted or trademarked material belonging to others unless written permission to display such material has been obtained from the owner and the owner is credited.

IV. SAFETY PRECAUTIONS

A. In general

- Identifying information about students, such as first and last names, personal phone numbers or home addresses, will not be published. First names or first names and the first letter of the student's last name may be used where appropriate.

B. Student photographs

- Student photographs may be published only with the written consent of the student's parent or guardian.
- Student photographs will not be accompanied by identifying information about the student(s).

C. Student work

- Student work, e.g. voice, likeness, quotes, written material, musical pieces, and graphic or other artwork, may be published only with the written consent of the student's parent or guardian.

D. Staff photographs, identifying information and work

- Photographs of staff members, accompanied by the staff member's full name, may be published only with the staff member's written consent.
- Staff work, e.g. voice, likeness, quotes, written material, musical pieces and graphic or other artwork, may be published only with the staff member's written consent.

File: IJNDD - POLICY ON SOCIAL MEDIA

The Superintendent and the school Principals will annually remind staff members and orient new staff members concerning the importance of maintaining proper decorum in the on-line, digital world as well as in person. Employees must conduct themselves in ways that do not distract from or disrupt the educational process. The orientation and reminders will give special emphasis to:

- 1) Improper fraternization with students using social media or other electronic means.
 - a. Teachers may not friend or follow current students on social media.
 - b. All electronic contacts with students should be through the district's computer and telephone system, except emergency situations.
 - c. Team, class, or student organization pages, accounts, or groups will be created only in conjunction with the coach or faculty advisor. All groups must include the appropriate administrator as a member. Access to the page will remain with the coach or faculty advisor.
 - d. All contact and messages by coaches and faculty advisors with team members shall be sent to all team members, except for messages concerning medical or academic privacy matters, in which case the messages will be copied to the appropriate administrator.
 - e. Teachers will not give out their private cell phone or home phone numbers without prior approval of the district.
 - f. Inappropriate contact via phone or electronic device is prohibited.
- 2) Inappropriateness of posting items with sexual content
- 3) Inappropriateness of posting items exhibiting or advocating use of drugs and alcohol
- 4) Examples of inappropriate behavior from other districts, as behavior to avoid
- 5) Monitoring and penalties for improper use of district devices and technology
- 6) The possibility of penalties, including dismissal from employment, for failure to exercise good judgment in on-line conduct.

The Superintendent or designees will periodically conduct internet searches to see if teachers have posted inappropriate materials on-line. When inappropriate use of devices and websites is discovered, the school Principals and Superintendent will promptly bring that inappropriate use to the attention of the staff member and may consider and apply disciplinary action up to and including termination.

File: IJOA - FIELD TRIPS

Field trips can bring the school and the community closer together, which can result in real life experiences that enrich the curriculum for students and also bring about better public relations. The School Committee will also encourage field trips as an integral part of the instructional programs in the schools.

The Superintendent will establish procedures to assure that:

1. All students have parental permission for trips.
2. All trips are properly supervised.
3. All safety precautions are observed.
4. All trips contribute substantially to the educational program.
5. All trips allow student access without regard of family ability to pay within budgetary limits.

All out-of-state or extended (overnight) trips and excursions, except those required for student participation in tournament competition or contests, must have advance approval of the School Committee. Fundraising activities for such trips will be subject to approval by the appropriate Administrator.

CROSS REF.: [JJH](#), Policy Relating to Field Trips Involving Late Night or Overnight Travel

File: IJOB - COMMUNITY RESOURCE PERSONS/ SPEAKERS

Community resources are those individuals or groups who are invited into the schools to present supplementary information and ideas to the classroom course of study. These experiences afford students the opportunity to benefit from community viewpoints. Care should be taken in selecting these speakers so that they are individuals who respect diversity in thinking and varying views and who are able to present balanced points of view. All outside speakers will require the permission of the building Principal.

CROSS REF: [ADDA](#), Background Checks

File: IJOC - SCHOOL VOLUNTEERS

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

CROSS REF.: [ADDA](#), Background Checks

File: IK - ACADEMIC ACHIEVEMENT

The philosophy of the School Committee concerning academic achievement, as well as children's social growth and development, is based on the premise that children have diverse capabilities and individual patterns of growth and learning.

Therefore, the Committee feels it is important that teachers have as much and as accurate knowledge of each student as possible in order to assess his/her needs and growth and make instructional plans for him/her. A sharing of information among parent, teacher, and student is essential.

The Committee supports staff efforts to find better ways to measure and report student progress. It will require that:

1. Parents/guardians be informed regularly, and at least three times a year, of the progress their children are making in school.
2. Parents/guardians will be alerted and conferred with as soon as possible when a child's performance or attitude becomes unsatisfactory or shows marked or sudden deterioration.
3. Insofar as possible, distinctions will be made between a student's attitude and his academic performance.
4. At comparable levels, the school system will strive for consistency in grading and reporting except as this is inappropriate for certain classes or certain students.
5. When no grades are given but the student is evaluated informally in terms of his/her own progress, the school staff will also provide a realistic appraisal of the student's standing in relation to his/her peers.
6. When grades are given, the school staff will take particular care to explain the meaning of marks and symbols to parents.

File: IKAB - STUDENT PROGRESS REPORTS TO PARENTS/GUARDIANS

The School Committee recognizes the school's obligation to give periodic reports of a student's progress and grades. The School Committee further recognizes that these reports are a vital form of communication between the schools and parents. The School Committee also believes that all progress reports must be based upon full information, accurately and honestly reported with the proper maintenance of confidentiality.

A report depicting the student's progress will be issued periodically following an evaluation by the appropriate teacher, teachers, or other professional personnel.

In addition to the periodic reports, parents will be notified when a student's performance warrants attention.

Grading and promotion will be based on improvement, achievement, capability of the student, and the professional judgment of the teacher and Principal.

Major changes in the reporting system shall be preceded by a cooperative study and evaluation by teachers, principals, parents, and the Assistant Superintendent, who will submit the proposal to the School Committee for consideration and approval. The study and proposal shall be made publicly available at the time it is submitted to the School Committee for consideration.

File: IKE - PROMOTION AND RETENTION OF STUDENTS

The School Committee is dedicated to the best total and continuous development of each student enrolled. The professional staff is expected to place students at the grade level best suited to them academically, socially, and emotionally.

In evaluating student achievement, each teacher will make use of all available information, including results of teacher-made tests and other measures of skill and content mastery, standardized test results, and teacher observation of student performance. The Principal will direct and aid teachers in their evaluations and review grade assignments in order to ensure uniformity of evaluation standards.

Students will normally progress annually from grade to grade. Exceptions may be made when, in the judgment of the professional staff, such exceptions are in the best educational interest of the students involved. Exceptions will only be made after prior notification and explanation to each student's parents/guardians, but the final decision will rest with the building Principal.

File: IKF - GRADUATION REQUIREMENTS

In order to graduate from Andover High School, a student must have earned the minimum credits and met the course requirements as per the School Committee approved High School Program of Studies and High School Student Handbook as well as complying with all state accountability requirements.

Other requirements may be established by the school administration in relation to the particular program, otherwise additional credits needed for a graduation may be selected from among elective courses. For the total number of credits required please see the high school program of studies or student handbook.

Credit for Foreign Study: Students who are away for a term or year to participate in a student exchange program or otherwise study abroad may receive credits toward high school graduation when (1) study plans are approved by the school administration in advance; and (2) the institution where the study occurred submits a record of the student's work. In these instances, the Principal and student's guidance counselor will evaluate the work and assign credit for it according to standards prevailing in Andover High School.

File: IL - EVALUATION OF INSTRUCTIONAL PROGRAMS

The School Committee considers comprehensive and objective evaluation of the effectiveness of the curriculum to be of primary importance. The Superintendent will provide for the translation of the stated instructional goals into objectives and for appraisal of their implementation in order to:

1. Determine educational needs and provide information for planning.
2. Indicate instructional strengths and weaknesses.
3. Check on the suitability of programs in terms of community requirements.
4. Show the relationship between achievement and the system's stated goals.
5. Provide data for public information.

Elements of this evaluation process may include:

1. Testing programs such as nationally standardized general achievement tests, nationally standardized tests in specific subject areas, and tests administered by other agencies.
2. Study of school achievement records.
3. Study of students' high school and drop-out records.
4. Use of outside services, participation in regional research studies, contracted evaluation services; evaluation services at cost to the school system must be approved in advance by the School Committee.
5. Teacher and parent evaluation of student behavior.
6. State Department of Education specialists and services.
7. Evaluation by the regional accrediting association.
8. Evaluation by other agencies.

An evaluation of the curriculum and its effectiveness will be made periodically and reported to the Committee by the Superintendent.

File: ILC - USE AND DISSEMINATION OF TESTS AND TEST RESULTS

All tests, quizzes, papers, mid-term examinations, and final examinations will be corrected in a timely manner and made available for students to keep. Parents will have the opportunity to review tests, quizzes and papers and in addition, upon submission of a written request, be provided a copy of the students' tests (including both answer and question sheets, scoring guides, rubrics, or other materials used to evaluate student performance) other than diagnostic and/or placement tests and other than where a publisher's copyright prevents such copying.

It is the policy of the Andover Public Schools, based upon federal copyright law, that all tests created by staff are considered property of the district unless expressly waived by the Superintendent.

LEGAL REF.: 17 USCA s. 101 (Copyright Act of 1976)

File: ILD - STUDENT SUBMISSION TO EDUCATIONAL SURVEYS AND RESEARCH

In this policy, "surveys, analyses, or evaluations" refer to methods of gathering data for research purposes.

Without the prior written consent of the student's parent/guardian, or of the student if he/she is at least 18 years of age, no student shall be required as part of any program wholly or partially funded by the U.S. Department of Education to submit to any survey, analyses, or evaluation that reveals information concerning:

1. Political affiliations or beliefs of the student or student's parent;
2. Mental or psychological problems of the student or student's family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine eligibility for school programs or for receiving financial assistance under such program.

All instructional materials, including teachers' manuals, films, tapes, or other supplementary material which will be used in connection with any such survey, analysis, or evaluation shall be available upon request for inspection by the student's parent/guardian. For the purpose of this policy, "instructional material" does not include academic tests or assessments.

A parent may inspect, upon request, a survey created by a third party before the survey is administered or distributed to a student.

The Superintendent or designee will be responsible for implementing any procedures necessary to protect the privacy of participating students and to provide parents with access to surveys within a reasonable time before administration or distribution.

The School District will notify parents of this policy at least annually at the beginning of the school year and within a reasonable time of any substantive change in policy. Where practical, the District will also directly notify parents annually at the beginning of the school year when surveys, analyses, or evaluations are scheduled or anticipated. Parents shall have the opportunity to opt their child out of participation in any survey, analysis, or evaluation. Students who are 18 years of age or older may opt out of such surveys, analyses, or evaluations.

Parents or eligible students who believe their rights have been violated may file a complaint with the Family Policy Compliance Office of the U.S. Department of Education.

LEGAL REF.: Protection of Pupil Rights Amendment, 20 U.S.C. § 1232h

CROSS REF.: [JRA](#), Student Records

File: IMA - TEACHING ACTIVITIES/PRESENTATIONS

It is the desire of the School Committee that the best available strategies for bringing about learning be utilized in the District's schools. The instructional staff shall be expected to keep abreast of new and promising instructional ideas and practices developed in schools throughout the nation and to apply those which have potential for improving the learning program in the District's schools.

An educational climate shall be established which shall be conducive to rational thought, inquiry, and respect for the dignity of the individual. This educational climate will assist students in learning how to think rather than what to think and shall provide students the opportunity to identify, express, and defend their opinions without penalty or fear of reprisal or ridicule.

Nothing in this policy shall limit a parent/guardian's right to file a complaint to challenge the use of teaching activity or presentation.

File: IMB - TEACHING ABOUT ISSUES / USE OF OUTSIDE SPEAKERS

An important goal of the schools is to help prepare students for intelligent and conscientious participation as citizens in our democratic society. One step toward meeting this goal is to introduce students to reasoned and civil approaches to the analysis of contemporary social and political issues. To ensure that these issues can be examined in an atmosphere as free from emotion and prejudice as the times permit, the School Committee establishes the following guidelines for discussion in the schools.

Teacher-Planned Classroom Discussions

1. Issues selected by teachers for classroom discussion must relate directly to the objectives and content of courses approved by the School Committee for inclusion in the curriculum.
2. The teachers' right to introduce issues in classroom presentations does not include the right of advocacy. Teachers must refrain from using their positions to express partisan points of view.
3. The approach to discussion by outside speakers in the classroom must be objective and scholarly with minimum emphasis on opinion and maximum emphasis on intelligent analysis.
4. Teachers must ensure that the reasoned arguments of all sides of an issue are given equal presentation and emphasis in classroom discussions.
5. Teachers may invite visitors from outside the schools to give presentations on controversial issues when the visitors offer qualifications and resources not available in the schools. All visitors are to be guided by the standards of language usage that prevail in the classrooms and by the standards of scholarly inquiry set forth above. Whenever possible, teachers who invite visitors to present one side of an issue will also invite visitors to present the other side(s).
6. In all cases teachers must obtain from the appropriate Principal permission to invite visitors for classroom presentations. Permission must be requested in a timely manner prior to the scheduled time of presentation.

Student-Initiated Forums

Student groups may request permission to conduct forums, including student protests, on issues in the schools or on school grounds. The Principal may grant such requests under the following conditions:

1. Preparation for presentation of a forum will not cause any student or teacher to miss class and will not cause the cancellation of any class unless waived by the building Principal.
2. Adequate advance planning must be conducted for each forum. For each request the Principal will appoint, after consultation with the requesting student group, an adult advisory group.
3. The standards for approach to discussion, style of presentation, and use of visitors as defined above will apply to student-initiated forums.
4. The Principal will notify parents, when possible, in advance of any forum that may warrant prior parent/student conversation, including a forum that may involve students missing class.
5. The Principal's approval of any request to conduct a student forum will clearly state that the approval does not imply endorsement by the Andover Public Schools of the issue for which the forum will be held.

Requests from Groups or Individuals Outside the Schools

No permission will be granted non-school groups or individuals to make presentations in the schools during school hours. Requests for after-school or evening use will be processed in accordance with the Committee's policy on community use of school facilities.

No permission will be granted non-school groups for distribution of literature to students in general or to class groups.

A Principal may grant an outside group or individual permission to post one notice of a public meeting for discussion of issues if the language of that notice conforms to the standards that prevail in the community. The Principal will determine the appropriate bulletin board for such notices.

File: IMD - SCHOOL CEREMONIES AND OBSERVANCES

The United States Constitution and the Constitution of the State of Massachusetts and related court rulings clearly establish the concept of "church and state separation" and the "preclusion of sectarian instruction in public schools."

In order to help staff members abide by the spirit and letter of the law, and to avoid compromising any student's religious or conscientious beliefs or freedoms, the following guidelines have been established:

The observance of religious holidays is not the responsibility of the public schools.

While it is recognized that many activities are initiated with the approach of major holidays in order to capitalize on the readiness and interest that is generated at these times, it should be understood that such occasions frequently have religious underpinnings. Care should be taken to relate only to secular aspects of these holidays.

Music programs given at times close to religious holidays should not use religious aspect of these holidays as the underlying motive or theme. Although religious music is appropriate in the schools to the extent that it is sung or presented for musical rather than religious content, its use should not violate the secular nature of the school. Pageants, plays, recitals, and other literary or dramatic activities should not be used to convey religious messages. While the holidays represent a valid source of ideas for meaningful school art experiences, teachers should avoid assigning or encouraging art work that promotes religious aspects of such holidays. If, however, individual students choose to use a religious personage, event, or symbol as the vehicle for an artistic expression, they should be allowed to take this action.

The above statements should not be interpreted to preclude the factual and objective teaching about religions, religious holidays, and religious differences. Such instruction will be permitted in the schools since insights in this area can enhance the mutual understanding needed by all the people in a pluralistic society.

LEGAL REF.: 603 CMR [26:05](#)

File: IMDC - ACCOMMODATION FOR RELIGIOUS AND ETHNIC OBSERVANCES

The Andover Public Schools serve children from many different religious and ethnic backgrounds. Out of respect for our students' different religious and ethnic traditions, and to ensure fair and sensitive treatment of all students, the district shall:

- At the time of publication of the approved school calendar for a given school year, provide a list of those major religious and ethnic holidays during that school year whose observance may require absence from school or other accommodations, and encourage students and families to notify the Superintendent of any omissions from the list;
- Not schedule the first day of the school year on a holiday included in the above list;
- Impose no penalty or detriment on students who participate in observances of their and/or their family's major religious and ethnic holidays and treat any absence related to such observance as without penalty;
- Provide ample and flexible accommodations to allow students to make up subject material, assignments, and assessments within a reasonable time (assuming students will not do schoolwork or study during their absence);
- Take major religious and ethnic holidays into consideration when scheduling test preparation, tests, and long-term assignments when these are within the purview of the district;
- Avoid scheduling one-time events (e.g., field trips, athletic events, music or theatre performances, auditions, group photographs, back-to-school functions, and graduation) when possible on major religious and ethnic holidays, keeping in mind that some major religious holidays begin at sundown on the preceding evening (e.g., Jewish and Muslim Holidays);
- Not require students observing major religious or ethnic holidays to participate or face penalties for their non-participation in school-scheduled events, such as in try-outs, athletic contests, or music performances;
- Not prevent coaches and advisors from holding optional athletic practices on major religious and ethnic holidays;
- Not deprive any student absent from school because of a religious or ethnic holiday of any award or of eligibility or opportunity to compete for any award because of such absence;
- Encourage students and families to make their observances known far enough in advance to individual teachers so that they can jointly plan appropriate accommodations prior to the absence or holiday observance.

File: IMG - ANIMALS IN SCHOOL

No animal shall be brought to school without prior permission of the building Principal.

The School District is committed to providing a high quality educational program to all students in a safe and healthy environment.

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

Educational Program

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

Student Health

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

Animals Prohibited from School

Rabies is a growing problem and any fur-bearing animal is susceptible to this very serious fatal disease. Infected animals can transmit this disease to students and staff. Based on the Massachusetts Departments of Health and Education recommendations the following animals are prohibited from schools within the School District.

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

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

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

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

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

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

Service Animals (Including Guide or Assistance Dogs)

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

For purposes of this policy, a "service animal includes any dog that has been individually trained to do the work or perform tasks for the benefit of an individual with a disability." The term "service animal" includes dogs often referred to as guide dogs or assistance dogs, as long as they have been individually trained to do work or perform tasks for the benefit of an individual with a disability. The regulations further state that "a public entity shall make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability if the horse has been individually trained to do work or perform tasks for the benefit of the individual with the disability."

