



2021-2022





Sunita Williams Elementary School  
585 Central Avenue  
Needham, MA 02494

Tel 781-455-0461  
Fax 781-455-0857

Safe Arrival: 781-455-0461 press #1  
Health Office: 781-455-0461 x 53999

## 2021-2022 School Calendar

Aug./September (19)					February (15)				
M	T	W	Th	F	M	T	W	Th	F
30	31	1	2	3		1	2	3	4
6	7	8	9	10	7	8	9	10	11
13	14	15	16	17	14	15	16	17	18
20	21	22	23	24	21	22	23	24	25
27	28	29	30		28				
October (20)					March (23)				
M	T	W	Th	F	M	T	W	Th	F
				1		1	2	3	4
4	5	6	7	8	7	8	9	10	11
11	12	13	14	15	14	15	16	17	18
18	19	20	21	22	21	22	23	24	25
25	26	27	28	29	28	29	30	31	
November (18)					April (15)				
M	T	W	Th	F	M	T	W	Th	F
1	2	3	4	5					1
8	9	10	11	12	4	5	6	7	8
15	16	17	18	19	11	12	13	14	15
22	23	24	25	26	18	19	20	21	22
29	30				25	26	27	28	29
December (16)					May (21)				
M	T	W	Th	F	M	T	W	Th	F
		1	2	3	2	3	4	5	6
6	7	8	9	10	9	10	11	12	13
13	14	15	16	17	16	17	18	19	20
20	21	22	23	24	23	24	25	26	27
27	28	29	30	31	30	31			
January (20)					June (13)				
M	T	W	Th	F	M	T	W	Th	F
3	4	5	6	7			1	2	3
10	11	12	13	14	6	7	8	9	10
17	18	19	20	21	13	14	15	16	17
24	25	26	27	28	20	21	22	23	24
31					27	28	29	30	

	No School
	PreK-12 Early Release
	PreK-8 Early Release
	Professional Development Day

Needham High School classes begin at 8:35 a.m. on Fridays

AUGUST 2021 - SEPTEMBER 2021	
8/30-8/31	Staff Returns/Professional Development
9/1	First Day of School - Grades 1-12
9/2	First day Kindergarten/Preschool Orientation
9/6	No School (Labor Day)
9/7	No School (Rosh Hashanah)
9/16	No School (Yom Kippur)
9/29	PreK-8 Early Release
OCTOBER 2021	
10/11	No School (Indigenous Peoples Day)
10/20	PreK-12 Early Release
NOVEMBER 2021	
11/3	PreK-12 Early Release
11/11	No School (Veterans' Day)
11/17	PreK-8 Early Release
11/24	No School - Professional Development
11/25-26	Thanksgiving Recess
DECEMBER 2021	
12/8	PreK-12 Early Release
12/22	PreK-12 Early Release
12/23-1/2	Winter Recess
JANUARY 2022	
1/3	Classes Resume
1/12	PreK-8 Early Release
1/17	No School (Martin Luther King Jr.)
1/26	PreK-12 Early Release
FEBRUARY 2022	
2/9	PreK-12 Early Release
2/21-2/25	February Recess
MARCH 2022	
3/2	PreK-8 Early Release
3/16	PreK-12 Early Release
APRIL 2022	
4/6	PreK-8 Early Release
4/15	No School (Good Friday)
4/18-4/22	April Recess
MAY 2022	
5/4	PreK-12 Early Release
5/18	PreK-8 Early Release
5/30	No School (Memorial Day)
JUNE 2022	
6/1	PreK-8 Early Release
6/5	GRADUATION: SUNDAY, JUNE 5
6/17	Last day of school - no snow days- Early Release
6/20	Juneteenth Observed (if school is in session)
6/27	Last day 5 snow days -Early Release

Approved by School Committee 4-27-21

*Welcome to the Sunita Williams community! We are mutually proud of our wonderful student body, generous parents, and talented and compassionate staff.*

*Our neighborhood has expanded to include a successful METCO program, a growing ELL (English Language Learners) population, and the Early Learning Center program for students with special needs in grades K through five. Our student body is a diverse, creative, and energetic group of over 500 students. They certainly make the very most of what we have to offer. Our parents have been thanklessly supportive by funding a steady stream of creative arts programs and educational technology into our classrooms. The teachers and staff continue to develop and hone the best possible curriculum for our students while being ever mindful of the importance of creating and maintaining a healthy emotional school environment. At Sunita Williams it is important that all children and adults feel safe. Just as important is that we all, students, parents, teachers and staff, respect each other and are treated with that same respect.*

*The Sunita Williams Handbook is divided into two sections. The first section houses information specific to Sunita Williams School written by our students and staff. The second lists essential information for all Needham Elementary Schools which includes important information on our **health and safety policies and lunch program**. The school calendar is on the inside front cover. For more information about Sunita please visit our website at <http://sunitawilliams.needham.k12.ma.us/> and feel free to contact me at the Sunita Williams School office, 781-455-0461 or at [Michael\\_Kascak@needham.k12.ma.us](mailto:Michael_Kascak@needham.k12.ma.us).*

*-Michael Kascak  
Principal*



## Important Information for Sunita Families

Main Office	781-455-0461
Press 1 for the safe arrival line for absences, tardies or change of dismissal.	
Health Office	781-455-0461 ext 53999
Health Fax #	833-296-7389
To contact any NPS staff member by email	

### **Band and Strings**

Children in Grades 3-5 have the opportunity to play an instrument. Strings lessons are taught in grades three through five. String players in grades 3-5 play as an ensemble. Lessons are given in Grade Four to students learning percussion, brass, and woodwind instruments. Lessons are scheduled before school. There is a fourth grade band and a fifth grade band.

### **Behavior Expectations**

Each year students & parents are asked to review together the school behavior expectations. A contract comes home and students and parents will sign the it and return it to school.

### **Buddies**

We like the younger children to interact with the older children so we have buddies. All of the children at Sunita Williams have buddies. An older class of students is partnered with a younger one and they meet regularly throughout the school year. Buddy projects include reading together, creating craft or literature projects, attending assemblies together, and theme picnics.

### **Care Team**

The care team is a dedicated group of teachers and staff members who collaborate to establish support for a student's particular behavioral needs. This collaborative team works together to propose behavioral supports and interventions, and may also include the development of a student behavior plan in consultation with the Board Certified Behavior Analyst, Classroom Teacher, School Counselor, and School Administrators.

### **Cell phones**

Children are not allowed to use cell phones at Sunita Williams School. If a student needs to make a phone call, s/he can go to the office and politely ask to use the phone. If a student uses a cell phone on school property, including the playground, it will be confiscated by the principal/assistant principal and then must be picked up in person by a parent or guardian. Other items that are not allowed at Sunita Williams School are listed in the "Things Not Allowed at School" section.

### **Child Assault Prevention Program (CAPP)**

The CAPP curriculum, presented by trained community volunteers, teaches elementary school children simple strategies to reduce their vulnerability to verbal, physical and sexual assault and violence.

### **Connection Clusters**

Every first through fifth grader is a member of this school-wide program that has every student assigned to a Connection Cluster teacher who mentors a mixed age group of students. The goal of this program is to provide a consistent adult connection, promote mixed age association and offer learning and leadership.