Service animals perform some of the functions and tasks that individuals with disabilities cannot perform themselves. Service animals are not pets. There are several kinds of service animals that assist individuals with disabilities. Examples include, but are not limited to, animals that:

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

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

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

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

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

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

SECTION J - STUDENTS

JA STUDENT POLICIES GOALS

JB EQUAL EDUCATIONAL OPPORTUNITIES

JBB EDUCATIONAL EQUITY

JC ATTENDANCE AREAS

JCA ASSIGNMENT OF STUDENTS TO SCHOOLS

JF RESIDENCY, SCHOOL ADMISSIONS AND ENTRANCE AGE

JFA ADMISSION PROCEDURES/RESIDENCY REQUIREMENTS

JFAA ADMISSION OF POTENTIAL RESIDENTS

JFABC ADMISSION OF TRANSFER STUDENTS FROM CHARTER SCHOOLS

JFABD HOMELESS STUDENTS: ENROLLMENT RIGHTS AND SERVICES

JFABE EDUCATION OPPORTUNITIES FOR MILITARY CHILDREN

JFABF EDUCATION OPPORTUNITIES FOR CHILDREN IN FOSTER CARE

JFBB SCHOOL CHOICE

JH STUDENT ABSENCES AND EXCUSES

JHD EXCLUSION AND EXEMPTIONS FROM SCHOOL ATTENDANCE

JI STUDENT RIGHTS AND RESPONSIBILITIES

JIB STUDENT INVOLVEMENT IN DECISION-MAKING

JIC STUDENT DISCIPLINE

JICA STUDENT DRESS CODE

JICC STUDENT CONDUCT ON SCHOOL BUSES

JICE STUDENT PUBLICATIONS

JICF GANG ACTIVITY/SECRET SOCIETIES

JICFA PROHIBITION OF HAZING

JICFA-E HAZING

JICFB BULLYING PREVENTION

JICH ALCOHOL, TOBACCO AND DRUG USE BY STUDENTS PROHIBITED

JIE PREGNANT STUDENTS

JIH SEARCHES AND INTERROGATIONS

JII STUDENT COMPLAINTS AND GRIEVANCES

JJ CO-CURRICULAR AND EXTRACURRICULAR ACTIVITIES

JJA STUDENT ORGANIZATIONS

JJE STUDENT FUND-RAISING ACTIVITIES

JJF STUDENT ACTIVITY ACCOUNTS

JJH SCHOOL SPONSORED TRIPS AND STUDENT TRAVEL

JJIB INTERSCHOLASTIC ATHLETICS

JJICA ATHLETIC USER FEE POLICY

JJIF ATHLETIC CONCUSSION POLICY

JJIF-R ATHLETIC CONCUSSION REGULATIONS

JK STUDENT CONDUCT

JKA CORPORAL PUNISHMENT

JKAA PHYSICAL RESTRAINT OF STUDENTS

JL STUDENT WELFARE

JLC STUDENT HEALTH SERVICES AND REQUIREMENTS

JLCA PHYSICAL EXAMINATIONS OF STUDENTS

JLCB IMMUNIZATION OF STUDENTS

JLCC COMMUNICABLE DISEASES

JLCD ADMINISTERING MEDICINES TO STUDENTS

JLCE MANAGEMENT OF LIFE THREATENING FOOD ALLERGIES

JLIC DEPLOYMENT OF CROSSING GUARDS

JP STUDENT GIFTS AND SOLICITATIONS

JQ STUDENT FEES, FINES, AND CHARGES

JRA STUDENT RECORDS

JRD STUDENT PHOTOGRAPHS

File: JA - STUDENT POLICIES GOALS

The student is the focal point of all operations of a school system. This top priority is shared with no one.

Consequently, the School Committee can expect to spend much of its time in study, deliberation, and policy formulation on matters directly related to students.

The Committee and staff will work together to establish an environment conducive to the very best learning achievements for each student through meeting the following goals regarding students:

1. To individualize the learning program in order to provide appropriately for each student according to his/her specific background, capabilities, learning styles, interests, and aspirations.
2. To protect and observe the legal rights of students.
3. To enhance the self-image of each student by helping him/her feel respected and worthy through a learning environment that provides positive encouragement through frequent success.
4. To provide an environment of reality in which students can learn personal and civic responsibility for their actions through meaningful experiences as school citizens.
5. To deal with students in matters of discipline in a just and constructive manner.
6. To provide in every way possible for the safety, health, and welfare of students.
7. To promote faithful attendance and good work.

LEGAL REF.: 603 CMR [26:00](#)

File: JB - EQUAL EDUCATIONAL OPPORTUNITIES

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

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

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

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

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

LEGAL REFS.: Title VI, Civil Rights Act of 1964

Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972

Executive Order 11246, as amended by E.O. 11375

Title IX, Education Amendments of 1972

M.G.L. [76:5](#); [76:16](#) (Chapter 622 of the Acts of 1971)

BESE regulations 603 CMR [26:00](#)

BESE regulations 603 CMR [28.00](#)

The McKinney-Vento Act and Title I Part A, as Amended by the Every Student Succeeds Act of 2015

CROSS REF.: [AC](#) - Nondiscrimination

File: JBB - EDUCATIONAL EQUITY

Educational equity in the Andover Public Schools is achieved when a student's identity no longer predicts, in a statistical sense, how that student fares in the district. Educational equity includes the elimination of policies, practices, attitudes, and cultural messages that reinforce differential outcomes by the student's identity and the inclusion of targeted methods, practices, and approaches to support identity-safe classrooms and schools. This policy aims at providing all students, as reasonably practical, the high-quality instruction and support they need to reach and exceed a common standard.

To achieve educational equity, the district will commit to:

1. Raise the achievement of all students by dismantling barriers that impede student access and providing multiple pathways to academic achievement.
2. Ensure equitable access to rigorous and advanced-level academic coursework, as well as social-emotional learning opportunities that prepare all students for graduation and success in a diverse local, national, and global community.
3. Systematically, when appropriate, use districtwide and individual school-level data, disaggregated by race/ethnicity, gender/gender identity, national origin, language, special education, socioeconomic status, and mobility to inform district decision making in order to eliminate educational inequities.

In order to reach the goal of educational equity, as reasonably practical, for each and every student, the District shall:

1. Provide every student with equitable access to high-quality anti-racist and culturally responsive curriculum, support, and other educational resources.
2. Promote professional development in the areas of equity and access, anti-racist and culturally responsive curriculum and instructional practices.
3. Endeavor to create schools with a welcoming and inclusive culture and environment.
4. Create systems to increase the hiring of faculty and staff so that the district personnel reflects the racial and ethnic diversity of the student body.

The Superintendent shall include equity practices in the district's strategic plan and goal strategies to implement this policy. The Superintendent, upon request, will periodically report to the Committee the progress of the implementation of this policy.

CROSS REFS: [AB](#) - THE PEOPLE AND THEIR SCHOOL DISTRICT

[AC](#) - NONDISCRIMINATION AND HARASSMENT PREVENTION

[GCF](#): PROFESSIONAL STAFF HIRING

[JB](#) - EQUAL EDUCATIONAL OPPORTUNITIES

[JI](#) - STUDENT RIGHTS AND RESPONSIBILITIES

SOURCE: ANDOVER

ADOPTED: June 2020

File: JC - ATTENDANCE AREAS

Attendance areas for the various schools of the town will be drawn up by the Superintendent and approved by the School Committee. The primary considerations that govern the establishment of a school attendance area are school capacity and transportation considerations. Generally, students will attend the school in the attendance area in which they live.

In establishing an attendance area, the following general guidelines will also be applied:

1. Use of safe walking conditions consistent with the Committee's transportation policies; where possible, major traffic thoroughfares and natural barriers will be used for boundaries.
2. Honoring community of interest; where possible, school attendance zones will incorporate community patterns.

From time to time an overcrowded condition in an existing school, the development of new residential areas, or the opening of a new school may require the establishment or change of previously established school attendance areas.

The Committee will confer with community representatives prior to setting new attendance lines. However, the Committee's primary basis for judgment must be equality of educational opportunity for all students rather than the personal desires of any one group.

The Superintendent is authorized to make exceptions to attendance lines for individual children in the best interests of the student and/or the school.

LEGAL REFS.: M.G.L. [71:37C](#); [71:37D](#); [71:37I](#); [71:37J](#)

603 CMR [17.00](#)

603 CMR [26.00](#)

CROSS REF.: [JCA](#), Assignment of Students to Schools

File: JCA - ASSIGNMENT OF STUDENTS TO SCHOOLS

Generally, students will be required to attend school in the attendance area in which they reside, unless the Superintendent has granted special permission.

Special permission may be granted for the following reasons:

1. If the change involves a hardship case or if there are medical considerations.
2. If the change appears to be in the interests of the student(s), of the schools, or for disciplinary or administrative reasons.
3. If the legal residence of a child changes from one attendance area to another during the school year and the parent/guardians wish the child to remain in his former school; permission will not extend beyond the current school year.
4. To permit secondary school students to take courses not offered in their assigned schools.

If there is over enrollment in a grade level at any of the elementary schools, the elementary school principals will assign any student who registers for kindergarten through Grade 5 on or after June 1 to a school that has not reached maximum class size per policy.

School bus transportation will not be provided for students attending schools outside their attendance area unless they can be accommodated on existing bus routes and schedules or a hardship is involved; or unless specific permission is granted by the Superintendent.

LEGAL REFS.: M.G.L. [71:37C](#); [71:37D](#); [71:37I](#); [71:37J](#)

603 CMR [17.00](#)

603 CMR [26.00](#)

CROSS REF.: [IIB](#), Classroom Staffing

[JC](#), Attendance Areas

File: JF - RESIDENCY, SCHOOL ADMISSIONS AND ENTRANCE AGE

All children of school age who actually reside in the Town of Andover will be entitled to attend the Andover Public Schools. "Actual residence" shall mean that the Town of Andover is the place which is most closely connected with the primary purpose of a dwelling and is the place where the child and his/her parent/guardians intend to remain permanently.

Temporary residence in a motel, hotel, or any other building in the Town of Andover does not constitute "actual residence". In such circumstances, however, the child may be allowed to enroll in accordance with the requirements and limitations of policy.

In circumstances where the child's parent/guardians do not live together the child's "actual residence" shall be that of the parent/guardian with sole physical custody. In a case of shared physical custody, the child's place of "actual residence" shall include the Town of Andover if at least one of the parent/guardians has "actual residence" in the Town of Andover. The terms "sole physical custody" and "shared physical custody" shall have the definitions set forth in law. The School District is entitled to documented legal proof of shared physical custody.

In circumstances where legal guardianship of a child has been legally established, the child shall be entitled to enroll if he/she lives with the guardian and the guardian has "actual residence" in the Town of Andover.

ENTRANCE AGE

1. Kindergarten: To be admitted to kindergarten, a child must be five years old on or before August 31 of the current year.
2. A physical examination by a physician before admission is required of all students.
3. A copy of the student's birth certificate is required before admission.
4. First Grade. To be admitted to the first grade, a child must be six years of age on or before August 31 of the current school year.
5. At the time of registration, parent or guardian must complete a "Affidavit of Residency" form for each student registered.
6. A child who moves to the Town of Andover from another community during his/her public school kindergarten year, will be allowed to continue in kindergarten and will be allowed to enter grade 1 of the following year, if the kindergarten year is successfully completed.
7. A child who moves to the Town of Andover during the summer following successful completion of public school kindergarten in another community will be allowed to enter Grade 1 in the coming year.

Exceptions:

1. These residency requirements shall not apply to the following:
 - a. Students who are entitled to attend the Andover Public Schools under the McKinney-Vento Homeless Assistance Act.
 - b. Andover High School seniors already enrolled in the Andover Public Schools, who move out of the Town on or after October 1st of a given school year, may complete the current school year provided they have made the Superintendent of Schools aware of the move in writing within thirty (30) business days of such move. Other students, in any school, who move out of the Town of

Andover on or after April 1st of a given school year may complete the current school year provided they have made the Superintendent of Schools aware of the move in writing within five (5) business days of such move. In all of the foregoing circumstances, students are responsible for their own travel arrangements to and from school after they move out of the Town of Andover.

c. Children of Andover Public School Teachers shall be allowed to attend the Andover Public Schools in accordance with law and the provisions enumerated in the collective bargaining Agreement between the Andover School Committee and the Andover Education Association. Such attendance shall be on a tuition-free basis provided that this benefit shall not apply to programs for which Andover residents are charged tuition, such as Pre-School, all-day kindergarten, before/after school programs or summer programs.

d. Non-resident international students shall also be allowed to enroll on a space available basis for both enrollment and course selection and contingent upon the following: (1) in accordance with state and federal laws, (2) under the provisions of programs sponsored by Rotary International, American Field Service, or a program approved in advance by the Superintendent, (3) requests must be received prior to July 1 to be considered for enrollment in the ensuing school year, except in unusual circumstances, (4) students on an F-1 visa may enroll only if they are in compliance with the conditions of the visa, and (5) prior to acceptance, a student must present a valid visa, evidence of health insurance, and evidence of a responsible family in the District with whom the international student is to reside.

The Superintendent shall receive applications from international students and may, at his/her discretion, require formal papers attesting to the health, character, motives, ability to communicate in English, and other criteria which he/she may deem pertinent.

The Andover Public Schools residency requirements, verification procedures, and consequences of falsifying or misrepresenting residency will be published in the Andover Public Schools Policy Manual and published in each school handbook.

SOURCE: ANDOVER Updated June 2020

LEGAL REFS: M.G.L. c. [15:1G](#); [76:1](#); [76:5](#); [76:6](#); [76:15](#); [76:15A](#);

603 CMR [26.00](#)

CROSS REFS.: [JFABD](#) - Homeless Students: Enrollment Rights and Services

[JFABE](#) - Educational Opportunities for Military Children

[JFABF](#) - Educational Opportunities for Children in Foster Care

[JFBB](#) - School Choice

[JLCA](#) - Physical Examination of Students

[JLCB](#) - Immunization of Students

File: JFA - ADMISSION PROCEDURES / RESIDENCY REQUIREMENTS

To be eligible to attend the Andover Public Schools (APS), a student must actually reside in Andover, unless one of the exceptions set forth in Policy JF applies. The residence of a minor child is ordinarily presumed to be the legal residence of the child's parent or legal guardian. The student's parent or legal guardian must submit at least one original document from each category listed below and any other documents that may be requested, including but not limited to those referenced categories. A parent, guardian, or student who is unable to produce the required documents should contact the Superintendent of Schools, who shall have discretion in the matter based on the facts and circumstances.

<i>Category 1</i> Evidence of Residency	Category 2 Evidence of Occupancy (2 proofs)	Category 3 Evidence of Identification)
Copy of Deed &/or a record of recent mortgage payment and/or property tax bill from the Town of Andover	Gas/Oil Bill or National Grid "Proof of Residency" Letter	Valid MA Driver's License
Copy of current lease and fully signed and executed Lease and/or Rental Agreement (Must be executed by both parties); record of the most recent rent payment	Electric Bill or National Grid "Proof of Residency" Letter	Valid MA Photo ID Card
Proof of tenancy-at-will	Home (not cell) Telephone Bill	Valid Passport
Fully signed and executed Purchase and Sale (P&S) Agreement (provided occupancy date occurs within 30 days of enrollment) and documentation of financing.	Cable Bill or Water Bill; Home/renters insurance bill (Bill must be dated within the past 45 days and address and name must be stated)	Other Government Issued Photo ID
Section 8 Agreement	Affidavit of Residency must be notarized prior to student's enrollment.	W-2 form that show the current address; payroll stub dated within past 45 days; bank statement listing current address

The Principal, or his/her designee, shall verify the home address and home telephone number of each student at least once during the school year. Any irregularities shall be reported promptly to the Superintendent of Schools

or her/his designee. Parents/legal guardians are required to notify the school of any changes to their address or the address of the student within five business days of the change.

Enforcement

Should a question arise concerning any student's residency elsewhere while attending the Andover Public Schools, the student's residency will be subject to further inquiry and/or investigation. Such questions concerning residency may arise on the basis of incomplete, suspicious, or contradictory proofs of address; anonymous tips; correspondence that is returned to the Andover Public Schools because of an invalid or unknown address, or other grounds.

The Superintendent or designee, may request additional documentation, may use the assistance of School Department personnel, and/or may obtain the services of police or investigative agency personnel to conduct investigations into student residence, who will report his or her findings to the Superintendent of Schools, who shall make final determination of residency. Upon an initial determination by the Superintendent of Schools that a student is actually residing in a city or town other than the Town of Andover, the student's enrollment in Andover Public Schools shall be terminated immediately.

Penalties

In addition to termination of enrollment and the imposition of other penalties permitted by law (M.G.L. c. 76, § 5), the Andover Public Schools reserves the right to recover restitution based upon the costs of educational services provided during the period of non-residency.

LEGAL REFS: M.G.L. c. [76:5](#); [76:6](#)

File: JFAA - ADMISSION OF POTENTIAL RESIDENTS

The School Committee may permit children of potential residents to attend school in the district subject to the following conditions and presentation of clear and documented evidence of intent to establish actual residence in the district (as defined in Policy JF):

1. A student whose parents or legal guardian are planning to move into an existing dwelling in the district during the first or second grading period of a school year may be granted provisional permission to enroll in the district schools at the beginning of that grading period, provided that the anticipated date of residence is within 60 calendar days of the beginning of the grading period. The parents or legal guardian must provide the anticipated date of residence and in support must produce an executed lease or an executed purchase and sale agreement with documentation of financing consistent with that anticipated date, as well as an executed affidavit in a form satisfactory to the Superintendent verifying the information.
2. A student whose parents or legal guardian are planning to establish residence in a newly-constructed dwelling in the district during the school year may be granted provisional permission to enroll in the district schools at the beginning of a grading period, provided that the anticipated date of residence is within 60 calendar days of the beginning of the grading period. The parents or legal guardian must provide the anticipated date of residence and in support must produce a certificate of occupancy consistent with that anticipated date, as well as an executed affidavit in a form satisfactory to the Superintendent verifying the information.
3. If a student is allowed to enroll in accordance with either of paragraphs 1 or 2, above, the parents or legal guardian shall be responsible for the student's transportation to and from school until actual residence is established.
4. In either of the circumstances described in paragraphs 1 or 2, above, in which actual residence is not established by the last date of the grading period, there shall be no entitlement to enrollment for the next grading period; continued enrollment shall be denied; and the student shall be required to transfer to the district of actual residence. The foregoing shall be subject to the discretion of the Superintendent in cases of extraordinary circumstances or undue hardship, based on the Superintendent's assessment of the facts consistent with the residency standards set forth in this Policy Manual.
5. A copy of this Policy shall be given to the parents or legal guardian at the time of enrollment and they shall be required to sign a form acknowledging that they have read this Policy, that they fully understand all of its terms and requirements, and that they agree to be bound by such terms and requirements.

LEGAL REFS: M.G.L. [76:5](#); [76: 6](#)

File: JFABC - ADMISSION OF TRANSFER STUDENTS FROM CHARTER SCHOOLS

The school district will enroll and place students who have left Commonwealth charter schools by adhering to the same policies and procedures in place for any other student enrolling in the school district including, but not limited to, examination of the course of study and level of academic attainment of the student when determining the student's appropriate grade placement or eligibility for high school graduation.

To the same extent provided for other students enrolling in the school district, students who enroll in the school district from a Commonwealth charter school shall be subject to the graduation requirements of the school district, may have certain graduation requirements waived, and may make-up certain graduation requirements.

LEGAL REFS.: Chapter [12](#), [Section 11](#) of the Acts of 2010

File: JFABD - HOMELESS STUDENTS: ENROLLMENT RIGHTS AND SERVICES

As required by law, the district will work with homeless children and youth and unaccompanied youth¹ (collectively, "homeless students") as well as their families or legal guardians to provide stability in school attendance and other services. Special attention will be given to ensuring the enrollment and attendance of homeless students not currently attending school. Homeless students will be provided district services for which they are eligible, including Head Start and comparable pre-school programs, Title I, similar state programs, special education, bilingual education, vocational and technical education programs, gifted and talented programs, school nutrition programs, summer programming and extracurricular activities.

Homeless students are defined as lacking a fixed, regular and adequate nighttime residence, including:

1. Sharing the housing of other persons due to loss of housing, economic hardship, or similar reason;
2. Living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations;
3. Living in emergency or transitional shelters;
4. Being abandoned in hospitals;
5. Living in public or private places not designed for or ordinarily used as regular sleeping accommodations for human beings;
6. Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations or similar settings; and
7. Migratory children living in conditions described in the previous examples.