### **ELC Programs (Early Learning Center)**

The Early Learning Centers (ELC) provides the opportunity for students with low incidence disabilities to receive intensive instruction in the areas of language and social skills, cognition, play and motor development as well as behavioral intervention within a substantially separate classroom. Additionally, this model allows students to learn and participate with their same aged peers in general education classrooms when appropriate. Inclusion opportunities tend to increase with age, however, programming is individualized at the student level.

### **Email Guidelines**

Email is an effective and powerful tool that facilitates communication, planning and ensures that information is shared quickly and efficiently. At the same time, email can be overused or misused and cause additional work or misunderstandings between users. To avoid the latter, please keep in mind the following guidelines:

- Email should never be used for problem solving or handling of sensitive topics or situations. This is best done in person or on the phone.
- Keep email short and to the point. Brief messages containing factual and logistical information or a simple question or two are what email is truly designed to facilitate. If you find your message is exceeding 100 words, it would most likely be better handled by a phone call.
- Responses to email may come quickly but should not be expected sooner than snail mail (three working days). So, if you feel you need an immediate response to a question, please call the school.

### **English Language Learners (ELL)**

Sunita Williams, Director of ELL/teacher, Ms. Singelais, provides instruction and support for students for whom English is a non-native language, and who for that reason are not able to

perform grade level classwork in English. Once the students are assessed and identified as English language learners, they may receive ELL services up to four times a week, depending on individual need. Instruction includes English language development in all four domains: understanding, speaking, reading and writing as well as support in the content areas of math, science and social studies. Ms. Singelais also provides English language learners with an introduction to the school and its cultural practices. ELL instruction may take place either in a pull-out setting or in the student's classroom. Ms. Singelais works closely with classroom teachers, consulting and providing resources for the English language learners.

### **Equal Opportunity and Inclusion**

All students regardless of race, gender, color, religion, sexual orientation, or national origin, are guaranteed equal and unbiased treatment in and access to all aspects of public school education. Sunita Williams is proud of its inclusion program and students are expected to be inclusive with everyone while in school.

### **Field Trips**

Thanks to generous support from the PTC, wonderful field trips are taken by all grades. Plenty of notice is given for these trips and students must have a permission slip signed by a parent or legal guardian in order to go on any field trip. If we do not have a signed permission slip before students leave on the trip, the student must remain at school and will miss the experience.

### **Fire Drills and Head Count Procedure**

Several times during the year, the school has a fire drill. You must be quiet and listen for any special instructions from the teacher. The following guidelines are posted in every classroom and must be observed:

1. File out of the room quickly and quietly. The last person must shut the door.
2. Do not push or run.
3. In the event of a blocked exit, file quickly and quietly to the alternative exit.
4. Move at least 100 feet from the building.
5. Remain with your teacher and your class for further instructions.
6. If you are not with a group when a fire signal sounds, leave the building by the nearest exit and join your class on the school grounds.

In addition to practicing fire drills, we also regularly practice our Head Count Procedure. This practice makes sure all children are counted and all doors are secured in the school.

### **Friday Bulletin**

The Friday Bulletin is our school newsletter distributed electronically on most Fridays. The bulletin includes information about recent and future school events. At the end of each month,

the lunch menu is sent home in your child's backpack and is available on the Food Service page of the Needham School District website, Parents section.

### **Health Office**

**To allow sufficient time to recover from an illness or injury, and to minimize the spread of an infectious illness, your child should be kept home from school if he/she has:**

A communicable disease

Fever greater than 100 degrees F within the last 24 hours

Vomiting/diarrhea within the last 24 hours

Pain that requires the use of narcotic medications

An upper respiratory illness with significant coughing and/or nasal discharge

### **Homework**

Homework is given to enhance and supplement the curriculum. The following is a list of general guidelines for the amount of time students can be expected to work on home assignments. This can vary a good deal from one student to another. If you feel that your child has difficulty completing his or her assignments within the allotted time on a regular basis, please contact the teacher for suggestions. Homework is discussed in more detail at the fall Curriculum Evenings.

Kindergarten	At home, read-aloud time of fifteen minutes nightly is recommended.
First Grade	Assignments will be given at the discretion of the teacher. At-home, read-aloud time of 15-20 minutes nightly is recommended.
Second Grade	Children in second grade may be assigned 15-20 minutes of homework a day.
Third Grade	Third graders may be assigned 20-40 minutes of homework.
Fourth Grade	Fourth graders may be assigned 30-50 minutes of homework.
Fifth Grade	Fifth graders may be assigned 45-60 minutes of homework.

Finally, the need for a reminder about unauthorized school vacations has resurfaced at all grade levels. Teachers will not provide children with work before they leave for a vacation while school is in session. This is a school wide policy for all grade levels. There is a good reason for this. To do so trivializes teaching and what goes on in each classroom. Concepts are presented to students and homework is based on what is taught in class. Teachers cannot predict in advance where students will be in the learning process. When your child returns to school, the work missed will be given to your child. Together, you and your child can complete it. If you must travel, your children can certainly continue to read daily, and even write in a travel journal. Feel free to contact me if you have any further questions.

### **Hours of School**

School starts at 8:20 am and ends at 2:45 pm.

Early Release is 12:15 for grades K-5

Please check and note the calendar on the inside front cover of this handbook carefully for these special dates.

### **Sunita Williams School**

Please check out our school's website for more information about our school, including more specific details about many of the items listed in this handbook.

### **Listserv**

We encourage you to join the [superintendent's listserve](#) to receive periodic emails about various school programs and events. Here you can join the SWES's Principal listserv as well. [Please join now!](#)

### **Lost & Found**

There is a big box that is located in the back of the cafeteria. When a lost item is found in or outside of school, it is brought to the "lost & found". If you lose something, the best thing to do is look there. Before each school break, all unclaimed items will be donated to charity.

### **Media Center**

#### **SWES Library**

All students K-5 visit the library weekly for book borrowing. The librarian teaches weekly lessons for grades K-2 and co-teaches Social Studies for grades 3-5. The Library curriculum has three strands: Literacy, Research, and Technology. Please visit our district [Library Media website](#) for more information.

If you are interested in the Birthday Book program, please contact the librarian.

### **NPS Media and Digital Learning**

The technology specialist works with all classes, grades K-5. Students in K-2 use iPads and 3-5 use Chromebooks. The students learn technology skills based on their devices and they all work on digital citizenship



## ***MORNING MINGLE***

### **What is it?**

Morning Mingle is a time at the beginning of the day to talk to friends, get some fresh air, and transition from home to school.

Each grade level needs to have a representative at every outdoor Morning Mingle.

### **What time is it?**

Morning Mingle starts 15 minutes before the beginning of the school day.

### **What happens if it rains?**

If it is raining or too cold, students will be notified (the light in front of the school will be on) to come inside for Morning Mingle in their own classrooms. Also, starting in January after returning from the Winter Recess, students will be inside for Morning Mingle until after February Recess.

## ***No School/Delayed Opening***

On days when weather conditions are severe, school will be canceled. The Needham Public Schools utilizes an emergency notification system that will contact families home phones, cell phones, and will send an email using the information you provided in Powerschool. The “No School” announcement will also be carried by television channels 4, 5, 7 and Fox25 and the local cable channel. Information regarding schools during inclement weather is also prominently displayed on the [NPS website](#) and provided through Dr. Gutekanst’s Twitter account

## ***Parent Teacher Council (PTC)***

At Sunita Williams, the parents play a very large role in helping our community gather resources and supplement our academic and social programs. If you want to be involved as a parent, you can go on field trips, help with the disabilities program, set up parties, run literature circles, and go to PTC meetings where you decide how to raise and spend money for enrichment activities.

## ***Placement***

The issue of placement of children in classes every year is an important one. Class lists are planned carefully, sensitively, thoughtfully, and with great deliberation. Children's strengths, as well as their academic, social, emotional, and physical needs all come into focus as teachers meet at each grade level to decide how to best regroup for the new school year. Specialists, resource teachers, the school adjustment counselors, in addition to classroom teachers, are included in the

process. Before final placement decisions are made, the principal consults with the staff at every grade level. Final placement decisions are made by the principal.

Our goal is to put children in classes that are balanced by many factors - gender, academic strengths, special needs, and behavior. These are the major factors, which we consider as we strive to place children in next year's classes. In addition to considering each child's placement with a particular teacher, we are looking at the group as a whole. Each teacher has his/her uniqueness and special qualities, but all teachers share a common concern for and love of children and a sincere dedication to excellence. What all of us want is for each child to have the best school year possible. We appreciate your respect and value your trust.

### **Report Cards and Conferences**

Sunita William's students receive report cards two times a year at the end of the second and fourth terms. Parent teacher conferences are scheduled twice a year at the end of terms one and three. Additional conferences may be scheduled if either the parent or teacher feel it is warranted for academic or behavioral reasons. The principal may be asked to join the conference by parents and/or teacher.

**. \*As of 1998, Massachusetts law (General Laws Chapter 71, Section 34G) specifies detailed procedures that give access to student records by parents who do not have physical custody of their children. For more information, please contact Mr. Kascak.**

### **Section 504 of the Rehabilitation Act of 1973**

This law precludes discrimination based upon disabilities and maintains that reasonable accommodations must be made to ensure participation by disabled individuals. The Act defines persons with a handicap or disability as anyone who has a mental or physical impairment, which substantially limits one or more major life activities. If you believe your child is eligible for accommodations under this Act, please see your child's guidance counselor for more information.

### **Teacher Support Team (TST)**

All of our schools have Teacher Support Teams. These are faculty groups who come together on a regular basis to support their colleagues in the enormous responsibility of meeting the diverse needs of their students. This forum provides an opportunity to share expertise and make decisions about how best to meet the needs of individual learners. Specific topics of discussion and collaborative problem-solving may focus on:

- how instructional strategies may be varied
- accommodations that may help a student better learn
- behavioral interventions that may be adapted to improve behavior
- what other regular education supports may be needed to enhance learning.

### **Things NOT allowed at Sunita Williams**

The principal has the right to decide what children may bring into the school. He makes these decisions based on concerns about safety and a determination about the level of distraction toys and other items cause in the classroom and in the common areas.

Cell phones, Smart watches/Smart Devices, electronic games, Ipods, portable CD players and radios are not allowed in school. As mentioned below in the transportation section, roller blades, scooters, and skateboards are also not allowed at Sunita Williams School. Walking and/or passing through with dogs Mon- Friday while school is in session is not allowed. For safety reasons, students are not allowed to wear flip-flops, clogs, sandals, or any shoes that cannot be fastened around the heel.

### **Transportation**

#### **Buses and vans**

There are many buses and vans that transport kids to and from Sunita Williams School. They are clean and safe. They also have very nice bus drivers. All the buses are called over the loudspeaker at the end of the day when they get here. Some buses are early, some take a while. Twice every year the students practice evacuating a school bus safely. If you have questions or want to request information about busing, please contact NPS Transportation Director, Shane Marchand at (781) 455-0400 x 234 or by email at:

[Shane\\_Marchand@Needham.k12.ma.us](mailto:Shane_Marchand@Needham.k12.ma.us)

#### **Walkers**

We strongly encourage (and appreciate!) walking to school whenever possible for the health benefit as well as the easing of traffic congestion around the school. Students and parents who walk to school need to follow the crossing guards' instructions, stay on the sidewalks, respect and stay off the neighbors property.

#### **Bikers**

You have to be in at least the third grade and have participated in the bike rodeo before you can ride your bike to school. All bikes must be walked when on school grounds. Y

**Roller blades, scooters, and skateboards are not allowed at Sunita Williams School.**

## **SCHOOL ATTENDANCE**

The education of children is a responsibility shared by the school and parents. Teachers and parents work together to develop characteristics important in the educational growth of children. Regular attendance is essential to the learning process and helps to establish good student work habits. Participation in classroom activities is an important factor in educational success. Student absences, tardiness and early dismissals affect this learning process. Therefore students are expected to be in attendance every day of the school year from arrival to dismissal. Students should be home when they are ill; otherwise, all efforts should be made to have them in school. To the greatest extent possible, all appointments should be made before or after school and recreational trips scheduled during school vacations.

Under Massachusetts General Laws Chapter 76, Section 1 states that all children between the ages of six and sixteen must attend school. A school district may excuse up to seven days or fourteen half-days in any period of six months. In addition to this law, each school may have its own attendance policy with which parents/guardians should be familiar. Parents/guardians are required under the law to ensure regular school attendance of their children and are subject to a fine for failure to comply with the law. If a child is absent for five (5) or more consecutive days, a doctor's note (certificate) is required when the child returns to school. Failure to provide a medical note will result in the absence being considered as unexcused.

### **\*ABSENCES-REPORTING**

In the event a child will be absent for the day, parents or guardians are expected to call the school office before the beginning of school. Parents and guardians must furnish the school with a home, work or other emergency telephone number where they can be contacted during the school day. Parents will be contacted as soon as practical and within three (3) days of the student's absence if the Parent(s) or Guardian has not contacted the school regarding an absence.

### **\*ABSENCES-EXCESSIVE**

Parent(s) or Guardians will be notified when a student has at least five days in which the student has missed two or more classes/periods (unexcused) or who has five or more unexcused absences in the school year. The building principal (or his/her designee) will make a reasonable effort to meet with the parent or guardian of a student who has 5 or more unexcused absences to develop an action plan to improve the student's attendance. In all circumstances Parents/Guardians are encouraged to contact school staff and work collaboratively with them to correct the reasons that the student is missing school. Excessive, unexcused absences may also result in the school taking legal action to remedy this situation.

### **ABSENCES-PLANNED**

School vacations are planned well in advance, at appropriate intervals during the school year and parents should make family plans accordingly. It should be realized that teachers cannot realistically provide work in advance of planned absences that will adequately make up for missed instruction; therefore, teachers shall not be required to provide work for any student prior to a planned absence.

Parents who allow their child to be out of school for vacations are assuming responsibility for their child's educational program. When a student returns to school, he/she shall complete work not available during their absence. The time limit for completion is the length of the absence.