Students Remaining in Schools of Origin

It is presumed to be in the best interest of homeless students to remain in their schools of origin, i.e. the school that the student was attending at the time he or she became homeless, or the last school the student attended prior to becoming homeless. Homeless students may continue to attend their school of origin for as long as they remain homeless or until the end of the academic year in which they obtain permanent housing. For homeless students who complete the final grade level served by the school of origin, the term "school of origin" shall also include the receiving school in the same school district educating students at the next grade level.

Homeless students are entitled to transportation comparable to that provided for all other students attending school in the district. The district will transport students who are sheltered or temporarily residing within the district to the students' school of origin. For homeless students attending a school of origin located outside the district in which the student is sheltered or temporarily residing, the district in which the school of origin is located will coordinate with the district in which the student is sheltered or temporarily residing to provide the transportation services necessary for the student, and these districts will divide the cost equally. Formerly homeless students who find permanent housing mid-school year will continue to receive transportation services until the end of the school year.

Students Enrolling in District Where Sheltered or Temporarily Residing

Parents or guardians may elect to enroll homeless students in the school district in which the student is sheltered or temporarily residing, rather than having the student remain in the school of origin. Enrollment changes for homeless students should take place immediately.

If homeless students are unable to provide written proof of their shelter or temporary residence in the district, the homeless liaison will work with the family seeking enrollment to determine homelessness. Information regarding a homeless student's living arrangement shall be considered a student education record, and not directory information. Records containing information about the homeless student's living arrangement may not be disclosed without the consent of the parent or satisfaction of another student-privacy related exemption.

If the student does not have immediate access to immunization records, the student shall be permitted to enroll under a personal exception. Students and families should be encouraged to obtain current immunization records or immunizations as soon as possible, and the district liaison is directed to assist. Emergency contact information is required at the time of enrollment consistent with district policies, including compliance with the state's address confidentiality program when necessary. After enrollment, the district will immediately request available records from the student's previous school.

Attendance rights by living in attendance areas, other student assignment policies, or intra and inter-district choice options are available to homeless families on the same terms as families who reside in the district. Accordingly, the district will provide transportation services to school in a manner comparable to the transportation provided for all other students in the district.

Dispute Resolution

If the district disagrees with a parent or guardian's decision to keep a student enrolled in the school of origin and considers enrollment in the district where the student is sheltered or temporarily residing to be in the student's best interest, the district will explain to the parent, in writing and in a language the parent can understand,² the rationale for its determination and provide parent with written notice of their rights to appeal the district's determination to the Massachusetts Department of Elementary and Secondary Education³. During the pendency of any such appeal, the student should remain enrolled in the school selected by the parent or guardian, receiving transportation to school and access to other available services and programs.

The Massachusetts Department of Elementary and Secondary Education's Advisory on Homeless Education Assistance contains additional information about educating homeless students and the appeal process. This advisory is available at the following link: <http://www.doe.mass.edu/mv/haa/mckinney-vento.docx>

Homeless Liaison

The Superintendent shall designate an appropriate staff person to be the district's liaison for homeless students and their families. The district's liaison for homeless students and their families shall coordinate with local social service agencies that provide services to homeless children and youths and their families; other school districts on issues of transportation and records transfers; and state and local housing agencies responsible for comprehensive housing affordability strategies. This coordination includes providing public notice of the educational rights of homeless students in locations such as schools, family shelters and soup kitchens. The district's liaison will also review and recommend amendments to district policies that may act as barriers to the enrollment of homeless students. The liaison shall ensure district staff receive professional development and other support on issues involving homeless students.

LEGAL REFS.: The McKinney-Vento Act and Title I, Part A, as Amended by the Every Student Succeeds Act of 2015

SOURCE: MASC October 2019

APPROVED May 28, 2020

File: JFABE - EDUCATIONAL OPPORTUNITIES FOR MILITARY CHILDREN

To facilitate the placement, enrollment, graduation, data collection, and provision of special services for students transferring into or out of the District because of their parents or guardians being on active duty in the U.S. Armed Services, the District supports and will implement its responsibilities as outlined in the Interstate Compact on Educational Opportunity for Military Children. The district believes it is appropriate to remove barriers to educational success imposed on children of military families resulting from frequent moves required by parents' or guardians' military deployment.

Definitions

Children of military families: School aged children, enrolled in kindergarten through 12th grade, in the household of an active duty member of the uniformed service of the United States, including members of the National Guard and Reserve serving on active duty.

Deployment: The period one month before the service members' departure from their home station on military orders through six months after return to their home station.

Education(al) records: Official records, files, and data directly related to a student and maintained by the school including, but not limited to, records encompassing all the material kept in the student's cumulative folder.

Eligible students are children of military families as well as the children of veterans who have been severely injured and medically discharged, and children of active duty personnel who died on active duty. Children of retired active duty personnel are also eligible to receive services for one year following the discharge due to severe injury, or the retirement or death of an active military parent. The Compact does not apply to children of inactive Guard or Reserves, veterans and retired personnel not included above, or U.S. Department of Defense personnel and other federal civil service employees and contract employees.

The District's responsibilities to eligible students include the following:

- Sending schools must send either official or unofficial records with the moving students and District receiving schools must use those records for immediate enrollment and educational placement.
- Upon enrollment of an eligible student, the receiving school must request official records and the sending schools shall respond within 10 days with the records.
- Immunization requirements of the District may be met within 30 days from the date of enrollment (or be in progress).
- Receiving schools must initially honor placement of students in all courses from the sending school. These include, but are not limited to, Honors, International Baccalaureate, Advanced Placement, vocational-technical, and career pathway courses if those courses are offered in the receiving school and space is available. The receiving schools must also initially honor placement of like programs to those of the student in the sending state, including, but not limited to, Gifted and Talented programs, and English as a Second Language programs. Receiving schools are not precluded from performing subsequent evaluation to ensure the appropriate placement and continued enrollment of the student in courses and programs.
- In compliance with federal law, the district will assume financial and programmatic responsibility for the special education programs of students with existing IEPs drafted in other states.
- As appropriate, the District will exercise the right to waive prerequisites for all courses and programs, while also maintaining its right to re-evaluate the student to ensure continued enrollment, also as deemed appropriate.

- Students of active duty personnel shall have additional excused absences, as necessary, for visitations relative to leave or deployment.
- An eligible student living with a noncustodial parent or other person standing in loco parentis shall be permitted to continue to attend the school in which he or she was enrolled while living with the custodial parent or guardian, without any tuition fee imposed.
- The District high school will accept exit or end-of-year exams required from the sending state, national norm-referenced tests, or alternate testing instead of testing requirements for graduation in the District (receiving state.) If this is not possible, the alternative provision of the Interstate Compact shall be followed to facilitate the on-time graduation of the student in accordance with Compact provisions.

LEGAL REFS: M.G. L. [15E](#);

Interstate Compact on Educational Opportunity for Military Children

SOURCE: MASC October 2019

APPROVED May 28, 2020

File: JFABF - EDUCATION OPPORTUNITIES FOR CHILDREN IN FOSTER CARE

The purpose of this policy is to ensure the educational stability of students in foster care. Educational stability has a lasting impact on students' academic achievement and wellbeing, and the School Committee is committed to supporting all efforts to ensure that students in foster care have equal access to high-quality, stable educational experiences from preschool (if offered) through high school graduation.

Irrespective of the location of a foster care placement, students in foster care will continue to attend their school of origin, unless after a collaborative decision-making process, it is determined to be in the student's best interest to enroll in and attend school in the district in which the student resides in foster care. Enrollment of students in the district where they reside in foster care will take place immediately upon such a determination.

The district has designated a point of contact for students in foster care. The district and the point of contact will collaborate with DCF to ensure that students can access transportation and the other services to which they may be entitled.

Best Interest Determination

Decisions about whether a student in foster care should continue to attend the school of origin should be made collaboratively by DCF, the student (as appropriate), the student's family and/or foster family (or, if different, the person authorized to make educational decisions on behalf of the student), the school and district of origin, and (when appropriate) the local district where the student is placed. Best interest determinations should focus on the needs of each individual student and account for unique factors about the student and his or her foster care placement. Every effort should be made to reach agreement regarding the appropriate school placement of a student in foster care; however, DCF will finalize the best interest determination if the relevant parties cannot agree on the best school for the student to attend.

The district can seek review of DCF's decision by utilizing a Foster Care School Selection Dispute Resolution Process established by DESE and DCF. Decisions made through this process are not subject to review. To the extent feasible and appropriate, the district will ensure that a child remains in his or her school of origin while the disputes are being resolved to minimize disruptions and reduce the number of moves between schools.

Transportation

The district of origin must collaborate with DCF on how transportation will be arranged and provided to ensure that students in foster care who need transportation to remain in their school of origin will receive such transportation while they are in foster care.

Transportation options may include using Title I funds, establishing regional collaborations among districts, coordinating with existing routes for transportation, seeking help from foster parent(s), etc. Absent other agreements between the district and DCF, the district of origin is responsible for providing transportation to and from the school of origin.

Immediate Enrollment

If it is in the best interest of a student in foster care to leave the school of origin, the student must be immediately enrolled in the district in which he or she resides in foster care. During enrollment of students in foster care, DCF representatives will present the district with a form indicating that the student is in foster care, along with a state-agency identification badge.

If the student does not have immediate access to immunization records, the student shall be permitted to enroll under a personal exception. Students and families should be encouraged to obtain current immunization records or immunizations as soon as possible, and the district liaison is directed to assist. Emergency contact information is required at the time of enrollment consistent with district policies, including compliance with the

state's address confidentiality program when necessary. After enrollment, the district will immediately request available records from the student's previous school.

Attendance rights by living in attendance areas, other student assignment policies, or intra and inter-district choice options are available to students in foster care (homeless families) on the same terms as families who reside in the district. Accordingly, the district will provide transportation services to school in a manner comparable to the transportation provided for all other students in the district.

LEGAL REFS: Every Student Succeeds Act (ESSA);

Fostering Connections to Success and Increasing Adoptions Act of 2008 (Fostering Connections Act)

SOURCE: MASC October 2019

APPROVED May 28, 2020

File: JFBB - SCHOOL CHOICE

It is the policy of this school district not to admit nonresident students under the terms and conditions of the Interdistrict School Choice Law. This decision must be reaffirmed annually prior to June 1st by a vote of the School Committee following a public hearing. In the event the School Committee votes to participate, the following local conditions would apply:

1. That by May 1 of every school year, the administration will determine the number of spaces in each school available to choice students.
2. That by June 1 of every school year, a public hearing will be held to review participation in the school choice program.
3. That resident students be given priority placement in any classes or programs within the district.
4. That the selection of nonresident students for admission when the number of requests exceeds the number of available spaces be in the form of a random drawing. There will be two drawings for this purpose. The first will take place during the last week of the current school year but no later than July 1st. The second will be conducted during the week immediately preceding the opening of the next school year and will be based on the possibility of unexpected additional openings.
5. Any student who is accepted for admission under the provisions of this policy is entitled to remain in the district until graduation from high school except if there is a lack of funding of the program.
6. The School Committee affirms its position that it shall not discriminate in the admission of any child on the basis of race, color, religion, national origin, immigration status, sex, gender identity, age, homelessness, sexual orientation, ancestry, athletic performance, physical handicap, special need, pregnancy, pregnancy related condition, academic performance or proficiency in the English language.

LEGAL REFS.: M.G.L. [71:6](#); [71:6A](#); [76:6](#); [76:12](#); [76:12B](#)

BESE Regulations 603 CMR [26.00](#)

SOURCE: MASC February 2019

UPDATED: June 2020

File: JH - STUDENT ABSENCES AND EXCUSES

Regular and punctual school attendance is essential for success in school. The Committee recognizes that parent/guardians 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: illness or quarantine; bereavement or serious illness in family; weather so inclement as to endanger the health of the child; and observance of major religious holidays.

A child may also be excused for other exceptional reasons with approval of the Principal or designee.

The School Committee does not condone family or student vacations while school is in session.

A student's understanding of the importance of day-to-day schoolwork is an important factor in the shaping of their character. Parent/guardians can help their children by not allowing them to miss school needlessly. Accordingly, parent/guardians will provide a written explanation for the absence or 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 justified.

Student Absence Notification Program

Each Principal or designee will notify a student's parent/guardian within 3 days of the student's absence in the event the parent/guardian has not informed the school of the absence.

Each Principal or designee shall make a reasonable effort to meet with any student, and that student's parent/guardian, who has missed five (5) or more unexcused school days (a school day shall be equal to two (2) or more class periods in the same day) in a school year. The meeting shall be to develop action steps to improve student attendance and shall be developed jointly by the Principal or designee, the student, and the student's parent/guardian. The parties may seek input from other relevant school staff and/or officials from relevant public safety, health and human service, housing, and nonprofit agencies.

Dropout Prevention

A student who has not graduated from high school and has been absent from school for ten (10) consecutive days of unexcused absence shall not be considered permanently removed from school unless the Principal has sent notice to the student and that student's parent/guardian. The notice shall be sent within five (5) days of the tenth consecutive day of absence and shall offer at least 2 dates and times within the next ten (10) days for an exit interview with the Superintendent or designee, the student, and the student's parent/guardian. The notice shall be in both English and the primary language of the home, if applicable. The notice shall include contact information for scheduling the exit interview and shall indicate the parties shall reach an agreement on the date/time of the interview within the ten (10) day timeframe. The timeframe may be extended at the request of the parent/guardian and no extension shall exceed 14 days.

The Superintendent or designee may proceed with any interview without a parent/guardian present, provided the Superintendent has documented a good faith effort to include the parent/guardian.

The Superintendent or designee shall convene a team of school staff to participate in the exit interview and shall provide information to the student and, if applicable, the student's parent/guardian on the detrimental effects of early withdrawal from school and the alternative education programs and services available to the student.

LEGAL REFS.: M.G.L. [76:1](#); [76:1B](#); [76:16](#); [76:18](#); [76:20](#)

File: JHD - EXCLUSIONS AND EXEMPTIONS FROM SCHOOL ATTENDANCE

Denial of Admission

Denial of admission means the withholding of the privilege of enrolling in a school of the District.

The following shall be the grounds for denial of admission to school or diversion to an appropriate alternative program:

Graduation from the twelfth grade of any school or receipt of any document evidencing completion of the equivalent of a secondary curriculum;

Failure to meet the requirements of age by a student who has reached the age of six years at a time after the beginning of the school year, as fixed by the School Committee as provided in Massachusetts General Laws;

Not being a resident of the District and the District has opted not to participate in the School Choice Law;

Failure to comply with the provisions of the Massachusetts School Entry Immunization Law.

CROSS REFS: [JLCB](#) Immunization of Students

LEGAL REFS.: M.G.L. [71:37H](#); [76:12](#); [76:12A](#); [76:12B](#)

603 CMR [26:00](#)

File: JI - STUDENT RIGHTS AND RESPONSIBILITIES

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

Among these rights and responsibilities are the following:

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

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

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

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

LEGAL REFS.: M.G.L. [71:37H](#); [71:82](#) through [71:86](#)

File: JIB - STUDENT INVOLVEMENT IN DECISION-MAKING

As appropriate to the age of students, class or school organizations and school government organizations, such as student councils, may be formed to offer practice in self-government and to serve as channels for the expression of students' ideas and opinions.

The Committee will take into consideration student opinions in establishing policies that directly affect student programs, activities, privileges and other areas of student sensitivity.

Students will be welcomed at Committee meetings and granted privileges of speaking in line with the privileges extended to the general public.

Student Advisory Committee

As required by state law, the Committee will meet at least once every other month while school is in session with its student advisory committee, which is composed of five students elected by the high school student body. The chair of the student advisory committee shall be an ex-officio nonvoting member of the School Committee without the right to attend executive sessions unless such right is expressly granted by the School Committee.

LEGAL REF.: M.G.L. [71:38M](#)

CROSS REF.: [BDF](#), Advisory Committees to the School Committee

File: JIC - STUDENT DISCIPLINE

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

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

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

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

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

Suspension

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

Notice of Suspension:

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

Emergency Removal

A Principal may remove a student from school temporarily when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the Principal's judgment, there is no alternative available to alleviate the danger or disruption. The Principal shall immediately notify the Superintendent in writing of the removal including a description of the danger presented by the student.

The temporary removal shall not exceed two (2) school days following the day of the emergency removal, during which time the Principal shall: Make immediate and reasonable efforts to orally notify the student and the student's parent/guardian of the emergency removal, the reason for the need for emergency removal, and the other matters required in the notice as referenced in the applicable regulation; Provide written notice to the student and parent/guardian as required above; Provide the student an opportunity for a hearing with the Principal that complies with applicable regulations, and the parent/guardian an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by

the Principal, student, and parent/guardian; Render a decision orally on the same day as the hearing, and in writing no later than the following school day, which meets the requirements of applicable law and regulation.

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

In School Suspension - not more than 10 days consecutively or cumulatively

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

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

Principal's Hearing - Short Term Suspension of up to 10 days

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

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

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

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

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

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

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

Principal's Hearing - Long Term Suspension of more than 10 days but not more than 90 days (consecutive or cumulative)

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

At a minimum, in addition to the rights afforded a student in a short-term suspension hearing, the student shall have the following rights: In advance of the hearing, the opportunity to review the student's record and the documents upon which the Principal may rely in making a determination to suspend the student or not; The right

to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense; The right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so; The right to cross-examine witnesses presented by the school district; The right to request that the hearing be recorded by the Principal, and to receive a copy of the audio recording upon request. If the student or parent/guardian 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/guardian upon request.

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

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

If the Principal decides to suspend the student, the written determination shall: Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing; Set out the key facts and conclusions reached by the Principal; Identify the length and effective date of the suspension,

as well as a date of return to school; Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school as required by law and regulation; Inform the student of the right to appeal the Principal's decision to the Superintendent or designee, but only if the Principal has imposed a long-term suspension. Disciplinary appeals under M.G.L. c. [71, § 37H](#) (assault on school staff, possession of a dangerous weapon, possession of a controlled substance) and M.G.L. c. [71, § 37H ½](#) (felony complaint or conviction) shall be heard directly by the Superintendent and not by a designee.

Notice of the right of appeal shall be in English and the primary language of the home if other than English, or other means of communication where appropriate, and shall include the following information: The process for appealing the decision, including that the student or parent/guardian must file a written notice of appeal with the Superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent/guardian may request and receive from the Superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days; and that the long-term suspension will remain in effect unless and until the Superintendent decides to reverse the Principal's determination on appeal.

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

Superintendent's Hearing

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

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

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

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

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

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

Expulsion

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

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

Any student expelled from school for such an offense shall be afforded due process rights to a hearing with the Principal and appeal to the Superintendent in accordance with this policy.

Academic Progress

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

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

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

The Principal shall notify the parent/guardian and student of the opportunity to receive education services at the time the student is expelled or placed on long-term suspension. Notice shall be provided in English and in the primary language spoken in the student's home if other than English, or other means of communication where appropriate. The notice shall include a list of the specific education services that are available to the student and contact information for a school district staff member who can provide more detailed information.

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

Reporting

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

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

SOURCE: ANDOVER - Updated June 2020

LEGAL REF: M.G.L. [71:37H](#); [71:37H ½](#); [71:37H ¾](#); [76:17](#); 603 CMR [53.00](#)

NOTE: The DESE regulations on student discipline and this policy, consistent with law, set forth the minimum procedural requirements applicable to the suspension of a student for a disciplinary offense other than: possession of a dangerous weapon; possession of a controlled substance; assault on a member of the educational staff; or a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a Principal determines that the student's continued presence in the school would have a substantial detrimental effect on the general welfare of the school, as provided in M.G.L. c. [71, S. 37H](#) or [37H ½](#). The Principal, pursuant to the previously referenced statute may remove a student who has committed any of the disciplinary offenses above referenced from school for more than 90 days in a school year. Except that the removal from school for such offenses is subject to the provision of continuing educational services needed to make academic progress and, the requirement that all school districts regardless of the type of offense shall report school discipline data and analysis to DESE. Also, the prohibited actions above referenced are subject to the provision that allows the Commissioner to investigate each school that has a significant number of students suspended and expelled for more than 10 cumulative days in a school year and to make recommendations thereon.