## **ELEMENTARY SCHOOLS CODE OF CONDUCT STUDENT BEHAVIOR AND EXPECTATIONS**

### **GUIDING PRINCIPLES**

The goal of the Social and Emotional Learning program in the Needham Public Schools is to help students develop self-awareness, self-management, social awareness, responsible decision-making, and relationship skills. The promotion of a social and emotional learning framework in our schools is designed to foster a school culture that promotes respect, inclusion and strong classroom and school culture. The implementation of this framework endeavors to provide an appropriate learning environment for our students.

The elementary school faculties establish a system of rules that govern their teaching and common spaces. Teachers engage students in establishing classroom rules and procedures that provide a structure to support all students as they learn and grow. Students are expected to demonstrate behavior appropriate to specific settings within the school, on the bus and on the playground. Teachers are asked to communicate clearly the rules of these settings to their students. School rules should be simple and few and emphasize a spirit of cooperation, high expectations and caring for one another. The rules will be stated in the affirmative wherever possible.

Children benefit from the consistency of having adult models both at school and at home in order to develop acceptable social behavior. The partnership between school and home is a critical support to our students in their social and emotional development. One of our guiding principles is the fostering of this partnership so that teachers and parents can share information, strategies, ideas, insights and, when needed, can problem-solve to assist our students in developing and maintaining appropriate behavior in the school setting.

### **STRATEGIES TO HELP CHILDREN MODIFY BEHAVIOR**

All students are expected to demonstrate respect for other individuals, their rights and their property in school and during all school-sponsored activities, including those times when they are riding school buses. Students are expected to behave in accordance with school rules and regulations. When appropriate, school personnel will modify environments to help prevent the likelihood of misbehavior.

Behavior expectations will be in keeping with each child's developmental readiness. Through classroom structures and direct skill instruction, children will be instructed in how to:

1. Make sound decisions and seek adult help (assistance when needed)
  1. Behave responsibly
  2. Cooperate with teachers and peer groups

The process for communicating with parents regarding problems with behavior will be initiated early on. Teachers are expected to contact parents for a conference, following the emergence of a behavior difficulty. Our schools believe that a strong home/school partnership is helpful in addressing the student's progress. Likewise, parents should contact their child's teacher with any concerns about social or behavioral problems. It is expected that most behavior problems will be solved at the parent-teacher level. However, if necessary, the Principal may communicate directly with parents regarding a challenging behavior. The following are examples of steps that may be taken in order to help students modify their behavior:

1. Parent-teacher conference - At the first sign of an emerging behavioral pattern or difficulty
2. Teacher creates a behavior plan and/or contracts with the student for improvement
3. Involvement of the principal, school counselor and/or resource teacher as collaborative consultant to the teacher
4. Teacher applies to the Teacher Support Team for review of the student's progress and the development of a behavior intervention

## **BUS CONDUCT**

The school bus is an extension of the school itself and rules regarding behavior are the same as in the school. School bus safety is a primary concern of the Needham Public Schools, and we reserve the right to take whatever action is necessary to maintain a high level of safety. The school reserves the right to exclude students from school and/or the bus for misconduct of a serious nature that occurs on the bus or at the bus stop that may impact the school environment. The right of a student to school bus transportation is a qualified right dependent on good behavior. In a case where a student seriously or continuously misbehaves, parents/guardians will be notified by the principal or designee of the school to which the student is assigned. The bus pass may be revoked if, in the opinion of the principal, such action is necessary for the general safety and well being of other students. In cases where a student's conduct jeopardizes the safety and well being of other students that student may immediately be excluded from the bus.

## **INVESTIGATION (Interviews & Searches)**

Under Needham School Committee policy, school administrators have the authority, as deemed necessary, to interview students regarding matters that are relevant to the school environment. In addition, school administrators may search students and their personal belongings on school property when the administrator has a reasonable basis for believing that the search will produce evidence that the student has violated a school rule or a state or federal law.

Lockers, desks, and similar areas assigned to students remain the property of the school and are therefore subject to inspection by the school administration at any time.

## **POTENTIAL CONSEQUENCES FOR SERIOUS BEHAVIOR**

The following behaviors may serve as grounds for suspension or other disciplinary action, including loss of student privileges.

1. 1. Use of obscene, abusive or profane language or gestures
2. 2. Harassment of another student especially on the basis of race, sex, national origin, religion, handicap, gender identity, or sexual orientation
3. 3. Bullying, cyber-bullying or other intimidation of another student, regardless of the basis of such conduct
4. 4. Behavior which endangers persons or property or disrupts the educational process or school activity
5. 5. Fighting or any assault or act of violence committed against another student or school personnel

Students may be expelled under limited circumstances defined by statute (so called “Statutory Offenses”) referenced in section titled: **STATUTORY OFFENSES: DUE PROCESS AND PROVISIONS OF LAW**

#### **PROCEDURES FOR SUSPENSION**

Please refer to section titled: **PROCEDURES FOR SUSPENSION & EXPULSION** of this handbook for detailed information regarding Needham Public Schools Procedures for Suspension

## **2. *DISTRICT-WIDE SECTION OF HANDBOOKS***

### **NEEDHAM SCHOOL NUTRITION SERVICES INFORMATION ELEMENTARY SCHOOLS**

**2021-2022**

The school cafeteria is open every school day serving many choices of nutritious hot and cold lunches for all K-5 grade students. On Early Release Days, a simple breakfast will be served at most elementary schools, and a portable to-go-lunch will be available to students in the late morning to either eat in class or take to their after-school program. (As always, food can not be eaten on the bus.) The Needham Nutrition Services department is dedicated to being a leader in quality nutritious food. The menus are carefully written by a Registered Dietitian to assure nutritional integrity. The Cafeteria Staff at each school are dedicated, talented, and kind people who are there because they love to care for children by preparing and serving excellent food in their “nutrition classroom”, and encouraging the students to make good food choices to enhance their well-being.

Much thought and planning is put into providing a variety of entrée and other lunch menu components, which are delicious, kid-friendly, and nutritious. The menu of the day changes, but every day there are six other lunch options available (Chicken Caesar Salad, Turkey Sandwich, Wow(Soy)butter & Jelly Sandwich, Tuna Sandwich, Bagel & Yogurt or Cheese, Soft Pretzel & Yogurt or cheese). Plentiful supplies of many choices of delicious fresh fruits, cut veggie sticks and salads are always available as part of the school lunch.

A printed copy of the Needham Elementary Lunch Menu is sent home with each child at the end of each month, for the following month. The menu and nutritional information, as well as allergy and ingredient information, are available on the Nutrition Service Department page of the Needham School District website. [www.needham.k12.ma.us](http://www.needham.k12.ma.us).

### **Free or Reduced Priced Meals:**

Families who may automatically qualify for free or reduced price meals through a match with the Massachusetts HHS agency, will be notified before school begins in September. Other families may apply for free or reduced lunches by completing a current school year meal application. A new application must be filled out at the beginning of each school year, or at any time throughout the year if the financial situation in the home changes. Meal applications are sent home at the beginning of every school year and are available on our website, in the school office, or the Nutrition Service office at the Administration Building. An on-line application is also available at [lunchapp.com](http://lunchapp.com).

### **Breakfast**

Breakfast is available every morning before school for all students at Eliot & Mitchell. (Broadmeadow, Sunita and Newman plan to roll out their full breakfast program in the 2021-2022 school year) There are a variety of items available, the menu varies daily (see website). Students who qualify for free or reduced price meals, can get one complete breakfast per day at no charge.

Included in a BREAKFAST meal (free, reduced, or full price) is:

- 2 grains (or one grain and one protein item)
- Fruit
- Milk

### **What do you get with a “LUNCH”? & What is NOT included**

Students who qualify for free or reduced price meals are able to get one complete breakfast and lunch per day at no charge. (NPS waives the reduced price fee.)

Included in a LUNCH (free, reduced, or full price) is:

● One Entree (any choice) “Entrée” is the protein item and grain item (usually together, ie: Hamburger on bun)

- Fruits & Vegetables. We don't limit (within reason) and we encourage students to take LOTS
- oMilk, 8 oz. 1%, Fat-free, Fat-free Chocolate or Strawberry, Lactaid (for documented lactose intolerant students)



- Dessert - if it is written on the menu for the day (usually 1-2 x/week)

**A la carte items** are available at Elementary schools FOR SALE, which are NOT included in the LUNCH price. These items that are not included are as follows:

- 8 oz water
- 4 oz yogurt

Students who qualify for free or reduced lunch can purchase a la carte items with cash, or money can be deposited into their lunch account for purchases of those items.

**How the automated cafeteria payment system works:**

- Every student has their own personal lunch account and PIN number (automatically assigned when enrolled- whether or not they ever use it).
- Parents/Guardians deposit money into the student's account by check via the school cafeteria, on-line (credit card or electronic check), or cash (see **How to prepay** information below).
- Sales are automatically deducted from the student's account. Details of account use are tracked in the system and parents can access this information (see 'Tracking lunch Accounts' below).
- Pre-payment into the account is strongly encouraged- as it is much faster, however paying with cash is an option.
- Students who qualify for free or reduced price lunches are processed at the cash register like all other students, avoiding any potentially uncomfortable situation for the student. A la carte items (above) are not free nor available at reduced price. Only the meal.
- All students access their accounts at the cash register by entering their 4-digit PIN number on the PIN pad located at the register. Each child's unique PIN number is confidential and should not be shared. The PIN number stays the same from year to year until High School, when the number is changed to a 5-digit number. You will be notified of this number in the Welcome Back to School letter from Nutrition Services. If a student does not remember it, the cashier can access their account through the computer register by their name.

When the lunch account gets low:

- An automated 'Low Balance Email' is sent to the parent/guardian of students whose lunch account is at \$15.00 or below.

#### Negative Lunch Accounts

- When an account goes below zero, only a complete breakfast and/or lunch can be purchased.
- Another automated email is sent when the account goes below \$0.00 as a further reminder and request to deposit money into the lunch account.
- If we have no email address in our lunch account system, a negative balance letter is printed out and mailed to the home, requesting deposit into the lunch account.

#### Credit limit /Negative Balance follow-up

- If a student's lunch account reaches negative \$10.00 and there has been no response to email requests for deposit, the Cafeteria Manager will call the home to notify the parent/guardian about the negative account and to resolve the negative balance.
- If the account remains negative and reaches -\$20.00, then the delinquent account is referred to the Nutrition Services Director's office and additional attempts are made to reach parent/guardian via cellphone and/or work phone numbers.
- If the account remains negative and continues to increase in debt, the matter is referred to the school Principal for follow up with the parent/guardian.
- Beyond that, delinquent lunch accounts will be referred to a debt collection agency.

#### Tracking lunch accounts

- Parents can look at student lunch account activity. Instructions for doing this are on NPS Nutrition Services website.

**Please make sure the school secretary has your correct email address in Powerschool , as our lunch software system uploads the information from Powerschool.**

#### **How to Prepay:**

a. Deposit funds via on-line. There is a link to the current online payment provider on the NPS website home page, as well as on the Nutrition Services page under Lunch Payment System. You will need to know the student's 5-digit Online Payment ID number specifically assigned for on-line payments for lunch. You can get that number (and instructions for setting up an account) in Powerschool or from your school or Nutrition Services secretary.

b. Bring/send a check (payable to “Needham School Nutrition Services”) to your school, in an envelope marked “Cafeteria”. Deposits are made at the school cafeteria register. Please record on the memo line of the check: Student’s full name, and the 4 digit PIN number that the student uses at the cash register in the school cafeteria.

**Food Allergies:**

It is important to keep the school nurse up-to-date about your child’s allergies. Nutrition Services is informed by the school nurse as to any food allergies students have. This allergy information is entered into the computerized point of sale system so that an alert comes up to cashier about what the student is allergic to. The cashier must acknowledge that alert, and checks the tray to assure there are no foods on the tray that the student is allergic to. We accommodate documented food allergies, including gluten-free diets. See website for more detail.

**Website:** [needham.k12.ma.us](http://needham.k12.ma.us) Departments: Nutrition Services

There is lots of information on the Nutrition Services website, as well as pictures of the cafeterias and meals. Check it out!

**Call Nutrition Services:**

Call the Cafeteria Manager at your child’s school.

or

Feel free to call the Nutrition Services Office with any questions or comments: 781-455-0400:

X11219 for Mirella Santucci, Nutrition Services Bookkeeper

X11216 for Colin Boisvert,, Nutrition Services Director

X11237 for Jen Tuttelman, Assistant Nutrition Services Director

X11285 for Barb Pitney, Nutrition Services Secretary

## **HEALTH SERVICE POLICIES**

The Needham Public Schools, in accordance with the regulations of the Massachusetts Department of Public Health, requires the following health information before a student enters school.

**Health History**

The Health History Form, which provides important health and developmental history about your child, must be completed by the parent/guardian and submitted to the school nurse prior to school entry for all students.

**Required Immunizations**

Massachusetts Department of Public Health Regulation 105 CMR 220 requires students to be immunized before admission to school. An immunization certificate/record that includes the month, day, and year the immunizations were administered needs to be submitted to, and reviewed by, the

school nurse before the student begins school. State regulations also require each child to meet the grade entry immunization requirements.

### **Exemption**

Only documentation of medical and religious exemptions from immunization requirements is acceptable by the law in Massachusetts. If there are medical reasons why your child has not been immunized, a certificate must be obtained from your physician annually and forwarded to the school nurse. For a religious exemption, the parent/guardian must submit a letter annually to the school nurse stating that a vaccine conflicts with their sincere religious beliefs.

### **Physical Examination**

The Massachusetts Department of Public Health Regulation 105 CMR 200 requires a physical examination for all new students that was completed within 12 months prior to the entrance to school, or within 30 days after school entry, and at intervals of three or four years after school entrance. Per these regulations, documentation of a current physical examination is required for students entering into preschool, kindergarten, grades 4, 7, and 10. If a student is participating in competitive athletics, an annual physical exam is required.

A student transferring from another school system shall be examined as an entering student. Health records transferred from the student's previous school may be used to determine compliance with this requirement.

### **Lead Poisoning Screening and Vision Screening (Kindergarten entry requirement)**

Each child must present documentation of lead poisoning screening, tested at ages 2- 5 years, upon entry to kindergarten. Vision screening must be completed by the student's primary care provider upon entry to kindergarten (within the previous 12 months), or within 30 days of the start of the school year; certification that kindergarteners have passed acuity and stereopsis screenings is required.