File: JICA - STUDENT DRESS CODE

The responsibility for the dress and appearance of the students will rest with individual students and parent/guardians.

They have the right to determine how the student will dress providing that attire is not destructive to school property, complies with requirements for health and safety, and does not cause disorder or disruption. The administration is authorized to take action in instances where individual dress does not meet the stated requirements.

This does not mean that student, faculty, or parent/guardian groups may not recommend appropriate dress for school or special occasions. It means that students will not be prevented from attending school or a school function, or otherwise be discriminated against, so long as their dress and appearance meet the requirements set forth above.

File: JICC (also [EEAEC](#)) - STUDENT CONDUCT ON SCHOOL BUSES

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

To ensure the safety of all students who ride in buses, it may occasionally be necessary to revoke the privilege of transportation from a student who abuses this privilege. Parent/guardians of children whose behavior and misconduct on school buses endangers the health, safety, and welfare of other riders will be notified that their children face the loss of transportation privileges in accordance with regulations approved by the School Committee.

File: JICE - STUDENT PUBLICATIONS

Within the school setting, students enjoy the constitutional right of freedom of expression, including the right to express their views in student publications, provided such expression does not cause, or threaten to cause by reasonable forecast by school officials, any disruption or disorder in the school. Additionally, such constitutional right of freedom of expression does not include expression which is obscene, defamatory, or advocates violence or illegality where such advocacy is imminently likely to incite the commission of such acts to the detriment of school security, or which can reasonably be forecast to cause substantial disruption or material interference with school activities.

The School Committee will encourage student publications not only because they offer an educational activity through which students gain experience in reporting, writing, editing, and understanding responsible journalism, but also because they provide an opportunity for students to express their views subject to the limitations as contained in this policy.

Student publications will be encouraged to comply with the rules for responsible journalism. Students shall affix their names to all articles or editorials written by or contributed to by them. The Superintendent will establish guidelines that are in keeping with this policy and provide for review of student publications prior to their distribution, to address matters that are not protected forms of expression.

Each student publication shall contain the following: "Pursuant to state law, no expression made by students in the exercise of such rights shall be deemed to be an expression of school policy and no school officials shall be held responsible in any civil or criminal action for any expression made or published by the students."

Distribution of Literature

The time, place and manner of distribution of literature will be reasonably regulated by the Principal.

LEGAL REF.: M.G.L. [71:82](#)

File: JICF - GANG ACTIVITY/SECRET SOCIETIES

The goal of the School Committee is to keep District schools and students free from the threats or harmful influence of any gang. For purposes of this policy, gang is defined as any group, secret society, organization or association that advocates drug use, violence, ethnic intimidation, or disruptive or illegal behavior. The Principal or his/her designee shall maintain supervision of school premises to deter intimidation of students and confrontations between members of different gangs.

The Superintendent shall establish open lines of communication with local law enforcement agencies so as to share information and provide mutual support in this effort within appropriate legal guidelines.

The Superintendent shall provide in-service training to help staff members identify gangs and gang symbols, recognize early manifestations of disruptive activities, and respond appropriately. Staff members shall be informed about conflict management techniques and alerted to intervention measures and community resources that may help students.

Symbols

The School Committee finds that gang symbols are inherently disruptive to the educational process, and therefore prohibits the presence of any insignia, apparel, jewelry, accessory, notebook or other school supply, or manner of grooming which by virtue of its color, arrangement, trademark, or any other attribute denotes membership in gangs. The School Committee further prohibits any demonstration of gang membership through the use of hand gestures, graffiti, or printed materials. This policy shall be applied by the Principal or his/her designee as the need for it arises at individual school sites. A student may be suspended for failure to comply with the provisions of this policy.

Prevention Education

The School Committee realizes that students may become involved in gangs without understanding the consequences of such membership. Early intervention is a key component of efforts to break the cycle of such memberships. Therefore, gang violence prevention information shall be made available in the elementary, middle, and high schools as appropriate.

SECRET SOCIETIES

Fraternities, sororities and/or secret societies shall not receive District or building recognition in any manner.

A student may be suspended for failure to comply with the provisions of this policy.

File: JICFA - PROHIBITION OF HAZING

In accordance with Massachusetts General Laws, 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 Principal, be suspended from school for up to ninety (90) school days.

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

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

SOURCE: ANDOVER - Updated June 2020

LEGAL REF.: M.G.L. [269:17](#), [18](#), [19](#)

File: JICFA-E - HAZING

CH. 269, S.17. CRIME OF HAZING; DEFINITION; PENALTY

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

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

CH. 269, S.18. DUTY TO REPORT HAZING

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

CH. 269, S.19. HAZING STATUTES TO BE PROVIDED; STATEMENT OF COMPLIANCE AND DISCIPLINE POLICY REQUIRED

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

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

File: JICFB - BULLYING PREVENTION

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

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

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

"Cyber-bullying" means bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, 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 the creation of a web page or blog in which the creator assumes the identity of another person or knowingly impersonates another person as author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying.

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

Bullying and cyber-bullying may occur in and out of school, during and after school hours, at home and in locations outside of the home. When bullying and cyber-bullying are alleged, the full cooperation and assistance of parent/guardians and families are expected.

For the purpose of this policy, whenever the term bullying is used it is to denote either bullying, or cyber-bullying.

Bullying is prohibited:

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

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

- create a hostile environment at school for the target;
- infringe on the rights of the target at school; and/or
- materially and substantially disrupt the education process or the orderly operation of a school.

Prevention and Intervention Plan

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

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

Reporting

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

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

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

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

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

Investigation Procedures

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

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

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

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

If the school Principal or a designee determines that bullying has occurred he/she shall take appropriate disciplinary action and if it is believed that criminal charges may be pursued against the perpetrator, the principal shall consult with the school's resource officer and the Superintendent to determine if criminal charges are warranted. If it is determined that criminal charges are warranted, the local law enforcement agency shall be notified.

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

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

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

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

Retaliation

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

Target Assistance

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

Training and Assessment

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

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

Publication and Notice

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

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

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

The bullying prevention and intervention plan shall be posted on the school district website.

LEGAL REFS.: Title VII, Section 703, Civil Rights Act of 1964 as amended

Federal Regulation 74676 issued by EEO Commission

Title IX of the Education Amendments of 1972

603 CMR [26.00](#)

M.G.L. [71:37O](#); [265:43](#), [43A](#); [268:13B](#); [269:14A](#)

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

CROSS REFS.: [AC](#), Nondiscrimination

[ACAB](#), Sexual Harassment

[JIC](#), Student Discipline

[JICFA](#), Prohibition of Hazing

File: JICH - ALCOHOL, TOBACCO, AND DRUG USE BY STUDENTS PROHIBITED

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

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

The school district shall utilize, in accordance with law, a verbal screening tool approved by the Department of Elementary and Secondary Education to screen students for substance abuse disorders. The tool shall be administered by trained staff on an annual basis at grades 7 and 9.

Parents/guardians shall be notified of the screening prior to the opening of school each year. Parents/guardians shall have the right to opt out of the screening by written notice prior to or during the screening.

All statements made by a student during a screening are confidential and shall not be disclosed except in the event of immediate medical emergency or in accordance with law. De-identified results shall be reported to the Department of Public Health within 90 days of the completion of the screening process.

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

LEGAL REFS.: M.G.L.[71:2A](#); [71:96](#); [71:97](#); [272:40A](#)

CROSS REFS.: [ADC](#), Tobacco Products on School Premises Prohibited

[IHAMB](#), Teaching About Drugs, Alcohol, and Tobacco

[GBEC](#), Drug-Free and Alcohol-Free Workplace Policy

[GBED](#), Tobacco Use on School Property By Staff Members Prohibited

File: JIE - PREGNANT STUDENTS

The School Committee wishes to preserve educational opportunities for those students who are pregnant and/or take on parenting responsibilities.

Pregnant students are permitted to remain in regular classes and participate in extracurricular activities with non-pregnant students throughout their pregnancy, and after giving birth are permitted to return to the same academic and extracurricular program as before the leave.

The school district does not require a pregnant student to obtain the certification of a physician that the student is physically and emotionally able to continue in school.

Every effort will be made to see that the educational program of the student is disrupted as little as possible; that health counseling services, as well as instruction, are offered; that return to school after leave is encouraged; and that every opportunity to complete high school is provided.

LEGAL REFS.: M.G.L. [71:84](#)

Title IX: 20 U.S.C. § 1681

34 CFR § 106.40(b)

File: JIH - SEARCHES AND INTERROGATIONS

Searches by Staff

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

Nevertheless, exercise of that authority by school officials places unusual demands upon their judgment so as to protect each child's constitutional rights to personal privacy and protection from coercion and to act in the best interest of all students and the schools.

Searches by school officials of students' automobiles or the student will be conducted in a way that protects the students' rights consistent with the responsibility of the school system to provide an atmosphere conducive to the educational process.

Interrogations by Police

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

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

File: JII - STUDENT COMPLAINTS AND GRIEVANCES

The School Committee recognizes that there may be conditions in the school system that are in need of improvement and that students should have some means by which their concerns may be effectively expressed, considered, and dealt with fairly. Such means, if well conceived and understood in advance, can do much to maintain harmonious relationships among the schools and the students and community. Every attempt will be made to seek a satisfactory solution to any concerns in a friendly and informal manner.

Students, and their parents and/or guardians, who believe that a student has received unfair treatment, may bring forward their grievance through the appropriate channels. Appeals of disciplinary cases will be required to follow the district's policy on student discipline. Any applicable provisions of the Massachusetts General Laws or federal law will be followed by school officials in conducting hearings.

CROSS REF: [JIC](#) Student Discipline; Student Handbooks

File: JJ - CO-CURRICULAR AND EXTRACURRICULAR ACTIVITIES

The School Committee believes that student activities are a vital part of the total educational program and should be used as a means for developing positive attitudes and good human relations and knowledge and skills. Therefore, the schools will provide a broad and balanced program of activities geared to the various ages, interests, and needs of students.

The following will serve as guides in the organization of student activities:

1. The schools will observe a complementary relationship to the home and community, planning activities with due regard for the widespread and rich facilities already available to students.
2. The assistance of parent/guardians in planning activity programs will be encouraged.
3. The goal for each student will be a balanced program of appropriate academic studies and activities to be determined by the school, the parent/guardians, and the student. This should be a shared responsibility.
4. Guidance will be offered to encourage participation of all students in appropriate activities and to prevent over-emphasis on extracurricular activities at the cost of academic performance.
5. All activities will be supervised; all clubs and groups will have a faculty advisor.

LEGAL REF.: M.G.L. [71:47](#)

603 CMR [26:06](#)

File: JJA - STUDENT ORGANIZATIONS

Student Organizations

Student organizations in the District shall be encouraged when they meet the criteria of contributing to student self-esteem and performance and should operate within the framework of state statutes, School Committee policies, and administrative procedures.

Each building Principal shall develop general guidelines for the establishment and operation of student organizations within the particular school. Among other provisions, such guidelines shall require the approval of the Principal and Superintendent prior to the formation of any club or organization in the school and the assignment of at least one faculty or designated adult advisor to each approved student organization. Within such guidelines will be provisions for a periodic review of all student organizations.

The Superintendent may seek counsel from the School Committee on the approval of a student organization.

All student organizations shall be required to open membership to all interested and/or eligible students. Disruptive groups, secret societies, and/or gangs shall not receive recognition in any manner under this policy (see also Policy [JICE](#)).

All forms of hazing in initiations shall be prohibited in a student organization. No initiation shall be held for a student organization which will bring criticism to the school system or be degrading to the student.

The faculty or designated adult advisor must attend every meeting of the student organization whether conducted on school premises or at another location.

Student Organizations - High Schools

In addition to the above requirements, all clubs or organizations at the high school level will relate to the subject matter covered by the curriculum. The Principal is responsible for determining that the purpose of a student organization is related to the curriculum. The Principal is authorized to deny requests by unauthorized student organizations desiring to meet or form in a particular school, the Principal shall inform the group of the reasons for the denial. The students and/or group may submit a written request to the appropriate District administrator for review of the Principal's decision.

Updated: June 2020

LEGAL REF.: 603 CMR [26.06](#)

CROSS REF: [JICE](#), Gang Activities/Secret Societies

File: JJE - STUDENT FUND-RAISING ACTIVITIES

While the School Committee recognizes that fundraising activities have become a part of the school environment at all levels, the Committee wishes to ensure that students are not exploited by the process and that their safety is protected to the maximum extent feasible.

The Committee supports student involvement in the sale of tickets to scheduled athletic events, school dramatic and musical performances, and other school events where sales are required. Also, student publications which require the sale of advertising to sustain themselves and serve the student body and/or the community may involve students in such sales.

Charitable fundraising activities, especially those that are part of a community service event or program are encouraged provided such proposals are submitted to and approved by the building Principal.

Other fundraising activities that wish to involve students in the fundraising process shall be submitted to the Superintendent or designee for approval. Effective at the beginning of the 2019-2020 school year, PAC, PTO and booster organizations that wish to involve students in fundraising activities shall make their submissions to the Superintendent or designee on an annual basis at least 30 days prior to the first student fundraising activity of the school year. Supplemental submittals may be made during the school year for student fundraising activities not covered by the original submittal. Such submittals shall:

- 1) Specify the student fundraising activities to be conducted by that organization during the school year;
- 2) Acknowledge that student participation in fundraising is voluntary, that no student will face a negative consequence if they decide not to participate, and that parent/guardian permission will be obtained prior to a student's participation in fundraising activities; and
- 3) Provide detail on how, for each student fundraising activity, student safety will be ensured, including provision that every student doing public fundraising will be paired with at least one other student, that adults will be present to closely supervise student fundraising, and that adults will collect money from students on a regular basis.

No student fundraising activity shall take place until the activity has been approved by the Superintendent or designee.

No money collections of any kind may be held in the schools without the specific consent of the Superintendent.

CROSS REFS.: [JP](#), Student Gifts and Solicitations

[KHA](#), Public Solicitations in the Schools

File: JJF - STUDENT ACTIVITY ACCOUNTS

Student funds may be raised to finance the activities of authorized student organizations. Student activity funds are considered a part of the total fiscal operation of the District and are subject to policies established by the School Committee and the Office of the Superintendent. The funds shall be only for the benefit of students and managed in accordance with sound business practices, which include accepted budgetary, accounting, and internal control practices. The Superintendent shall ensure that, annually, all Principals and student organizations receive a copy of this policy as well as a copy of established procedures for control of receipts and expenditures that meet or exceed DESE guidelines.

In compliance with Massachusetts General Law, the School Committee:

1. Authorizes the Principals to accept money for recognized student activity organizations, which currently exist, or as from time to time may be revised. All funds received for student activities must be deposited into the Student Activity Agency Account and no funds shall be directly deposited to a Student Activity Checking Account except from the Student Activity Agency Account.
2. Authorizes the Town or District Treasurer to establish and maintain a Student Activity Agency Account(s) which is to be audited as part of the Town's annual audit. The interest that is earned on such accounts shall be maintained in the Agency Account and distributed annually among the Student Activity Checking Accounts as directed by the procedures established by the Superintendent.
3. Authorizes Student Activity Checking Accounts for use by the Principals with specific maximum balances established annually for each school by vote of the School Committee. Payments for expenditures shall be made, whenever possible, by check, debit, or EFT directly from the Student Activity Checking Account. Reimbursements to personal credit card holders shall require the prior authorization of the Superintendent or designee. Signatory authorization for Student Activity Checking Accounts shall be restricted to the Principal and (Superintendent or Treasurer). Student Activity Checking Accounts shall be audited annually in accordance with DESE guidelines.
4. Directs Principals to provide the Treasurer with a bond in an amount agreeable to the Treasurer.
5. Shall annually, prior to the start of each school year, vote to establish or change the maximum balance that may be on deposit in each Student Activity Checking Account.

For accounts with maximum balance limits that exceed \$25,000.00, the School Committee shall consider, in accordance with DESE guidelines, that an audit be conducted by an outside audit firm every three years

Graduating Class Funds

Funds held on behalf of graduating classes are to be held within the Student Activity Checking Account for the High School. Such funds shall be designated by the class' Year of Graduation.

Once a class has graduated from High School, their funds should be removed from the High School Student Activity Checking Account no later than two years from the date of graduation. It is the responsibility of the class officers to arrange for these funds to be removed from the High School Activity Checking Account. When requested, and once all outstanding financial obligations of the graduating class have been met, the remaining balance should be removed from the fund by check transfer payable to the Class of XXXX. Checks payable to individual members of the graduating class are not permitted.

Should the class officers not request to have their funds removed from the Student Activity Checking Account within two years of their graduating, the funds will be forfeited by the class and transferred into the General Sub-fund portion of the Student Activity Agency Account. These funds will then be allocated by a vote of the School Committee.

Class officers should be given a copy of this policy during the course of their senior year to ensure their knowledge of their obligations to perform under this policy.

Inactive Student Activities

When a student activity ceases to be active for a period of three years or more the Principal or other authorized administrator shall require the following actions:

1. Obtain written notice from the faculty advisor or student officer that the activity will cease to be a viable account. If unable to obtain such notification the Principal shall request action to close the account from the School Committee.
2. Identify in writing all assets of the student activity. The disposition of any assets shall be determined by the School Committee and may not benefit specific individuals.
3. Annually notify all students of the required actions if an activity ceases to exist.

Student Activity Deficits

Individual student activity accounts are not permitted to be in a deficit position. Whenever a deficit exists that is not the result of timing, the Superintendent shall recommend remedial action to the School Committee in a timely manner.

LEGAL REFS: MGL [71:47](#)

CROSS REFS: [JJA](#) - Student Organizations

NOTE: DESE audit guidelines for Student Activity Checking Accounts require an annual audit. In regional districts these accounts may be a part of the annual audit by a third party auditor. In municipal districts the audits may be conducted by a district or municipal employee but not by the Principal, Treasurer, Superintendent, or any authorized signatory on the accounts. Districts with large numbers of schools may rotate the schools through the audit process.

File: JJH - SCHOOL-SPONSORED TRIPS AND STUDENT TRAVEL

The Andover School Committee recognizes that it is desirable and valuable, on occasion, to supplement and extend activities with voluntary and optional academic field trips, field work and domestic and international student travel to broaden the perspectives and educational experiences of students. The School Committee encourages activities that augment classroom instruction and promote healthy social development.

A. DEFINITIONS AND STANDARDS

The following definitions apply for the purpose of this policy:

- 1. Academic field work** trips include all off-campus trips organized as part of the class curriculum. There must be pre- and post-trip instructional activities and/or assessment. Participation of all members of the class is expected. Provisions for comparable instructional experiences during the school day must be made for students not on the academic field work trip.
- 2. Extracurricular school field trips** are those off-campus trips that are organized by a faculty sponsor or a school-sponsored club or group. These school trips can include domestic and international student travel. Participation is optional, voluntary, and not eligible for financial assistance.
- 3. Athletic or academic school trips** are those away competitions, games, matches, scrimmages, and training camps that are part of the official academic and/or athletic programs of the Andover Public Schools.
- 4. Overnight travel:** When an academic field work trip, an extracurricular school field trip, or an athletic and/or academic school trip is planned which requires a student to stay overnight away from home, or which involves travel that is to occur between midnight and 6:00 a.m., the procedures for planning and approving overnight trips apply. It is understood that overnight trips include all such travel within Massachusetts, in other states, and internationally.
- 5. Chaperones:** Any employee of the Andover Public School or parent/guardian, or any adult that attends a trip **and** is vested with the responsibility of monitoring student safety.
- 6. Trips** as referred to in this policy include all academic field work trips, extracurricular school field trips, and athletic or academic school trips, as defined above.