### **Tuberculosis (TB) Testing**

Documentation of either:

- Screening for student's low risk of tuberculosis exposure
- Testing for tuberculosis of students at high risk of exposure to tuberculosis.

**The Confidential Nurse Emergency Card** must be completed **annually** by the parent/guardian and returned to the school nurse with updated information and authorization including: emergency contact information, student medical history, consent for student to receive emergency medical treatment, communication of pertinent medical information, and administration of select over the counter medication by the school nurse, per the NPS Protocols. (omitted medical before protocols)

## Medication Policy

The Needham Public Schools Medication Policy complies with state and federal laws and Massachusetts Department of Public Health Regulation 105 CMR 210. The following statements highlight the main points of the policy:

- The Health Services policy encourages that medication be administered before and after school hours, if possible.
- All medication, prescription or over-the-counter, requires an order from a health care provider who is a licensed prescriber as well as a completed parental permission form. **Medication will not be administered until all required documents are completed and received by the School Nurse.** These required forms are available in the health offices or may be downloaded from the Needham Public Schools Department of Health Services website.
- After consultation with the school nurse and the development of a medication administration plan, students who fall into the following exceptions may self-administer medication:
  - students with asthma or other respiratory diseases may possess and self-administer prescription inhalers
  - students with life-threatening allergies may possess and self-administer epinephrine via an auto-injector
  - students with cystic fibrosis may possess and self-administer prescription enzyme supplements
  - students with diabetes may possess and self-administer a glucose monitoring test and insulin delivery system
- Medications must be delivered to the School Nurse in a correctly labeled pharmacy or manufacturer's medication container by the parent, guardian or responsible adult. (Medications are not accepted in containers such as plastic bags.) **Students are not permitted to bring medication to school.**
- All medication orders expire at the end of each school year. New medication orders are required at the start of the school year.
- All medications must be picked up by a parent/guardian before the close of the school year. Any medications that are not picked up by the close of school will be destroyed.

## Children with Special Health Care Needs

If your child has asthma, allergies, diabetes, seizures, attention deficit disorder, or any other medical or mental health condition requiring special health services in the school and/or is assisted with medical technology, it is vital that the parent/guardian meet with the school nurse and develop an Individual Health Care Plan (IHCP) prior to school entry.

## **Concussions**

Concussion or Traumatic Head Injury can occur whenever there is a blow or jolt to the head that causes complicated chemical changes in the brain that take several days to resolve. Many concussions occur during organized (especially contact) sports, but are also common as a result of skiing, snowboarding, skateboarding, gymnastics or ballet falls, etc. Many concussions can go undetected initially because there has been NO loss of consciousness and the person is able to resume activity following the initial blow to the head or whiplash. Concussions may be life-altering or life-threatening if not treated correctly or aggressively. The Needham Public Schools (NPS) seeks to prevent concussions and provide a safe return to activity for all students after injury, particularly after a head injury. Although every concussed student is different, the care and management of all students who have sustained concussions requires education, supervision, and close collaboration between students, parents/guardians, school nurses, coaches, athletic trainers, athletic director, administrators, guidance counselors, school physician, teachers, neuropsychologists, and the students' primary care providers and medical specialists. In accordance with the Needham Public School (NPS) Policy on Head Injuries and Concussions in Extracurricular Athletic Activities 2012, protocols and procedures that are implemented are compliant with Massachusetts General Law c. 111, §222, An Act Relative to Safety Regulations for School Athletic programs, the Massachusetts Department of Public Health regulations 105 CMR 201.000, Head Injuries and Concussions in Extracurricular Athletic Activities, and the Massachusetts Department of Public Health regulations 105 CMR 200.000, Physical Examination of School Children.

### **The NPS Protocol Post Student Head Injury and Concussions- Re-entry to Academics and Return to Physical Activity and Athletics:**

- Student sustains head injury during school, extracurricular athletics or activities, or other setting
- Student is removed from “play” from sports, physical education, or other physical activity until medically evaluated
- Student is assessed by school nurse during school day and certified athletic trainer during NHS sports, as available
- Coach, certified athletic trainer, or school nurse completes head injury report
- Parent/guardian is notified and student is dismissed from school or athletic activity and referred for medical evaluation
- Medical provider evaluates student and documents diagnosis of traumatic brain injury or concussion
- Parent/guardian provides school nurse with documentation of head injury from medical provider and plan of care including orders for brain and physical rest
- School nurse notifies guidance department and teachers/coaching staff of injury and initiates a re-entry meeting with teachers, guidance, special education liaison, parent/guardian, and student (as applicable)

- A graduated academic re-entry plan and accommodations are implemented per protocol unless severity of head injury or prolonged recovery necessitate development of a 504 plan or amendment to IEP
- Nurse will review symptoms with student each day to assess recovery, update return to academics checklist, and advise guidance and teachers of student's readiness to progress with return to academics plan
- Teachers, students and parents/guardians will maintain an open dialogue regarding work expectations and progress
- Medical provider provides updated documentation about student's medical recovery and clearance for progression to full academic program including physical activity and physical education
- School Nurse notifies guidance and teachers of progression to full academic program without accommodations due to head injury
- School Nurse notifies certified athletic trainer to initiate graduated return to athletics per protocol
- Certified athletic trainer consults with medical provider for authorization to clear student to return to full athletics as applicable

#### **Symptoms to look for following a blow to the head:**

- |  |  |
|--|--|
| • Headache or "pressure in head"                       | - Forgets sports plays                     |
| • Nausea or vomiting                                   | - Unsure of game, score, or opponent       |
| • Loss of consciousness (even briefly) or groggy       | - Moves clumsily                           |
| • Sensitive to noise and/or light changes              | - Shows behavior or personality changes    |
| • Blurred or double visions                            | - Feeling sluggish, hazy, foggy            |
| • Appears dazed or stunned                             | - Concentration or memory problems changes |
| • Is confused about assignment                         | - Balance problems or dizziness            |
| • Confusion: cannot recall events prior to hit or fall | - Can not recall events after hit or fall  |
| • Answers questions slowly                             |  |

Some of these symptoms will appear immediately after the blow. Some may quickly disappear while other symptoms can increase or develop hours or even days after the injury.

#### **What to do if your child has experienced a concussion:**

- Seek medical consultation.** If there has been loss of consciousness (even briefly) person should be taken immediately to the hospital or MD office for evaluation. For concussions not involving loss of consciousness, report symptoms to primary care provider (PCP) right away for advice about how to proceed.

- b. **Brain and Physical Rest** is the main treatment for a concussion. Doing as little as possible will allow symptoms to begin clearing and a graduated return to school and sports will be planned.
- c. **Proper evaluation**. Make sure to get written clearance from PCP or specialist who understands current concussion management protocols before resuming activities. Progression is very individualized and is determined on a case-by-case basis. Factors affecting progression include: duration and type of symptoms, previous history of concussion, and type of sport/activity participation.
- d. **Inform your child's school nurse** if he/she/they has experienced a concussion and to discuss the procedures and plans for your child's return to academics, physical activity, and athletics.

### **Life-Threatening Food Allergy**

**The Needham Public Schools (NPS) recognizes the increasing prevalence of student food allergies and the life- threatening nature of allergies for many students.** The implementation of the Policy for Life-Threatening Food Allergy aims to minimize the risk of exposure to allergens that pose a threat to students, to assist students with assuming more individual responsibility for their health and safety as they grow older, and to ensure full participation in their educational programs and school sponsored activities. The management of students with food allergies requires the awareness, support, and response of the entire school community.

**If your child has a life-threatening allergy, please make sure he/she has access to emergency medication (Epinephrine) at all times and be sure that the school nurse has the necessary medical information about your child's emergency allergy action plan.**

**Key points of the policy for Life-threatening Food Allergy** include the following:

- NPS recognizes the increasing prevalence of student food allergies and the life-threatening nature of allergies for many students.
- An individualized health care plan including accommodations for prevention, management and emergency response is developed for each students with a medically diagnosed life-threatening food allergy
- The school programs are not declared as “allergen free” and foods with known allergens (peanuts, tree nuts, milk, eggs, shellfish, fin fish, soy, wheat) are not banned
- Communication, planning, and education with faculty/staff, parents/guardians, and students will aim to minimize the risk of exposure to allergens that pose a threat to students.
- **Non- curriculum related** classroom-based celebrations and parties are food free



- Use of food as a reward or incentive during the school day is prohibited unless approved as part of an Individualized Education Program (IEP).
- Inclusion of food for curriculum instruction and related activities or special school events, requires strict adherence to the management protocol
- Sales of competitive foods and beverages (including bake sales/fundraisers) will not be permitted district wide during the school day and beyond school hours at the preschool-elementary level. Beyond the school day sales of competitive foods are permitted in grades six- twelve.
- NPS Staff employed by the NPS, to supervise and/or coach students participating as members of school-sponsored athletic teams, clubs, and other extracurricular activities beyond the school day, are responsible for implementing the applicable portions of the Food Allergy Policy and related protocols and procedures for the management of students with LTA
- NPS staff are not responsible for implementing the Food Allergy Policy and related protocols and procedures during (1) school sponsored events beyond the school day that are open to the public (e.g. school athletic contests, plays, or ceremonies) or (2) programs or events on NPS property that are sponsored by various parent, community, and private groups.

### **RESPONSIBLE USE OF DIGITAL RESOURCES**

Students and his/her parent/guardian are required to sign and submit an acknowledgement that they together have reviewed the Responsible Use of Digital Resources Policy and agree that the student will comply with its terms.

#### **Student email**

Needham Public Schools may provide students with an email account. Email can be a powerful communication tool for students to increase communication and collaboration. Email is intended to be used for school and educational purposes only. Teachers may send email to middle and high school students to communicate reminders, course content, pose questions related to class work, or for other reasons. Students may send email to their teachers with questions or comments regarding class. Students may send email to other students to collaborate on group projects and assist with school classes.

#### **Student Roles and Responsibilities**

Our network systems provide access to educational resources. The destruction, vandalism, hacking, or damaging of data, networks, hardware, software, and backend systems, or disruption of this or other resources used by NPS are prohibited.

- Resources must be used in a manner consistent with the mission of NPS
- Network and account security is the responsibility of all members of the NPS community. Any security risks should be reported to a teacher or network administrator

- Students will not use the internet or any technology resource to perform any act that can be construed as illegal or unethical
- Students will immediately report any suspicious or unusual activity to the supervising teacher or other appropriate staff member
- Computers not owned and managed by NPS must use the public guest NPS network
- Devices, including student owned devices, that disrupt the educational process or operation of the NPS are prohibited and will be removed. Such devices may be held and searched.
- Students will not deliberately damage any of the District's systems or cause the loss of other users' work
- Students will not override or encourage others to override any firewalls, desktop management or security measures established on the network.

### **Respect and protect the intellectual property of others**

- a. Users must respect others' privacy and intellectual property. Any traffic from this network that traverses another network is also subject to that networks' acceptable use policy (AUP)
- b. Students are responsible for citing sources and giving credit to authors during the research process. All communication and information accessible via the network should be assumed to be private property
- c. Users have a right to be informed about personal information that is being, or has been, collected about them, and to review this information.

### **Safety and privacy of self and others**

All users are expected to adhere to principles of safety and privacy.

- Students will not share passwords
- Students will login to their own accounts, not accounts belonging to someone else
- Students will not view, use, or copy passwords, data, or access networks to which they are not authorized
- Students will not capture, record, or distribute audio, video, or pictures of any school activity without permission from the staff and students involved.
- Students will not distribute private information (e.g. address, phone number, etc.) about themselves or others without permission, and only as necessary and specifically related to the educational process.
- Students will not pretend to be someone else online.
- Students will not agree to meet with someone they have met online without the approval or participation of a parent or guardian or teacher

**Respect and practice the principles of community**

Students are expected to be courteous and to use appropriate language and will communicate only in ways that are kind and respectful.

- Students will report threatening or discomfoting materials to a teacher or trusted adult
- Students will not access, transmit, copy, or create material that violates the school's code of conduct (such as messages that violate the prohibitions against bullying and harassment, including sexual harassment).
- Students will not access, transmit, copy, or create material that is illegal (such as obscenity, pornography, stolen materials, or illegal copies of copyrighted works).
- Students will not use NPS resources to further other acts that are criminal or violate the school's code of conduct.
- Students will not send spam, chain letters, or other mass unsolicited mailings
- Students will not buy, sell, advertise, or otherwise conduct business unless approved as a school project.

Violation of any portion of the Student Responsible Use of Digital Resources policy may result in not only revocation of the privilege of using IT, but also in disciplinary action, up to and including suspension from school. In addition, legal action may be taken for conduct that is unlawful.

**Notification of Student Access to Digital Tools**

In addition to Google Workspace for Education and PowerSchool, there will be a number of digital resources that teachers may use as educational tools. This is our notice to you that your child may have access to digital tools such as apps and web sites. These tools will be vetted regarding educational value, age appropriate content, and student data privacy. We are members of the Massachusetts Student Privacy Alliance, and through our affiliation with that organization, have signed privacy agreements with companies that represent many of the digital tools that we use. Such tools will typically be accessed through your student's Needham Google Account, using their Google ID and Password. A complete list of our vetted and adopted digital tools can be found on our website at <https://sites.google.com/needham.k12.ma.us/media-digital-learning-nps/digital-toolbox>.

**Please see School Committee Policy IJNDB-2 for full statement on the district's policy regarding Student Responsible Use of Digital Resources**

**SCHOOL DISCIPLINE  
PROCEDURES FOR SUSPENSION & EXPULSION**

**GENERAL INFORMATION REGARDING SUSPENSION** Any student who is suspended from school will be given the opportunity to make up school work as needed to make academic progress. If the student is excluded from school for more than ten (10) consecutive days the student will have

an opportunity to receive education services in order to make academic progress through the school-wide education service plan.

Except in the case of Statutory Offenses described later in this handbook, students may not be suspended more than 90 days in a school year and school staff will avoid suspensions of more than 10 days until alternatives such as positive behavioral interventions and supports have been tried as appropriate.

If a student in preschool or in grades K through 3 is to be suspended, the principal will provide written notice to the superintendent and explain the reasons for imposing an out-of-school suspension, before the suspension takes effect.