B. GENERAL CONDITIONS FOR APPROVAL - Domestic and International

Only trips meeting the following conditions are permitted. The sponsoring faculty member shall ensure that:

1. trips are appropriate for the age group involved in the activity;
2. trips are reasonable in terms of time, distance and cost;
3. extracurricular school field trips which involve overnight travel should occur during non-school time and in no event during the last fifteen (15) days of school;
4. trips are not scheduled during the MCAS examination periods for students taking the MCAS exams. If unique and special circumstances present an academic opportunity, the principal and superintendent will consider and evaluate each request with care;
5. trips are planned with careful consideration of student safety which includes, without limitation, an appropriate number of adult chaperones as specified in Section D of this policy and confirmation that all chaperones have approved Criminal Offender Record Information (CORI) checks on file with the

Superintendent;

6. students and parents, guardians, and chaperones will receive written notice that all Andover Public Schools policies on student behavior, student handbook rules and regulations, Massachusetts Interscholastic Athletic Association (MIAA) rules and regulations, and trip rules regarding student conduct will apply and be in effect at all times for academic field work trips, extracurricular school field trips, and athletic and academic school trips;

7. provisions are made for medical emergencies, including attending medical personnel, when necessary;

8. when school bus transportation is required, the school district's regular transportation contractor is utilized, if available. If the school district's regular transportation carrier is not available, only contractors licensed for passenger transportation by the Federal Motor Carrier Safety Administration (FMCSA) or the Department of Defense's approved list of motor carriers may be used. Carriers with an FMCSA or Department of Defense safety rating of "conditional" or "unsatisfactory" cannot be used. FMCSA carrier ratings are available online at <http://www.safer.fmcsa.dot.gov> by providing the carrier's D.O.T. identification number;

9. any contract with a private carrier prohibits the use of subcontractors unless approved by the Superintendent or his/her designee. The Superintendent or his/her designee shall not approve use of any subcontractor unless the subcontractor meets the criteria referenced above in item 8 (eight) of this section;

10. no student is denied the opportunity to participate in an academic field work trip because of the inability to pay within budgetary limits;

11. costs associated with an optional/voluntary extracurricular school field trip will be the responsibility of the individual student/family. Where appropriate, there may be fund raising to help defray costs. All fundraising must be done in compliance and accordance with Andover Public Schools and individual school policies;

12. should an emergency situation occur, the sponsoring faculty member is responsible for notifying the Principal by telephone as soon as possible but no later than twenty-four (24) hours after the emergency situation occurs. The faculty member is also responsible for notifying the parent/guardian of record by telephone, text, or email once the emergency situation stabilizes but no later than twenty-four (24) hours after the emergency situation occurs;

13. participants in activities shall wear safety equipment at all times which is appropriate to the specific activity, e.g., suitable helmets for bicycle and ski/snowboard trips;

14. trip cancellation insurance shall be made available for all multiple day out-of-state travel and international travel. Families are responsible for the cost of such insurance;

15. all chaperones on trips shall agree to adhere to Andover Public Schools school policies and codes of conduct.

C. AUTHORITY TO APPROVE/DISAPPROVE/CANCEL - Domestic and International

1. All school-sponsored Massachusetts day trips must receive the approval of the program advisor (HS only) and the principal.

2. All school-sponsored out-of-state day trips, outdoor education classroom camps, and senior week activities must receive prior approval of the principal and the superintendent.

3. All school-sponsored overnight trips, including trips involving just overnight transportation, but excluding outdoor education classroom camps and senior week activities, must receive prior approval of the program advisor (HS only), principal, superintendent, and school committee.
4. All school-sponsored international trips must receive prior approval of the principal, superintendent, and school committee.
5. Andover Public Schools, acting through the School Committee or the Superintendent, reserves the right (a) to cancel trips up to departure and (b) to recall trips in progress, if national and/or international conditions so warrant or if security and safety concerns over which Andover Public Schools has no control render it appropriate to cancel the trip. The following criteria will be taken into consideration: (a) U.S. Department of State Travel Advisory; (b) Homeland Security Advisory (alert status); and/or (c) Declaration of War or armed conflict. Additionally, the critical judgment of the School Committee, with input from the Superintendent, principal, and faculty sponsor, will be taken into consideration.
6. The Superintendent will alert the School Committee to final deadlines regarding required commitment of funds if there are national and/or international events/situations/conditions which might cause the School Committee to cancel or recall a trip due to safety concerns or other reasons. In the event that a trip must be cancelled in accordance with this Section C, school officials will make a reasonable effort to obtain a refund of monies paid by students and parent/guardians. However, such refunds are not guaranteed. The student and parent/guardians understand that he/she/they may lose any and/or all of the funds he/she/they have expended for the voluntary trip.
7. While there must be adequate supervision the Principal must minimize the number of teachers who will miss classes due to performing activities as chaperones.
8. Pursuant to state law and regulation, the School Committee is responsible for approving out-of-state and/or overnight trips. However, in the event that approval is required for an academic or athletic contest, competition or tournament and the schedule is such that the contest, competition, or tournament is not known to administrators within 10 calendar days before the next regularly scheduled School Committee meeting, said approval authority is delegated to the Superintendent of Schools.
9. Where reasonably practical, the School Committee requires that final approval be sought no less than six (6) months prior to the scheduled trip dates.
10. The approval process for a specific trip shall be completed prior to promoting, advertising, or making any preparations for the trip, taking deposits from students, or engaging students in fundraising activities for the trip.

D. APPROVAL DOCUMENTATION - Domestic and International

Approval for all trips which involve contractual arrangements with any third party(ies) must be obtained prior to making any such arrangements. All trips must be approved in writing by the appropriate authority as specified in this policy. The initial documentation to request approval of a trip must include:

1. proposed dates and itinerary;
2. description of student eligibility;
3. estimated number of students expected and percentage of eligible students participating;
4. cost per student (if applicable);
5. mode(s) of transportation and schedule;

6. The ratio of chaperones/teachers to students for the trip. The recommended ratios for extracurricular school field trips, academic school trips, and overnight travel are as follows: *HS 1:10 minimum; MS 1:10 minimum; Elementary 1:10 minimum; International 1:6 minimum*) lower ratios may be set at the discretion of the building Principal;
7. description of arrangements for meals and lodging (if applicable). Accommodations will include enough rooms so that no chaperones are rooming with students;
8. description of security features for transportation and accommodations;
9. means of financing;
10. draft copy of all contract(s) and copies of the travel company's insurance policy (and relevant riders), and refund policies associated with the trip;
11. draft copy of the letters to be sent to parents and guardians referencing the specifics of the trip including all of the above and any rules specific to the trip which are in addition to the Andover Public Schools student conduct policies, student handbook rules or regulations, and the Massachusetts Interscholastic Athletic Association (MIAA) rules and regulations. For international trips, the sponsoring faculty member will provide parents/guardians a copy of the State Department travel advisory and Homeland Security Alert Status for all countries to be visited;
12. in the case of academic field work, a description of the educational alternative and mapping of that alternative for students who are not participating, if applicable;
13. a Criminal Offender Record Information (CORI) check of all chaperones, which must be on file in the Superintendent's Office;
14. for international trip requests a printout of the State Department Travel Advisory and Homeland Security Alert Status for all countries to be visited;
 - *Additional information may be requested by the appropriate authority prior to making a decision.*
 - *Should external circumstances change after the initial trip approval detailed modifications to the relevant approval documentation (see above) will be required.*
15. Other requirements as determined by the Principal.

E. FUNDRAISING AND FINANCIAL ASSISTANCE

1. Fundraising events and activities may be planned to offset the costs for trips. Any such fundraising shall take place in accordance with the Andover Public Schools' and individual schools' policies on fundraising.
2. Where an individual fee is charged for academic field work trips which are part of the approved curriculum, the principal may provide financial assistance to a student if, due to financial hardship, such financial assistance is necessary to allow a student's participation.
3. Eligibility for financial assistance shall be available to families earning less than double the Federal poverty guideline and reduced fees for families earning less than three and one-half times the Federal Poverty Guideline. All documents submitted to Andover Public Schools are kept confidential and are not included in any student file. All documentation submitted is retained for three years, at which time it is shredded and destroyed. Copies can be provided to a requesting parent or guardian at the Business Office, at no charge, if the application is submitted in person. If the application is faxed or

mailed, documents will not be copied and forwarded. The Andover Public Schools Financial Assistance Program determines income based on the income of all household residents.

F. DISCIPLINE OF STUDENTS AND TRIPS - Domestic and International

1. All Andover Public Schools policies on student behavior, student handbook rules and regulations, Massachusetts Interscholastic Athletic Association (MIAA) rules and regulations, and trip rules as specified in Section B, Item 6 above, regarding student conduct will apply and be in effect at all times for trips.
2. If a student violates any Andover Public Schools student conduct policies, student handbook rules or regulations, Massachusetts Interscholastic Athletic Association (MIAA) rules and regulations, trip rules as specified in Section F Item 1 above, or otherwise misbehaves while on a trip, the student will be immediately suspended from the trip and sent back to school or home, if that is appropriate, practical, and can be done in a manner which protects the student's safety, by the faculty sponsor at the parent's/guardian's expense. In addition to being sent home, the student will be subject to the consequences for the action/infraction upon his/her return to school as defined by the aforementioned student conduct policies, student handbook rules and regulations, and Massachusetts Interscholastic Athletic Association (MIAA) rules and regulations.
3. Andover Public Schools policies on student behavior, student handbook rules and regulations, Massachusetts Interscholastic Athletic Association (MIAA) rules and regulations, and trip rules as specified in Section B, Item 6 above, regarding student conduct will be given to chaperones. Chaperones shall agree to implement and enforce them; failure to do so will result in disqualification from acting as a chaperone for future trips.

G. ADMINISTRATION OF MEDICATIONS on TRIPS - Domestic and International

In accordance with the Andover Public Schools Policy ([JLCD](#)) - Administering Medicines to Students, the administration of medications while on a day trip is discouraged if medically feasible. In the event that it is medically necessary for a student to be administered medication while on a trip the procedures promulgated in the Policy on Administration of Medications will apply. Parents/legal guardians will receive a copy of the Andover Public Schools Policy - Administration of Medications in advance of the trip as part of the trip materials. Students (if appropriate) and parents/guardians must sign an Emergency Treatment and Medications Consent in order for the student to participate in the trip.

H. TRANSPORTATION, LODGING, AND SCHEDULING - Domestic and International

1. The use of private vans and automobiles for student travel is not permitted. Such trips will use commercial vans or motor coaches and employ professional licensed drivers pursuant to Section B, items 8 and 9 of this policy.
2. With student safety and security in mind, the faculty sponsor shall ensure that the travel company with which he/she has contracted has an emergency evacuation plan in place should the need arise to evacuate students from their location to a secure location.
3. With student safety and security in mind, the faculty sponsor shall arrange for security personnel to be on the premises during the overnight hours when staying in a hotel, motel, guesthouse, dormitory or any other place of overnight accommodation in the parts of the world where it is possible to arrange for such security personnel to be on the premises.
4. Accommodations shall include enough rooms so that no chaperones are rooming with students.
5. Parent/guardians, who are also chaperones, may share a room with their own children only.

6. Whenever possible, the faculty sponsor shall avoid planning student travel between the hours of midnight and 6 a.m., due to the increased risk of vehicular accidents during this time period.
7. Trip itineraries must allow sufficient time for drivers to rest in conformity with federal hours-of-service requirements and common sense. If a planned trip exceeds ten (10) consecutive hours of driving, a second driver must be utilized, or the driver must be off duty for eight (8) consecutive hours before driving again.

I. PERMISSION, CONSENT and RELEASE FORMS - Domestic and International

1. A condition of participation in any trip is execution of an agreement by the participant and by his/her parent/legal guardian to hold Andover Public Schools harmless and to indemnify Andover Public Schools from any and all claims, liabilities, damages, losses, or other harm resulting from the trip, from activities associated with the trip, from the actions of third persons, or from the participant's own actions. Such agreement must also hold harmless and indemnify Andover Public Schools from any and all claims, liabilities, damages, losses or other harm resulting from cancellation of a trip at any time. For purposes of this Section I, "Andover Public Schools" shall include Andover Public Schools, the Andover School Committee, the Town of Andover, and their members, officers, officials, employees, agents, insurers, and representatives. Accordingly, every student who intends to participate in a trip must submit a properly completed and signed "Permission Slip and Indemnity and Waiver Agreement" in the form attached hereto as Exhibit A. This consent/release form must be signed by the student (if appropriate) and in any event by the student's parent or legal guardian prior to a student taking part in any trip. No fundraising activities or other preparations for the trip may be undertaken until the completed and signed documents are obtained from every student who will participate in the trip.
2. For athletic and/or academic teams or other extracurricular school groups that routinely travel as part of their activities, the student (if appropriate) and the student's parents/legal guardians may submit one consent/release form to cover all events for the season.

J. NON-SCHOOL SPONSORED TRIPS

1. Teachers and other school staff sometimes privately conduct educational tours or trips involving the participation of Andover Public Schools students. The School Committee and Andover

Public Schools neither sanctions nor prohibits such activities, nor assumes any responsibility for them. Teachers and other school staff are prohibited from soliciting students for privately run trips through the school district, through the use of school facilities and supplies, or through school personnel during their workday.

In any information provided to students, parents/guardians, or any other person regarding non-school sponsored trips, teachers and other school staff must clearly state in plain, unambiguous, and prominent language that such trips are not school-sponsored and that the School Committee and Andover Public Schools do not sanction, sponsor, promote, or support the trip and do not assume any responsibility or liability in connection with such trip.

2. The Program Advisor (HS only), Principal, Superintendent, and School Committee will only review for approval school-sanctioned trips which include a trip request and required documentation as defined by Section D, items 1-14, above. The School Committee will not review or approve trips that are privately organized and run without school sanctioning.

3. Parents/legal guardians have a duty to obtain a copy of the School Committee/Superintendent/Principal approval of any trip to ensure that a trip is a school sponsored trip.

SOURCE: ANDOVER - Updated June 2020

LEGAL REFS: M.G.L. [71:37M](#); [71:37N](#); [71:38R](#)

603 CMR [27.00](#)

Massachusetts Department of Education Time on Learning Regulations

Additional Resources:

US Department of State Advisory <https://travel.state.gov/content/travel.html>

Homeland Security Advisory <https://www.dhs.gov>

Federal Motor Carrier Safety Administration (FMCSA) Carrier Ratings
<https://www.fmcsa.dot.gov>

United Motorcoach Association - Student Motorcoach Travel Safety Guide (includes Motorcoach Safety Checklist) www.uma.org/consumer/student-transportation/

Department of Defense's approved list of motor carriers
www.defensetravel.dod.mil/Docs/BusAgreementPOCs.pdf

File: JJIB - INTERSCHOLASTIC ATHLETICS

The School Committee believes that students will benefit from the experiences in self-discipline and team effort made possible through participation in inter-school sports.

Participation in interscholastic athletics will be subject to approval by the School Committee and will be in accordance with regulations and recommendations of the Massachusetts Interscholastic Athletic Association.

All students participating in competitive athletics shall be required to be covered by a medical insurance plan.

At the high school level, interscholastic athletic competition will include a variety of sports. Students will be allowed to participate in individual sports on the basis of their abilities and desire. Additionally, intramural athletic activities will be offered as an outgrowth of class instruction in physical education.

The School Committee is aware that team participation in athletic contests by members of the student body requires that "away games" be scheduled. It also recognizes that there is a need to regulate certain aspects of student participation in such contests. Therefore, the Superintendent will establish procedures to ensure the safety and well-being of students and staff members who participate in these activities.

LEGAL REFS.: M.G.L. [71:47](#); [71:54A](#)

603 CMR [26.06](#)

CROSS REFS.: [AC](#), Nondiscrimination (and sub-codes); Student Handbooks

REVISED: School Committee Meeting - May 28, 2020

File: JJICA - ATHLETIC USER FEE POLICY

Fiscal constraints make it necessary for the Andover School Committee to carefully review the budget on an annual basis and rather than attempt to save money by reducing participation or cutting programs, the school committee has initiated user fees for the Athletic Program. Any change in the fee will be recommended to the Andover School Committee by the Superintendent of Schools or their designee.

The fee is intended to defray the operational costs of the Andover High School Athletic Program. All fees collected for the Athletic Program must, by law, be placed in a separate account and expended only for the purposes of the Athletic Program. The payment of a user fee does not provide a student with any special consideration or entitlement with respect to playing time.

File: JJIF - ATHLETIC CONCUSSION POLICY

Introduction:

The purpose of this policy is to provide information and standardized procedures for persons involved in the prevention, training management and return to activity decisions regarding students who incur head injuries while involved in extracurricular athletic activities¹ including, but not limited to, interscholastic sports, in order to protect their health and safety as required by Massachusetts law and regulations. The requirements of the law apply to all public middle and high schools, however configured, serving grades six through high school graduation. In addition to any training required by law, the following persons shall complete one of the head injury safety training programs approved by the Massachusetts Department of Public Health (DPH) as found on its website: coaches; certified athletic trainers; trainers; volunteers; school and team physicians; school nurses; athletic directors; directors responsible for a school marching band; employees or volunteers; and students who participate in an extracurricular activity and their parent/guardians.

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, 2015 and every two years thereafter upon review or revision of its policies.

The Superintendent shall maintain or cause to be maintained complete and accurate records of the district's compliance with the requirements of the Concussion Law, and shall maintain the following records for three years or, at a minimum, 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 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; and
5. Graduated reentry plans for return to full academic and extracurricular athletic activities.

This policy also applies to volunteers who assist with extracurricular athletic activities. Such volunteers shall not be liable for civil damages arising out of any act or omission relating to the requirements of law, unless such volunteer is willfully or intentionally negligent in his act or omission.

Most student athletes who sustain a concussion can fully recover as long as their brain has time to heal before sustaining another hit; however, relying only on an athlete's self-report of symptoms to determine injury recovery is inadequate as many high school athletes are not aware of the signs and symptoms or the severity concussive injuries pose, or they may feel pressure from coaches, parent/guardians, and/or teammates to return to play as quickly as possible. One or more of these factors will likely result in under-diagnosing the injury and a premature return to play. Massachusetts General Laws and Department of Public Health regulations make it imperative to accurately assess and treat student athletes when concussions are suspected.

Student athletes who receive concussions may appear to be "fine" on the outside, when in actuality they have a brain injury and are not able to return to play. Incurring a second concussion can prove to be devastating to a student athlete. Research has shown that young concussed athletes who return to play before their brain has healed are highly vulnerable to more prolonged post-concussion syndrome or, in rare cases, a catastrophic neurological injury known as Second Impact Syndrome.

The following protocol will discuss and outline what a concussion is, the mechanism of injury, signs and symptoms, management and return to play requirements, as well as information on Second Impact Syndrome

and past concussion syndrome. Lastly, this policy will discuss the importance of education for our athletes, coaches and parent/guardians and other persons required by law.

This protocol should be reviewed on a yearly basis with all staff to discuss the procedures to be followed to manage sports-related concussions. This protocol will also be reviewed on a yearly basis by the athletic department as well as by nursing staff. Any changes in this document will be approved by the school committee and given to athletic staff, including coaches and other school personnel in writing. 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

File: JJIF-R - ATHLETIC CONCUSSION REGULATIONS

Section I. What is a Concussion?

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. A 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.

Section II. Mechanism of Injury:

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. The two direct mechanisms of injury are coup-type and contrecoup-type. Coup-type injury is when the head is stationary and struck by a moving object such as another player's helmet, a ball, or sport implement, causing brain injury at the location of impact. Contrecoup-type injury occurs when the head is moving and makes contact with an immovable or slowly moving object as a result of deceleration, causing brain injury away from the sight of impact. Indirect forces are transmitted through the spine and jaw or blows to the thorax that whip the head while the neck muscles are relaxed. Understanding the way in which an injury occurred is vital in understanding and having a watchful eye for athletes who may exhibit symptoms of a concussion so these student athletes can receive the appropriate care.

Section III. Signs and Symptoms:

Signs (what you see):

- Confusion
- Forgets plays
- Unsure about game, score, opponent
- Altered coordination
- Balance problems
- Personality change
- Slow response to questions
- Forgets events prior to injury (retrograde amnesia)
- Forgets events after injury (anterograde amnesia)
- Loss of consciousness (any duration)

Symptoms (reported by athlete):

- Headache

- Fatigue
- Nausea or vomiting
- Double vision/ blurry vision
- Sensitivity to light (photophobia)
- Sensitivity to noise (tinnitus)
- Feels sluggish
- Feels foggy
- Problems concentrating
- Problems remembering
- Trouble with sleeping/ excess sleep
- Dizziness
- Sadness
- Seeing stars
- Vacant stare/ glassy eyed
- Nervousness
- Irritability
- Inappropriate emotions

If any of the above signs or symptoms are observed after a suspected blow to the head, jaw, spine or body, they may be indicative of a concussion and the student athlete must be removed from play immediately and not allowed to return until cleared by an appropriate allied health professional.

Section IV. Management and Referral Guidelines:

1. When an athlete loses consciousness for any reason, the athletic trainer will start the EAP (Emergency Action Plan) by activating EMS; check ABC's (airway, breathing, circulation); stabilize the cervical spine; and transport the injured athlete to the appropriate hospital via ambulance. If the athletic trainer is not available, the coach should immediately call EMS, check ABCs and not move the athlete until help arrives.

2. Any athlete who is removed from the competition or event and begins to develop signs and symptoms of a worsening brain injury will be transported to the hospital immediately in accordance with the EAP.

Worsening signs and symptoms requiring immediate physician referral include:

- A.** Amnesia lasting longer than 15 minutes
- B.** Deterioration in neurological function
- C.** Decreasing level of consciousness
- D.** Decrease or irregularity of respiration

- E.** Decrease or irregularity in pulse
- F.** Increase in blood pressure
- G.** Unequal, dilated, or unreactive pupils
- H.** Cranial nerve deficits
- I.** Any signs or symptoms of associated injuries, spine or skull fracture, or bleeding
- J.** Mental-status changes: lethargy, difficulty maintaining arousal, confusion, agitation
- K.** Seizure activity
- L.** Vomiting/ worsening
- M.** Motor deficits subsequent to initial on-field assessment
- N.** Sensory deficits subsequent to initial on-field assessment
- O.** Balance deficits subsequent to initial on-field assessment
- P.** Cranial nerve deficits subsequent to initial on-field assessment
- Q.** Post-Concussion symptoms worsen
- R.** Athlete is still symptomatic at the end of the game

3. After a student athlete sustains a suspected concussion, the athletic trainer will use the Sport Concussion Assessment Tool (SCAT3/ Child SCAT3) to assess and document the student athlete's concussion. The athletic trainer will also report on the student athlete's signs and symptoms by using the Signs and Symptoms Check-List. On the signs and symptoms checklist, the athletic trainer will also check pulse and blood pressure of each student athlete with a suspected concussion. After the initial evaluation of a concussion, signs and symptoms will be tracked via the Symptom Score Card. Any athlete who is symptomatic but stable IS allowed to go home with his/her parent(s)/guardian(s) following the head injury

4. Any athlete who is symptomatic but stable is allowed to go home with his/her parent(s)/guardian(s) following the head injury.

A. If the head injury occurs at practice, parent(s)/guardian(s) will immediately be notified and must come and pick up the student athlete and talk to the certified athletic trainer in person.

B. If the injury occurs at a game or event, the student athlete may go home with the parent/guardian(s) after talking with the certified athletic trainer.

C. Parent(s)/guardian(s) will receive important information regarding signs and symptoms of deteriorating brain injury/function prompting immediate referral to a local emergency room as well as return to play requirements. Parent(s)/guardian(s), as well as student athletes, must read and sign the Concussion Information and Gradual Return to Play form and bring it back to the certified athletic trainer before starting with the return to play protocol. Along with a physician documentation from the emergency and clearance allowing return to play

D. It is required if the student athlete is symptomatic that they are evaluated by their primary care physician or designee.

V. IMPACT TEST

1. Each student athlete will complete a baseline test at the beginning of their sport season. **All student athletes and club cheerleading members will undergo ImPact testing.** Student athletes will be re-tested every other year. If a student athlete plays more than one sport during the academic year, their test will remain valid. For example, if a soccer student athlete also plays basketball in the winter, the student athlete will not have to take the ImPact Baseline Test again in the winter. If a student athlete posts scores below the norm, the student athlete will be re-tested at another time with either the certified athletic trainer or school nurse. Student athletes cannot begin practice until a valid baseline score is obtained during their designated time to take the test.

A. At the beginning of every sport season, student athletes are required to complete a concussion history form and return it to the athletic department. This information will be recorded in the student information system for tracking purposes.

B. Following any concussion, the athletic trainer must notify the athletic director and school nurses.

C. Following a concussion, the student athlete will take a **a post-injury test within 24 to 72 hours, (or as soon as possible after 48 hours post-injury as allowed by athlete's return to school** If, after the first post-injury ImPact test, the athlete is not back to his/her baseline the parent/guardian(s) will be notified. Post-concussion tests will be given at appropriate interval's, depending upon clinical basis.

D. Prior to the athlete starting on the exertion post-concussion tests, the parent(s)/guardian(s) will be notified and the athlete will be sent home with all signed documents relating to head injury. The parent/guardian(s) must bring the student athlete to a licensed physician, licensed neuropsychologist, licensed physician assistant, nurse practitioner or other appropriately trained or licensed healthcare professional to be medically cleared for participation in the extracurricular activity

2. Student athletes, with the consent of their parent(s)/guardian(s), will start taking the ImPact Test (**or other approved test identified by the School District**). The ImPact Test is a tool that helps manage concussions, determine recovery from injury, and is helpful in providing proper communication between coaches, parents and clinicians. The ImPact Test is a neurocognitive test that helps measure student athletes' symptoms, as well as test verbal and visual memory, processing speed and reaction time. It is **mandatory** for all student athletes to take the ImPact Test for a baseline score in accordance with Massachusetts State Law. The law states that all public schools must develop safety protocols on concussions and all public schools must receive information on past concussion history. The ImPact Test appears to be a promising tool in monitoring a student athlete's prior concussions, as well as any future concussions

VI. Gradual Return to Play Protocol:

A. The certified athletic trainer will document the date on which the athlete is Symptom free and sign the document agreeing that all the above statements are true and accurate.

B. Student athletes who continue to exhibit concussion symptoms for a week or more must be evaluated by a physician before returning to play and supporting documents for clearance provided before starting return to play.

C. Once a student athlete's post-injury test is back at the student athlete's baseline score and they are asymptomatic, the student athlete will go through 5 days of Exertional Post Concussion Tests. The student athlete must be asymptomatic for all functional and physical tests to return to play (RTP). All tests will be administered by a certified athletic trainer.

D. The trainers will notify the Nursing Clinic at Andover High School when a student athlete has been cleared to return to play by the trainers

Exertion Post Concussion Tests:

A. Stage 1: (30% to 40% maximum exertion): Low levels of light physical activity. This will include walking, light stationary bike for about 10 to 15 minutes. This may include light isometric strengthening (quad sets, UE light hand weights, ham sets, SLR's, resistive band ankle strengthening) and stretching exercises.

B. Stage 2: (40% to 60% maximum exertion): Moderate levels of physical activity. Treadmill jogging, stationary bike, or elliptical for 20 to 25 minutes. This may also include light weight strength exercises (resistive band exercises UE and LE, wall squats, lunges, step up/downs. More active and dynamic stretching.

C. Stage 3: (60% to 80% maximum exertion). Non-contact sports specific drills. Running, high intensity stationary bike or elliptical 25 to 30 minutes. This may also include completing regular weight training. Start agility drills (ladder, side shuffle, zig-zags, carioca, box jumps, and hurdles).

D. Stage 4: (80% maximum exertion). Limited, controlled sports specific practice and drills.

E. Stage 5: Full contact and return to sport with monitoring of symptoms.

Section VII. School Nurse Responsibilities:

1. Assist in testing all student athletes with baseline and post-injury ImPact testing.
2. Participate and complete the CDC training course on concussions. A certificate of completion will be recorded by the nurse leader yearly.
3. Complete neurological assessment when student athlete enters Health Office (HO) with questionable concussion during school hours. Repeat in 15 minutes.
4. When a student has a suspected concussion, observe students with a concussion for a minimum of 30 minutes.
5. If symptoms are present, notify parent/guardian(s) and instruct parent/guardian(s) that student must be evaluated by an MD.
 - (a) If symptoms are not present, the student may return to class.
6. If a student returns to the clinic with symptoms appear after a negative assessment, MD referral is necessary.
7. Allow students who are in recovery to rest in HO when needed.
8. Develop plan for students regarding pain management.
9. Educate parents and teachers about the effects of concussion and returning to school and activity
10. School nurse will notify teachers and guidance counselors of any students or student athletes who have academic restrictions or modifications related to their concussion.
11. If injury occurs during the school day, inform administrator and complete accident/incident form.
12. Enter physical exam dates and concussion dates into the student information system.

13. Notify athletic department of concussions as appropriate

Section VIII. School Responsibilities:

1. Once the school is informed of the student's concussion, a contact or "point person" should be identified (e.g. the guidance counselor, athletic director, school nurse, school psychologist or teacher).
2. Point person to work with the student on organizing work assignments, making up work and giving extra time for assignments and tests/quizzes.
3. Convene meeting and develop rehabilitative plan
4. Educate staff on the signs and symptoms of concussions and the educational impact concussions may have on students
5. Recognize that the student's ability to perform complex math equations may be different from the ability to write a composition depending on the location of the concussion in the brain
6. Decrease workload if symptoms appear
7. Assist teachers in following the recovery stage for student.
8. Develop a plan to communicate and provide language-appropriate educational materials to parent/guardians with limited English proficiency
9. Review and, if necessary, revise, the concussion policy every 2 years.
10. Include concussion information in student handbooks.

Section IX. Athletic Director Responsibilities:

1. Provide parent/guardians, athletes, coaches, and volunteers with educational training and concussion materials yearly.
2. Ensure that all educational training programs are completed and recorded.
3. Ensure that all students meet the physical exam requirements consistent with 105 CMR 200.000 prior to participation in any extracurricular athletic activity
4. Ensure that all students participating in extracurricular athletic activity have completed and submitted their pre-participation forms, which include health history form, concussion history form, and MIAA form.
5. Ensure that athletes are prohibited from engaging in any unreasonably dangerous athletic technique that endangers the health or safety of an athlete, including using a helmet or any other sports equipment as a weapon.
6. Ensure that all head injury forms are completed by parent/guardian(s) or coaches and reviewed by the coach, athletic trainer, school nurse and school physician.
7. Inform parent/guardian(s) that, if all necessary forms are not completed, their child will not participate in athletic extracurricular activities.

Section X. Parent/Guardian Responsibilities:

- 1.** Participate in all concussion training and education and return certificate of completion to the athletic department. In lieu of submitting the certification parent/guardians are required to sign the statement in the Andover Athletic Department online registration program in relation to concussions. This signature by a parent/guardian is required to complete the registration process. The High School can request a copy of the certification at any time.
- 2.** Complete and return concussion history form to the athletic department.
- 3.** Recognize that your child will be excluded from participation in any extracurricular athletic event if all forms are not completed and on file with the athletic department
- 4.** Inform school if student sustains a concussion outside of school hours. Complete new concussion history form following new injury
- 5.** If student suffers a concussion outside of school, complete head injury form and return it to the school nurse.
- 6.** Watch for changes in your child that may indicate that your child does have a concussion or that your child's concussion may be worsening. Report to a physician:
 - A.** Loss of consciousness
 - B.** Headache
 - C.** Dizziness
 - D.** Lethargy
 - E.** Difficulty concentrating
 - F.** Balance problems
 - G.** Answering questions slowly
 - H.** Difficulty recalling events
 - I.** Repeating questions
 - J.** Irritability
 - K.** Sadness
 - L.** Emotionality
 - M.** Nervousness
 - N.** Difficulty with sleeping
- 7.** Ensure your child to follow concussion protocol.
- 8.** Enforce restrictions on rest, electronics and screen time.
- 9.** Reinforce recovery plan.
- 10.** Request a contact person from the school with whom you may communicate about your child's progress and academic needs.

11. Observe and monitor your child for any physical or emotional changes.
12. Request to extend make up time for work if necessary.

Section XI. Student and Student Athlete Responsibilities:

1. Complete Baseline ImPact Test prior to participation in athletics.
2. Report all symptoms to athletic trainer and/ or school nurse
3. Return required concussion history form prior to participation in athletics.
4. Participate in all concussion training and education and return certificate of completion to the athletic department. In lieu of submitting the certification parent/guardian are required to sign the statement in the Andover Athletic Department online registration program in relation to concussions. This signature by a parent/guardian is required to complete the registration process. The High School can request a copy of the certification at any time.
5. Follow recovery plan.
6. **REST.**
7. **NO ATHLETICS.**
8. **BE HONEST!**
9. Keep strict limits on screen time and electronics.
10. Don't carry books or backpacks that are too heavy.
11. Tell your teachers if you are having difficulty with your classwork.
12. See the athletic trainer and/or school nurse for pain management.
13. **Return medical clearance form to athletic trainer prior to return to play.**
14. Return to sports only when cleared by physician and the athletic trainer.
15. Follow Gradual Return to Play Guidelines.
16. Report any symptoms to the athletic trainer and/or school nurse and parent(s)/guardian(s) if any occur after return to play.
17. Students who do not complete and return all required trainings, testing and forms will not be allowed to participate in sports.

Section XII. Coach & Band Instructor Responsibilities:

1. Participate in Concussion Education Course offered by the National Federation of State High School Associations (NFHS) on a yearly basis. Complete certificate of completion and return to the athletic department.
2. Ensure all student athletes have completed ImPact baseline testing before participation.
3. Ensure all student athletes have returned concussion history and health history form prior to participation in athletics.

4. Ensure all students have completed a concussion educational training and returned their certificate of completion prior to participation in athletics.
5. Complete a head injury form if their player suffers a head injury and the athletic trainer is not present at the athletic event. This form must be shared with the athletic trainer and school nurse.
6. Remove from play any student athlete who exhibits signs and symptoms of a concussion.
7. Do not allow student athletes to return to play until cleared by a physician and athletic trainer.
8. Follow Gradual Return to Play Guidelines.
9. Refer any student athlete with returned signs and symptoms back to athletic trainer.
10. Any coach, band instructor, or volunteer coach for extracurricular activities shall not encourage or permit a student participating in the activity to engage in any unreasonably dangerous athletic technique that unnecessarily endangers the health of a student athlete, including using a musical instrument, helmet or any other sports equipment as a weapon.

Section XIII. Post-Concussion Syndrome:

Post-Concussion Syndrome is a poorly understood condition that occurs after a student athlete receives a concussion. Student athletes who receive concussions can have symptoms that last a few days to a few months, and even up to a full year, until their neurocognitive function returns to normal. Therefore, all school personnel must pay attention to and closely observe all student athletes for post-concussion syndrome and its symptoms. Student athletes who are still suffering from concussion symptoms are not ready to return to play. The signs and symptoms of post-concussion syndrome are:

- Dizziness
- Headache with exertion
- Tinnitus (ringing in the ears)
- Fatigue
- Irritability
- Frustration
- Difficulty in coping with daily stress
- Impaired memory or concentration
- Eating and sleeping disorders
- Behavioral changes
- Alcohol intolerance
- Decreases in academic performance
- Depression
- Visual disturbances

Section XIV. Second Impact Syndrome:

Second impact syndrome is a serious medical emergency and a result of an athlete returning to play and competition too soon following a concussion. Second impact syndrome occurs because of rapid brain swelling and herniation of the brain after a second head injury that occurs before the symptoms of a previous head injury have been resolved. The second impact that a student athlete may receive may only be a minor blow to the head or it may not even involve a hit to the head. A blow to the chest or back may create enough force to snap the athlete's head and send acceleration/deceleration forces to an already compromised brain. The resulting symptoms occur because of a disruption of the brain's blood auto regulatory system which leads to swelling of the brain, increasing intracranial pressure and herniation.

After a second impact a student athlete usually does not become unconscious, but appears to be dazed. The student athlete may remain standing and be able to leave the field under his/her own power. Within fifteen seconds to several minutes, the athlete's condition worsens rapidly, with dilated pupils, loss of eye movement, loss of consciousness leading to coma and respiratory failure. The best way to handle second impact syndrome is to prevent it from occurring altogether. All student athletes who incur a concussion must not return to play until they are asymptomatic and cleared by an appropriate health care professional.

Section XV. Concussion Education:

It is extremely important to educate coaches, athletes and the community about concussions. On a yearly basis, all coaches must complete the online course called "Concussion In Sports: What You Need to Know". This course is offered by the National Federation of State High School Associations (NFHS). Student athletes also need to understand the importance of reporting a concussion to their coaches,

parent/guardians, athletic trainer and other school personnel. Every year student athletes and parent/guardians will participate in educational training on concussions and complete a certificate of completion. This training may include:

- CDC Heads-Up Video Training, or
- Training provided by the school district
- NFHS Concussion Certification

The school district may also offer seminars, speakers, and discussion panels on the topic of concussions. Seminars offer an opportunity for the certified athletic trainer, athletic director and nurse leader to speak about concussions on the field at practices and games and to discuss the protocol and policy that the district has enacted. Providing education within the community will offer the residents and parent/guardians of athletes an opportunity to ask questions and voice their concerns on the topic of brain injury and concussions. When it comes to concussions, everyone needs to be aware of the potential dangers and remember that a concussion is a brain injury. Whenever anyone has a doubt about a student athlete with a concussion, **SIT THEM OUT and have them see the appropriate healthcare professional!**

File: JK - STUDENT CONDUCT

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

The implementation of the general rules of conduct is the responsibility of the Principal and the professional staff of the building. In order to do this, each school staff in the District shall develop specific rules for the high school, middle school, and elementary school levels not inconsistent with the law nor in conflict with School Committee policy. These rules shall be an extension of the District policies by being more specific as they relate to the different levels of schooling.

The purpose of disciplinary action is to restore acceptable behavior. When disciplinary action is necessary, it shall be administered with fairness and shall relate to the individual needs and the individual circumstances. Principals should consider and try to employ alternative consequences for student misconduct before issuing suspension or expulsion.

Students violating any of the policies on student conduct and control will be subject to disciplinary action. The degree, frequency, and circumstances surrounding each incident shall determine the method used in enforcing these policies. Most of the situations which require disciplinary action can be resolved within the confines of the classroom or as they occur by reasonable but firm reprimand, and/or by teacher conferences with the student and/or parents or guardians.

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

LEGAL REF.: M.G.L. [71:37H](#); [71:37H ½](#); [71:37H ¾](#); [71:37L](#); [76:16](#); [76:17](#)

603 CMR [53.00](#)

File: JKA - CORPORAL PUNISHMENT

State law provides that:

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

LEGAL REF.: M.G.L. [71:37G](#)

File: JKAA - PHYSICAL RESTRAINT OF STUDENTS

Maintaining an orderly, safe environment conducive to learning is an expectation of all staff members of the school district. Further, students of the district are protected by law from the unreasonable use of physical restraint. Such restraint shall be used only in emergency situations of last resort after other lawful and less intrusive alternatives have failed or been deemed inappropriate, and with extreme caution.

When an emergency situation arises, and physical restraint is the only option deemed appropriate to prevent a student from injuring himself or herself, another student or school community member, a teacher or employee or agent of the school district may use such reasonable force needed to protect students, other persons or themselves from assault or imminent, serious, physical harm.

The definitions of forms of restraint shall be as defined in 603CMR [46.02](#).

The use of mechanical restraint, medical restraint, and seclusion is prohibited.

Physical restraint, including prone restraint where permitted under 603 CMR [46.03](#), shall be considered an emergency procedure of last resort and shall be prohibited except when a student's behavior poses a threat of assault, or imminent, serious, physical harm to themselves and/or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions are deemed inappropriate.

The Superintendent will develop procedures identifying:

- Appropriate responses to student behavior that may require immediate intervention;
- Methods of preventing student violence, self-injurious behavior, and suicide including crisis planning and de-escalation of potentially dangerous behaviors among groups of students or individuals;
- Descriptions and explanations of alternatives to physical restraint as well as the school's method of physical restraint for use in emergency situations;
- Descriptions of the school's training and procedures to comply with reporting requirements; including, but not limited to making reasonable efforts to orally notify a parent/guardian of the use of restraint within 24 hours of its imposition;
- Procedures for receiving and investigating complaints;
- Methods for engaging parent/guardians in discussions about restraint prevention and use of restraint solely as an emergency procedure;
- A statement prohibiting: medication restraint, mechanical restraint, prone restraint unless permitted by 603 CMR [46.03](#)(1)(b), seclusion, and the use of physical restraint in a manner inconsistent with 603 CMR [46.00](#),
- A process for obtaining Principal approval for a time out exceeding 30 minutes.

Each building Principal will identify staff members to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. These staff members will participate in an in-depth training program in the use of physical restraint.

In addition, each staff member will be trained regarding the school's physical restraint policy and accompanying procedures. The Principal will arrange training to occur in the first month of each school year, or for staff hired after the beginning of the school year, within a month of their employment.

Physical restraint is prohibited as a means of punishment, or as a response to destruction of property, 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 to the student or others.

Physical restraint is prohibited when it is medically contraindicated for reasons including, but not limited to, asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting;

The use of "time out" procedures during which a staff member remains accessible to the student shall not be considered "seclusion restraint".

This policy and its accompanying procedures shall be reviewed and disseminated to staff annually and made available to parent/guardians of enrolled students. The Superintendent shall provide a copy of the Physical Restraint state regulations to each Principal, who shall sign a form acknowledging receipt thereof.

LEGAL REF.: M.G.L. [71:37G](#); 603 CMR [46.00](#)

File: JL - STUDENT WELFARE

Supervision of Students

School personnel assigned supervision are expected to act as reasonably prudent 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 parent/guardians or other persons authorized in writing by a parent or guardian.

Reporting to Authorities - Suspected Child Abuse or Neglect

Any school official or employee shall report any suspected child abuse or neglect as required by M.G.L. Ch. [119, S 51A](#).

In accordance with the law, the District shall establish the necessary regulations and procedures to comply with the intent of the Act consistent with the District's responsibility to the students, parent/guardians, District personnel, and the community.

Student Safety

Instruction in courses in industrial arts, science, homemaking, art, physical education, health, and safety will include and emphasize accident prevention.

Safety instruction will precede the use of materials and equipment by students in applicable units of work, and instructors will teach and enforce all safety rules set up for the particular courses. These include the wearing of protective eye devices in appropriate activities.

Safety on the Playground and Playing Field

The District shall provide safe play areas. Precautionary measures, which the District requires, shall include:

- A periodic inspection of the school's playground and playing fields by the Principal of the school and others as may be deemed appropriate;
- Instruction of students in the proper use of equipment;
- Supervision of both organized and unorganized activity.

Fire Drills

The District shall cooperate with appropriate fire departments in the conduct of fire drills. The Principal of any public or private school, containing any of grades 1 to 12, shall immediately report any incident of unauthorized ignition of any fire within the school building or on school grounds, to the local fire department. Within 24 hours, the Principal shall submit a written report of the incident to the head of the fire department on a form furnished by the Department of Fire Services. The Principal must file this report whether or not the fire department responded.

LEGAL REFS: MGL [71:37L](#); [148:2A](#)

File: JLC - STUDENT HEALTH SERVICES AND REQUIREMENTS

Activities may include identification of student health needs, health screening tests (including eye, hearing and other screening tests as required), communicable disease prevention and control, promotion of the correction of remediable health defects, emergency care of the ill and injured, health counseling, health and safety education, and the maintenance of a healthful school environment.

The District recognizes that parent/guardians have the primary responsibility for the health of their students. The school will cooperate with appropriate professional organizations associated with maintaining individual and community health and safety.

The District shall provide the services of a medical consultant who shall render medical and administrative consultative services for personnel responsible for school health and athletics.

Procedures for Emergency at School

School personnel shall give only emergency care to students who become ill or injured on school property, buses, or while under school supervision.

Each year parent/guardians shall supply the name, address, and phone number of an individual to be contacted in case the parent/guardian is not available; and information indicating any allergies or diseases the student might have.

The District shall maintain an Emergency Procedures Handbook, which shall be utilized by District personnel for handling emergencies. Emergency procedures shall include the following:

Provision for care beyond First Aid, which would enable care by the family or its physician or the Paramedic Assistance Unit of the Fire Department. In instances when the Paramedic Assistance Unit is required, every effort shall be made to provide the unit with the student's Medical information which lists any allergies or diseases the student might have;

Information relative to not permitting the administration of any form of medicine or drugs to students without written approval of parent/guardians. Requests made by parent/guardians for such administration of medication shall be reviewed and approved by the Principal or designee;

Provisions for reporting all accidents, cases of injury, or illness to the Principal. Provisions shall be made (in all cases of injury or illness involving possible legal or public relations implications) for reporting such to the Superintendent or designee immediately;

Prompt reporting by teachers to the Principal or designee any accident or serious illness and such reports will be filed with the Superintendent or designee.

Student Illness or Injury

In case of illness or injury, the parent or guardian will be contacted and asked to call for the student or provide the transportation.

Transportation of an ill or injured student is not normally to be provided by the school. If the parent/guardian cannot provide transportation and the student is ill or injured, an ambulance may be called. Expense incurred as a result of emergency ambulance use will not be borne by the District.

Transportation of a student by school personnel will be done only in an emergency and by the individual so designated by the school administrator.

CROSS REF.: [EBB](#), First Aid

File: JLCA - PHYSICAL EXAMINATIONS OF STUDENTS

Every student will be examined for screening in sight, hearing, BMI, and for other physical problems as provided in the law and regulations. A record of the results will be kept by the school nurse.

Every student will be given a general physical examination four times: upon entering school and upon admittance to the fourth, seventh, and tenth grades. The results of examinations will be a basis for determining what corrective measures or modifications of school activities, if any, should be recommended. A record of all examinations and recommendations will be kept.

Every candidate for a school athletic team will present the signed consent of parent or guardian in order to participate on a squad and will, with the signed consent of parent or guardian, be thoroughly examined to determine physical fitness. A written report stating the fitness of the student to participate signed by a physician will be sent to the school Principal.

The school physician will make a prompt examination of all children referred to him/her by the school nurse. He/she may examine school employees when, in his/her opinion, the protection of the student's health may require it. Except in an emergency, the school physician will not prescribe for or treat any student.

Whenever the school nurse finds a child suffering from any disease or medical problem, the situation will be reported to the parent or guardian by phone, in writing, or by personal visit if remedial treatment is recommended. A copy of the report will be filed at the school.

The school nurse will make a monthly report to the Superintendent of the number of students examined; the number excluded; and the number recommended for treatment or special adjustment of work. In all cases of exclusion or recommendation, the causes will be included in the report.

LEGAL REFS.: M.G.L. [71:53](#); [71:54](#); [71:56](#); [71:57](#)

105 CMR 200

CROSS REF.: [JF](#), School Admissions

File: JLCB - IMMUNIZATION OF STUDENTS

Students entering school for the first time, whether at pre-kindergarten or through transfer from another school system, will be required to present a physician's certificate attesting to immunization against 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/guardian.

LEGAL REF.: M.G.L. [76:15](#)

CROSS REF.: [JF](#), School Admissions

File: JLCC - COMMUNICABLE DISEASES

The District is required to provide educational services to all school age children who reside within its boundaries. By law, however, admission to school may be denied to any child diagnosed as having a disease whereby attendance could be harmful to the welfare of other students and staff, subject to the District's responsibilities to students with disabilities under the law.

The School Committee recognizes that communicable diseases which may afflict students range from common childhood diseases, acute and short-term in nature, to chronic, life-threatening diseases.

Management of common communicable diseases shall be in accordance with Massachusetts Department of Health guidelines. A student who exhibits symptoms of a communicable disease may be temporarily excluded from school attendance. The District reserves the right to require a physician's statement authorizing the student's return to school.

The educational placement of a student who is medically diagnosed as having a life-threatening communicable disease shall be determined on an individual basis in accordance with this policy and accompanying administrative procedures. Decisions about the proper educational placement shall be based on the student's behavior, neurological development, and physical condition; the expected type of interaction with others in school setting; and the susceptibility to other diseases and the likelihood of presenting risks to others. A regular review of the placement decision shall be conducted to assess changes in the student's physical condition or based on new information or research that may warrant a change in a student's placement.

In the event a student with a life-threatening communicable disease qualifies for services as a student with disabilities under state and federal law, the procedures for determining the appropriate educational placement in the least restrictive environment shall be used in lieu of the procedures designated above.

Neither this policy nor the placement of a student in any particular program shall preclude the administration from taking any temporary actions including removal of a student from the classroom as deemed necessary to protect the health, safety, and welfare of the student, staff, and others.

In all proceedings related to this policy, the District shall respect the student's right to privacy. Only those persons with a direct need to know shall be informed of the specific nature of the student's condition. The determination of those who need to know shall be made by the Superintendent.

Updated: June 2020

LEGAL REF.: M.G.L. [71:55](#)

File: JLCD - ADMINISTERING MEDICINES TO STUDENTS

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 (see below for exceptions). If a student has been approved for self-administration, a student who needs medication during the school day may be reminded to take the medicine by the school nurse or other individual designated by the school nurse in the student's medical administration plan. This provision only applies when the school nurse has a medical administration plan in place for the student. 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.

Exceptions:

The school district shall, through the district nurse leader, register with the Dept. of Public Health and train personnel in the use of epinephrine auto-injectors.

The school district may, in conjunction with the School Physician and the School Nurse Leader, stock nasal naloxone (Narcan) and trained medical personnel and first responders may administer nasal naloxone to individuals experiencing a life threatening opiate overdose in a school setting.

If the school district wishes medical personnel to train non-medical staff in the administration of nasal naloxone, the School Committee shall vote to approve such training and the Superintendent shall ensure that medical personnel have a written protocol which complies with medical directives and regulations from the Dept. of Public Health.

The school nurse or designee, under the direction and orders of the school physician and with parent/guardian permission, may administer a limited list of OTC medications.

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

1. Students with asthma or other respiratory diseases 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 tests and insulin delivery systems.
4. Students with life threatening allergies may possess and administer epinephrine.

LEGAL REF.: M.G.L. [71:54B](#)

Dept. of Public Health Regulations:

105 CMR 210.00; 244 CMR 3.00

File: JLCF - MANAGEMENT OF LIFE THREATENING FOOD ALLERGIES

It is the policy of the Andover School Committee to set age-appropriate guidelines for students and schools within the Andover Public Schools that minimizes the risk for children with life-threatening food allergies (LTA) to be exposed to offending allergens that may trigger a life-threatening reaction. Such guidelines shall include: building-based general medical emergency plans, life-threatening food allergy emergency plans, individual healthcare plans for all students diagnosed with LTA, appropriate training of staff, availability on site of medical equipment for quick response to life-threatening allergic reactions, and such other guidelines that will ensure that students with LTA can participate fully in school activities.

It is the School Committee's expectation that specific building-based guidelines/actions will take into account the health needs and well-being of all children without discrimination or isolation of any child. It is the School Committee's belief that education and open and informative communication are vital for the creation of an environment with reduced risks for all students and their families. In order to assist children with LTA to assume more individual responsibility for maintaining their safety as they grow, it is the policy of the School Committee that the guidelines shift as children advance through the primary grades and through secondary school.

File: JLIC - DEPLOYMENT OF CROSSING GUARDS

The purpose of crossing guards is twofold. First, it is to recognize safe gaps in traffic for student pedestrians to cross, and second, it is to assist students in getting across the street when it is safe to do so. Crossing students safely is effected by monitoring, and in many cases, regulating motor vehicle traffic in the vicinity of school when students are present.

The purpose of this policy is to provide a framework to evaluate locations for the appropriate deployment of crossing guards or other traffic control measures. Demands for various traffic control measures in school areas are not always in line with actual needs.

Appropriate traffic control measures may include a combination of:

1. Signs, striping, pavement legends
2. Parking controls
3. Traffic control devices (stop signs, traffic signals)
4. Warning devices (flashing yellow beacons)
5. Crossing guards

Concerns related to student pedestrian safety, raised by parents or others, shall be referred to the Assistant Superintendent for Finance and Administration. The Assistant Superintendent and Transportation Coordinator shall review the concerns and any proposed solution and shall then forward the information and recommendation, if any, to the Police Department's Safety Officer. Prior to making any recommendation for any changes in traffic control measures, the Safety Officer shall:

1. Consult with the Assistant Superintendent for Finance and Administration
2. Conduct a traffic study
3. Request an engineering study if he/she determines it is necessary.

The Safety Officer shall make a recommendation to the Assistant Superintendent for Finance and Administration as to the deployment of crossing guards based upon the results of these studies and consultations. Recommendations for deployment of other traffic control measures shall be made to the appropriate municipal authorities. All recommendations shall comply with state and federal guidelines including the Manual of Uniform Traffic Control Devices.

File: JP - STUDENT GIFTS AND SOLICITATIONS

Because of the embarrassment that might result among children, students will be discouraged from giving gifts to classroom teachers and other school personnel. For the same reason, there will be no formal exchange of gifts between students in the classroom.

Solicitation of funds for charitable purposes from students of the school system will be made only as approved by the Principal.

Any organization desiring to distribute flyers or other materials to students in connection with fund drives may do so only with the approval of the Superintendent.

CROSS REFS.: [GBEBC](#), Staff Gifts and Solicitations

[JJE](#), Student Fund-Raising Activities

[KHA](#), Public Solicitations in the Schools

[KHB](#), Advertising in the Schools

File: JQ - STUDENT FEES, FINES, AND CHARGES

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. While no student will be denied access due to an inability to pay fees, all students will be required to remit charges and fines.

A school may exact a fee or charge only upon Committee approval. The schools, however, may:

Charge students enrolled in certain courses for the cost of materials used in projects that will become the property of the student.

Charge for lost and damaged books, materials, supplies, and equipment.

Students who are indigent are exempt from paying fees. However, indigent students are not exempt from charges for lost and damaged books, locks, materials, supplies, and equipment.

All student fees and charges, both optional and required, will be listed and described annually in each school's student handbook or in some other written form and distributed to each student. The notice will advise students that fees are to be paid and of the penalties for their failure to pay them. Permissible penalties include the denial of participation in extra class activities and graduation exercises and activities while the student is enrolled in this District.

Any fee or charge due to any school in the District and not paid at the end of the school year will be carried forward to the next succeeding school year, as such debts are considered to be debts of the student to the District and not to a particular school.

File: JRA - STUDENT RECORDS

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

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

The Committee wishes to make clear that all individual student records of the school system are confidential. This extends to giving out individual addresses and telephone numbers, except to the extent that such information constitutes "directory information" and is not the subject of written objection by a parent/eligible student.

LEGAL REFS: Family Educational Rights and Privacy Act of 1974,

P.L. 93-380, Amended

P.L. 103-382, 1994

M.G.L. [66:10](#); [71:34A](#), [B](#), [D](#), [E](#), [H](#)

603 CMR [23.00](#)

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

File: JRD - STUDENT PHOTOGRAPHS

Individual schools may arrange, in cooperation with the school's parent organization, student council, designated student committee, or a staff committee, to take individual student and/or class group pictures.

Individual and/or class group pictures may be taken at the school facility and during the regular school day hours. The pictures shall be made available for purchase by students and/or parent/guardians on a voluntary basis. The building Principal or his/her designee shall have final authority in authorizing the picture-taking program and will be responsible for overseeing the process.

Students may be required to have an individual picture taken for the cumulative file or identification purposes; however, no student shall be pressured or required to purchase photographs.

The purpose of the policy is to:

- Enhance the safety of students through visual identification in an emergency situation.
- Facilitate the social, educational, and administrative activities conducted in the school.
- Provide a service to parent/guardians and students.
- Allow the profits gained from the picture-taking program to be used by the sponsoring group and authorized by the building Principal.

SOURCE: MASC Updated June 2020

LEGAL REF: M.G.L. [30B:1](#)(b)(31)

SECTION K - COMMUNITY RELATIONS

KA SCHOOL/COMMUNITY RELATIONS GOALS

KBA SCHOOL/PARENT RELATIONS GOALS

KBBA NON-CUSTODIAL PARENTS' RIGHTS

KBE RELATIONS WITH PARENT ORGANIZATIONS

KCB COMMUNITY INVOLVEMENT IN DECISION-MAKING

KCD PUBLIC GIFTS TO THE SCHOOLS

KDB PUBLIC'S RIGHT TO KNOW

KDD NEWS MEDIA RELATIONS/NEWS RELEASES

KE PUBLIC COMPLAINTS

KHA PUBLIC SOLICITATIONS IN THE SCHOOLS

KHB ADVERTISING IN THE SCHOOLS

KI VISITORS TO THE SCHOOLS

KJA RELATIONS WITH BOOSTER ORGANIZATIONS

KLG RELATIONS WITH POLICE AUTHORITIES

KLJ RELATIONS WITH PLANNING AUTHORITIES

KLK RELATIONS WITH LOCAL GOVERNMENTAL AUTHORITIES

File: KA - SCHOOL/COMMUNITY RELATIONS GOALS

The School Committee believes that the District is an integral part of the community and that community support is necessary for the District's operation and achievement of excellence. The School Committee and District staff members recognize that community support is based on a mutual exchange, a dynamic process in which the District contributes to the community's success and, in turn, benefits from the community's resources.

In order to maintain productive relationships with the community, the District is committed to sustaining:

- Effective, accurate, and meaningful communications that facilitate dialogue, encourage involvement in District programs, and create community advocacy for its public schools.
- Volunteer programs that provide mutually enriching experiences for our students, staff, and community volunteers.
- Recognition programs that publicly honor the contributions of our students, employees, and community partners and express pride in our individual and collective accomplishments.
- Community service efforts that enable the District's staff and students to express their commitment to the community.

File: KBA - SCHOOL/PARENT RELATIONS GOALS

It is the general goal of the District to foster relationships with parents that encourage cooperation between the home and school in establishing and achieving common educational goals for students.

While parents are individually responsible for their children, the District provides direct services of education and indirect services of childcare for students during the time when they are within the supervision of school personnel. Consistent with these shared responsibilities and as appropriate to the maturity of the student, members of the school staff will consult with parents regarding student progress and achievement, methods to enhance student development, and matters of correction.

Additionally, parental involvement in the schools is encouraged through regular communication with the school Principal and staff, the parent/teacher organizations, the school volunteer program, and other opportunities for participation in school activities and District programs.

File: KBBA - NON-CUSTODIAL PARENTS' RIGHTS

As required by Massachusetts General Law, a non-custodial parent may have access to the student record in accordance with law and Dept. of Elementary and Secondary Education Regulations. The school district will follow the law and the regulations developed by the Massachusetts Dept. of Elementary and Secondary Education to standardize the process by which public schools provide student records to parents who do not have physical custody of their children ("non-custodial parents").

As required by law, a non-custodial parent may have access to the student record in accordance with the following provisions.

- (a) A non-custodial parent is eligible to obtain access to the student record unless the school or district has been given documentation that:
 - 1. The parent has been denied legal custody or has been ordered to supervised visitation, based on a threat to the safety of the student and the threat is specifically noted in the order pertaining to custody or supervised visitation, or
 - 2. The parent has been denied visitation, or
 - 3. The parent's access to the student has been restricted by a temporary or permanent protective order, unless the protective order (or any subsequent order modifying the protective order) specifically allows access to the information contained in the student record, or
 - 4. There is an order of a probate and family court judge that prohibits the distribution of student records to the parent.
- (b) The school shall place in the student's record documents indicating that a non-custodial parent's access to the student's record is limited or restricted pursuant to regulation.
- (c) In order to obtain access, the non-custodial parent must submit a written request for the student record to the school principal.
- (d) Upon receipt of the request the school must immediately notify the custodial parent by certified and first class mail, in English and the primary language of the custodial parent, that it will provide the non-custodial parent with access after 21 days, unless the custodial parent provides the principal with documentation that the non-custodial parent is not eligible to obtain access as set forth in regulation.
- (e) The school must delete all electronic and postal address and telephone number information relating to either work or home locations of the custodial parent from student records provided to non-custodial parents. In addition, such records must be marked to indicate that they shall not be used to enroll the student in another school.
- (f) Upon receipt of a court order which prohibits the distribution of information pursuant to law, the school shall notify the non-custodial parent that it shall cease to provide access to the student record to the non-custodial parent.

LEGAL REF.: M.G.L. [71:34D](#); [71:34H](#)

603 CMR [23.07](#) (5) Access Procedures for Non-Custodial Parents

20 U.S.C. §1232g Family Education Rights and Privacy Act (FERPA)

File: KBE - RELATIONS WITH PARENT ORGANIZATIONS

To foster relationships with parents that encourage the home and school to work together to establish and achieve common educational goals for students, the Superintendent and the professional staff will:

1. Consult with and encourage parents to share in school planning and in setting objectives and evaluating programs.
2. Help parents understand the educational process and their role in promoting it.
3. Provide for parent understanding of school operations.
4. Provide opportunities for parents to be informed of their child's development and the criteria for its measurement.

To accomplish the above and to enhance communications between parents and school officials, the Committee encourages the maintenance of formal parent organizations, including booster organizations, at each school building. For this purpose, the Committee will officially recognize parent organizations. These procedures will be observed:

1. Organizations will be officially recognized upon request by the building Principal who will file a copy of the organizational papers with the Superintendent.
2. A vote, open to all parents of children enrolled, will designate the organization to be recognized if more than one organization with the same purpose makes the request.
3. All parent organizations that raise funds shall obtain 501C3 status or be affiliated with a 501C3 fiscal agent and file appropriate paperwork with state authorities and make proof of such status available to school district administration.
4. All parent organizations need to recognize that spending on student activities must comply with federal law relating to equity among student genders.

LEGAL REFS: Title IX, Education Amendments of 1972

CROSS REFS: [ACA](#) - Nondiscrimination on the Basis of Sex

File: KCB - COMMUNITY INVOLVEMENT IN DECISION-MAKING

The School Committee endorses the concept that community participation in the affairs of the schools is essential if the school system and the community are to maintain mutual confidence and respect and work together to improve the quality of education for students. It therefore intends to exert every effort to identify the desires of the community and to be responsive, through its actions, to those desires.

All citizens will be encouraged to express ideas, concerns, and/or questions about the schools to the school administration, to any appointed advisory bodies, and to the Committee.

Residents who are specially qualified because of interest, training, experience, or personal characteristics, will be encouraged to assume an active role in school affairs. From time to time, these people may be invited by the Committee to act as advisors, either individually or in groups.

The Committee and the staff will give substantial weight to the advice they receive from individuals and community groups interested in the schools, particularly from those individuals and groups they have invited to advise them regarding specific problems, but will use their best judgment in arriving at decisions.

CROSS REF.: [BDE](#), Advisory Committees to the School Committee

File: KCD - PUBLIC GIFTS TO THE SCHOOLS

The Superintendent or designee will have authority to accept in-kind gifts and offers of equipment for the schools in the name of the Committee when the gift is of educational value. In the case of gifts and offers of equipment from industry, business, or special interest groups, Andover's policy on advertising shall apply if advertising or promotion is involved in any donation to the schools.

Gifts that would involve changes in school plants or sites will be subject to School Committee approval.

Gifts will automatically become the property of the school system. Any gift of cash, whether or not intended by the donor for a specific purpose, will be accepted by vote of the School Committee, handled as a separate account and expended at the discretion of the Committee, as provided by law.

The Committee directs the Superintendent to assure that an appropriate expression of thanks and/or recognition is given all donors.

LEGAL REF.: M.G.L. [71:37A](#)

CROSS REF.: [KHB](#), Advertising in the Schools

File: KDB - PUBLIC'S RIGHT TO KNOW

The School Committee is a public servant, and its meetings and records will be a matter of public information except as such meetings and records pertain to individual personnel and other classified matters.

The School Committee supports the right of the people to know about the programs and services of their schools and will make every effort to disseminate information. All requests for information will be acted on fairly, completely and expeditiously.

All commonly available public record documents of the School District shall be posted on the district's website. The length of time such records shall remain posted on the district website shall be in accordance with the Municipal Record Retention Manual. In addition, the official minutes of the Committee, its written policies and regulations, and its financial records will be open for inspection at the office of the Superintendent by any citizen desiring to examine them during hours when the office is open. No records pertaining to individual students or staff members will be released for inspection by the public or any unauthorized persons by the Superintendent or other persons responsible for the custody of confidential files. The exception to this will be information about an individual employee (or student) that has been authorized in writing for release by the employee (or student, or student's parent).

Each building administrator is authorized to use all means available to keep parents and others in the particular school's community informed about the school's program and activities.

LEGAL REFS.: M.G.L. [4:7](#); [66:10](#); [30A:18](#)-25

CROSS REFS.: [BEDG](#), Minutes

[GBJ](#), Personnel Records

[JRA](#), Student Records

File: KDD - NEWS MEDIA RELATIONS/NEWS RELEASES

Every effort will be made to assist the press and other communications media to obtain complete and adequate coverage of the challenges, programs, planning, and activities of the school system.

All representatives of the media will be given equal access to information about the schools. General releases of interest to the entire community will be made available to all the media simultaneously. There will be no exclusive releases except as media representatives request information on particular programs, plans or problems.

In order that school system publicity is given wide coverage and is coordinated into a common effort and purpose, the following procedures will be followed in giving official information to the news media:

1. The School Committee Chair will be the official spokesman for the Committee, except as this duty is delegated to the Superintendent.
2. News releases that are of a system-wide or a sensitive nature or pertain to established Committee policy are the responsibility of the Superintendent.
3. News releases that are of concern to only one school, or to an organization of one school, are the responsibility of the Principal of that particular school. All statements made to the press by other staff members of the particular school must be cleared with the Principal.

While it is impossible to know how news releases will be treated by the press, every possible effort should be made to obtain coverage of school activities that will create and maintain a dignified and professionally responsible image for the school system.

File: KE - PUBLIC COMPLAINTS

Although no member of the community will be denied the right to bring their complaints to the Committee, they will be referred through the proper administrative channels for solution before investigation or action by the Committee. Exceptions will be made when the complaints concern Committee actions or Committee operations only.

The Committee believes that complaints are best handled and resolved as close to their origin as possible, and that the professional staff should be given every opportunity to consider the issues and attempt to resolve the problem prior to involvement by the Committee. Therefore, the proper channeling of complaints involving instruction, discipline or learning materials will be as follows:

1. Teacher
2. School building administrator
3. Superintendent
4. School Committee (for issues within its authority)

If a complaint, which was presented to the Committee and referred back through the proper channels, is adjusted before it comes back to the School Committee, a report of the disposition of the matter will be made to the Committee and then placed in the official files.

Complaints about school personnel will be investigated fully and fairly. However, no personnel action will be taken against a school employee based solely on an unwritten or anonymous complaint.

Matters referred to the Superintendent and/or School Committee must be in writing and should be specific in terms of the action desired.

The Committee expects the professional staff to receive complaints courteously and to make a proper reply to the complainant.

LEGAL REFS.: M.G.L. [76:5](#)

603 CMR [26.00](#)

File: KHA - PUBLIC SOLICITATIONS IN THE SCHOOLS

The School Committee will place limits on commercial activities and fund-raising activities in the schools for the following reasons:

1. The school system should provide students, parents, and employees some measure of protection from exploitation by commercial and charitable fund-raising organizations.
2. The school system should not give the public the impression of generally endorsing or sanctioning commercial and fund-raising activities.
3. Commercial and fund-raising activities may disrupt school routine and cause loss of instructional time.

Following these guiding statements, the Superintendent and Principals may permit occasional commercial or fund-raising activities related to the objectives of the schools with the following exceptions:

1. No direct solicitation of students or employees may take place without School Committee permission.
2. No general or class distribution of commercial or fund-raising literature may take place without School Committee permission.

For the purposes of this policy, local PAC, PTA, PTO, booster groups and groups representing school system employees will be considered "school groups" and will be governed by the Committee's policy on staff solicitations.

LEGAL REF.: M.G.L. [44:53A](#)

CROSS REFS.: [GBEBC](#), Staff Gifts and Solicitations

[JJE](#), Student Fund-Raising Activities

[JP](#), Student Gifts and Solicitations

[KHB](#), Advertising in the Schools

File: KHB - ADVERTISING IN THE SCHOOLS

The School Committee may grant permission for advertising of commercial products or services in school buildings or on school property or in publications of the school system under guidelines or procedures it may approve. Otherwise, no advertising of commercial products or services will be permitted in school buildings or on school property or in publications of the school system. However, this will not prevent advertising in student publications that are published by student organizations, subject to administration controls, or the use of commercially-sponsored, free teaching aids if the content is approved by the administration.

Solicitation of sales or use of the name of the school system to promote any product will not be permitted by the Committee.

CROSS REF.: [JP](#), Student Gifts and Solicitations

[KHA](#), Public Solicitations in the Schools

File: KI - VISITORS TO THE SCHOOLS

The School Committee welcomes parents and guests to visit classrooms to observe and learn about the instructional programs taking place in our schools. Such visits can prove most beneficial in promotion of greater school-home cooperation and community understanding of how we carry out the school system's mission and goals.

Visits by parents to several classrooms in a given grade for the purposes of comparing teaching styles to provide a basis for a request for student assignment to a particular teacher are prohibited because the School District's policy of assigning a student to a particular class is the sole responsibility of the building Principal in consultation with the staff of that school.

The following guidelines to classroom and school visits should be followed:

1. Parental requests for classroom visitations will be welcomed as long as the educational process is not disrupted. To this end we request that such requests be made at least forty-eight hours in advance to allow for proper arrangements to be made.
2. The building Principal has the authority to determine the number, times, and dates of observations by visitors. This will be done in consultation with staff members so as to give adequate notice to the staff members of the impending visits.
3. For security purposes it is requested that all visitors report to the Principal's office upon entering and leaving the building and sign a guest log showing arrival and departure times. Teachers are encouraged to ask visitors if they have registered in the Principal's office.
4. Under ordinary circumstances classroom observations will be strongly discouraged during the first three weeks of school and during the month of June.
5. Any student who wishes to have a guest in school MUST ask permission of one of the administrative staff 24 HOURS in advance of the proposed visit. If permission is granted, the guest is expected to follow the standards of behavior expected of all students. Upon arrival the guest must register in the office. Any guest who fails to comply with student regulations will be asked to leave the school building and grounds immediately.

CROSS REF.: [IHBAA](#), Observations of Special Education Programs

File: KJA - RELATIONS WITH BOOSTER ORGANIZATIONS

The School Committee recognizes that the endeavors and objectives of booster organizations and similar groups can be a valuable means of stimulating interest in and endorsement of the aims and achievements of our public school system in various educational, athletic, and extra-curricular activities.

Generally, actions initiated by boosters provide the atmosphere and climate to foster and encourage community-school relationships. It is important to remember at all times, however, that booster organizations/clubs are independent entities which are separate from Andover Public Schools and any of its individual schools and their activities and that such organizations/claims are not agents or representatives of Andover Public Schools. In order to clearly maintain this separation, the School Committee adopts the following restrictions. The Superintendent shall be authorized to supplement these general restrictions with more specific rules.

1. With respect to athletic booster organizations/clubs, no coach or members of the immediate family of a coach shall be involved in the activities of booster organizations/clubs, including fundraising, promotion, and maintenance and expenditure of funds. With respect to booster organizations/clubs which support educational or extra-curricular programs, no professional staff or members of the immediate family of professional staff shall be involved in the activities of booster organizations/clubs, including fundraising, promotion, and maintenance and expenditure of funds. This shall not prevent coaches or professional staff from providing information to booster organizations/clubs regarding needs and news.
2. Eligibility of a student for participation in, or to receive credit for, any athletic, educational, or extra-curricular program shall not be conditioned upon the student's or his/her parents'/guardians' membership/participation in, or contribution/donation to, a booster organization/club.
3. Booster organizations/clubs shall not solicit funds/donations or engage in any activities in any manner, including the direct hiring or funding of coaches or staff, which reasonably could lead any third person to believe that they act as agents or representatives of, or with the authority of, Andover Public Schools.
4. Subject to School Committee policy, including policies on student fundraising activities, decisions as to how to organize and run its activities will be made solely by the booster organization/club. However, if at any time Andover Public Schools receives information that a violation of any federal or state law, regulation, or rule may be occurring, Andover Public Schools is authorized to require immediate compliance. Although Andover Public Schools has no role in a booster organization's/club's determination as to how to solicit funds or how to maintain and expend those funds, the School Committee strongly encourages these organizations/clubs to provide financial information (revenue and expenditures) to donors/contributors when requested.

Booster-proposed plans, projects, or activities must be evaluated and promoted in light of their stated contribution to the academic as well as the athletic and fine arts programs of the schools. Care must be taken to avoid compromising or diluting the responsibilities and authority of the School Committee. Any donation of equipment must have prior approval of the Superintendent or designee. Any gift of cash to the Andover Public Schools is subject to acceptance by the School Committee.

CROSS REF.: [GBEBC](#), Staff Gifts and Solicitations

[JJE](#), Student Fundraising Activities

[KCD](#), Public Gifts to Schools

File: KLG - RELATIONS WITH POLICE AUTHORITIES

Cooperation with law enforcement agencies is essential for the protection of students, for maintaining a safe environment in the District schools, and for safeguarding all school property.

In accordance with law, the Chief of the Andover Police Department, in consultation with the Superintendent of Schools, shall assign at least one (1) School Resource Officer to serve the school district. The Superintendent of Schools and the Chief of the Andover Police Department shall enter into a written memorandum of understanding to clearly define the role and duties of the School Resource Officer(s).

Relationships between the schools and officials of law enforcement agencies in investigative matters concerning pupils will take into consideration the respective roles of the schools and law enforcement agencies in assisting and protecting the interests of the community, and ensuring the rights of all concerned.

The School Committee also recognizes the potential enrichment that law enforcement agencies can make in the educational program.

Efforts should be made to develop and maintain a healthy attitude toward law enforcement agencies and personnel to promote better understanding and communication.

LEGAL REFS: MGL [71:37P](#)

File: KLJ - RELATIONS WITH PLANNING AUTHORITIES

The School Committee will participate in local and state planning functions that could directly affect District schools and their immediate environment.

The Superintendent or designee will keep the School Committee informed of planning matters bearing directly on the operation of District schools or school-sponsored programs, and will undertake action on behalf of the School Committee to influence matters in the best interests of the students, the schools and the District.

File: KKK - RELATIONS WITH LOCAL GOVERNMENTAL AUTHORITIES

The School Committee and its administrative officers welcome all who seek to serve the residents of the community and will participate with them in the planning and execution of such projects as will be mutually beneficial for students.

It is School Committee policy that administration inform elected and appointed officials of the local and county government of the desire to work cooperatively for improved services.

SECTION L - EDUCATION AGENCY RELATIONS

[LA](#) **EDUCATION AGENCY RELATIONS GOALS**

[LB](#) **RELATIONS WITH OTHER SCHOOLS AND SCHOOL DISTRICTS**

[LBC](#) **RELATIONS WITH NONPUBLIC SCHOOLS**

[LDA](#) **STUDENT TEACHING AND INTERNSHIPS**

File: LA - EDUCATION AGENCY RELATIONS GOALS

The School Committee appreciates the place and importance of an educational system in its greater environment, which includes other organizations and institutions dedicated to education. It believes that much is gained through cooperative endeavors with other agencies.

In order to make a maximum contribution to education, within the school system and to other educational agencies, the Committee establishes these broad goals:

1. To encourage liaison with other educational agencies.
2. To supply educational services to and/or share with other educational agencies.

File: LB - RELATIONS WITH OTHER SCHOOLS AND SCHOOL DISTRICTS

The School Committee will cooperate with other schools and with local, state, and regional agencies and organizations to:

1. Seek solutions of educational problems of common concern.
2. Offer support services of high quality to our children.
3. Equalize educational opportunities for all children.
4. Acquire federal and state grants.
5. Promote local school system involvement in state and federal decision-making.

This cooperation may extend to research, providing transportation for children to special schools and hospitals, coordination of curriculum, exchange of information and data, construction of facilities that may be efficiently used on a cooperative basis, and the coordination of school calendars and activities.

Before joining any cooperative programs, education collaborative, or participating in any joint educational services with other school systems, the School Committee wants to be sure that in all instances the best interests of our school children will be served. In carrying out this policy the Superintendent will include in reports to the Committee an evaluation of the desirability and feasibility of cooperation with other schools and agencies on matters of mutual interest.

LEGAL REFS.: M.G.L. [40:4E](#); [71:48](#); [71:71D](#); [71B:4](#); [74:4](#) through [74:7A](#); [76:1](#)

File: LBC - RELATIONS WITH NONPUBLIC SCHOOLS

Private Schools

In accordance with state law, the School Committee will approve a private school when it is satisfied that the instructional program of the school equals that of the town's public schools in thoroughness, efficiency, and progress made.

The Committee recognizes that many worthwhile contributions are made to this community by parochial and other private schools. Therefore, it will cooperate with these schools in matters of mutual benefit when law does not expressly prohibit this cooperation.

LEGAL REFS.: M.G.L. [40:4E](#); [71:48](#); [71:71D](#); [71B:4](#); [74:4](#) through [74:7A](#); [76:1](#)

File: LDA - STUDENT TEACHING AND INTERNSHIPS

The Committee encourages the administration to cooperate with teacher-training institutions in the placement of student teachers in the school system. All initial arrangements with the colleges and universities will be subject to Committee approval.

The Committee authorizes the administration to honor the reasonable rules and training guidelines of the sending institution.

In all arrangements made with colleges and universities, the school system will be given the privilege of interviewing and accepting or rejecting individual candidates for student teaching and internships.

The school administration will ensure there are procedures for evaluating the performance of student teachers that meet requirements of the sending institution and fit with the Committee's policies.