## **DUE PROCESS: PROCEDURES FOR SUSPENSION FOR CONDUCT OTHER THAN STATUTORY OFFENSES (M.G.L. c. 71, § 37H3/4)**

### **A. In-School Suspension For Less Than 10 Cumulative Days During A School Year**

An in-school suspension is a removal of a student from regular classroom activities, but not from the school premises. The procedure for an in-school suspension of no more than (10) school days (consecutive or cumulatively for multiple infractions during the school year) will be as follows:

- a. The administrator will inform the student of the disciplinary offense charged, the basis for the charge, and provide the student an opportunity to respond. If the administrator determines that the student committed the disciplinary offense, the administrator will inform the student of the length of the student's in-school suspension, which may not exceed 10 days, cumulatively or consecutively, in a school year.
- b. On the same day as the in-school suspension decision, the administrator will make reasonable efforts to notify the parent orally of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension. The administrator will also invite the parent to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. Such meeting will be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the administrator is unable to reach the parent after making and documenting at least (2) attempts to do so, such attempts will constitute reasonable efforts for purposes of orally informing the parent of the in-school suspension.
- c. The administrator will send written notice to the student and parent about the in-school suspension, including the reason and the length of the in-school suspension, and inviting the parent to a meeting with the administrator to discuss the student's academic performance and behavior, strategies for student engagement and possible response to the behavior. Such meeting will be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the administrator is

unable to reach the parent after making and documenting at least (2) attempts to do so, such attempts shall constitute reasonable efforts for purposes of orally informing the parent of the in-school suspension.

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

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

**B. Procedures For Short-Term, Out-Of-School Suspensions (10 Cumulative Days Or Less In A School Year)**

Except in the case of an Emergency Removal (see section D) prior to imposing a short-term out-of-school suspension **(10 days or less in a school year) an administrator will** provide the student and his/her parent oral and written notice and an opportunity to participate in an informal hearing.

1. **Notice:** The written notice to the student and the parent will be in English and in the primary language of the home if other than English, or other means of communication where appropriate and will include the following:
  - a) the disciplinary offense;
  - b) the basis for the charge;
  - c) the potential consequences, including the potential length of the student's suspension;
  - d) the opportunity for the student to have a hearing with the administrator concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident, and for the parent to attend the hearing;
  - e) the date, time, and location of the hearing;
  - f) the right of the student and the student's parent to interpreter services at the hearing if needed to participate;

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

2. **Efforts to Involve Parent:** The administrator will make reasonable efforts to include the parent in the hearing. To conduct a hearing without the parent present, the administrator must be able to document reasonable efforts to include the parent. The administrator is presumed to have made reasonable efforts if the administrator has sent written notice and has documented at least

two (2) attempts to contact the parent in the manner specified by the parent for emergency notification.

3. **Format of Hearing:** The administrator will discuss the disciplinary offense, the basis for the charge, and any other pertinent information. The student also will have an opportunity to present information, including mitigating facts, that the administrator should consider in determining whether other remedies and consequences may be appropriate. The administrator will provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the administrator should consider in determining consequences for the student.
4. **Decision:** The administrator will provide written notice to the student and parent of his/her determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal. The notice of determination may be in the form of an update to the original written notice of hearing.

If the student is in preschool or grade K-3, the administrator will send a copy of the written determination to the Superintendent and Director of Student Support Services and explain the reasons for imposing an out-of-school suspension before the short-term suspension takes effect.

### **C. Procedures For Long -Term Suspension**

Except in the case of an Emergency Removal (see Section D) prior to imposing a long-term suspension **(more than 10 days of suspension, whether in-school or out-of-school, whether consecutive or cumulative for multiple offenses during a school year), an administrator will follow the procedures for short-term suspension plus additional** procedures as follows:

1. **Notice:** The notice will include all of the components for a short-term suspension in Section B above, plus the following:
  - a) In advance of the hearing, the opportunity to review the student's record and the documents upon which the administrator may rely in making a determination to suspend the student or not;
  - b) the right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense;
  - c) the right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so;
  - d) the right to cross-examine witnesses presented by the school district;
  - e) the right to request that the hearing be recorded by the administrator, and a copy of the audio recording provided to the student or parent upon request; and
  - f) the right to appeal administrator's decision to impose long-term suspension to the superintendent.
2. **Format of Hearing:** The Hearing will afford the rights set forth in the notice above. The administrator will also provide the parent, if present, an opportunity to discuss the student's

conduct and offer information, including mitigating circumstances, that the administrator should consider in determining consequences for the student.

3. Decision: Based on the evidence, the administrator will determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to long-term suspension, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension. The administrator will send the written determination to the student and parent by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or any other method of delivery agreed to by the school and the parent. If the administrator decides to suspend the student on a long-term basis, the written determination will:
  1. Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing;
  2. Set out the key facts and conclusions reached;
  3. Identify the length and effective date of the suspension, as well as a date of return to school;
  4. Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school (if more than 10 cumulative days);
  5. Inform the student of the right to appeal the administrator's decision to the superintendent or designee. Notice of the right of appeal will be in English and the primary language of the home if other than English, or other means of communication where appropriate, and will include the following information stated in plain language:
    - a. the process for appealing the decision, including that the student or parent must file a written notice of appeal with the superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent may request and receive from the superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days; and that
    - b. the long-term suspension will remain in effect unless and until the superintendent decides to reverse the administrator's determination on appeal.

No long-term suspension will last more than 90 school days in a school year nor extend beyond the end of the school year in which such suspension is imposed.

#### **D. Exception For Emergency Removal**

Notwithstanding the provisions for short or long-term suspension set forth above, a student who is charged with a disciplinary offense may be removed temporarily from school if the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the administrator's judgment, there is no alternative available to alleviate the danger or disruption.

The administrator will immediately notify the superintendent in writing of the removal and the reason for it, and describe the danger [or disruption] by the student.

The temporary removal will not exceed two (2) school days following the day of the emergency removal, during which time the administrator will provide the following, as applicable to the length of suspension:

- a. Make immediate and reasonable efforts to orally notify the student and the student's parent of the emergency removal, the reason for the need for emergency removal, and other applicable matters;
- b. Provide written notice to the student and parent as provided in Section B & C above, as applicable;
- c. Provide the student an opportunity for a hearing with the administrator, as applicable, and the parent an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the administrator, student, and parent.
- d. Render a decision orally on the same day as the hearing, and in writing no later than the following school day.

An administrator may not remove a student from school on an emergency basis for a disciplinary offense until adequate provisions have been made for the student's safety and transportation.

#### **E. Appeal To The Superintendent**

If a decision by an administrator, following the parent meeting, results in suspension of a student for more than 10 cumulative school days for the school year, the student may appeal the decision to the superintendent. In order to do so the student or parent must file a notice of appeal with the superintendent within five (5) calendar days with a seven (7) day postponement option. The superintendent must hold the hearing within three (3) school days of the student's request, unless the student or parent requests an extension of up to seven (7) additional calendar days. If the appeal is not filed within this time frame, the superintendent may deny the appeal, or may allow the appeal in his or her discretion, for good cause.

The following apply:

- a. The superintendent will make a good faith effort to include the parent in the hearing. The superintendent will be presumed to have made a good faith effort if he or she has made efforts to find a day and time for the hearing that would allow the parent and superintendent to participate. The superintendent will send written notice to the parent of the date, time, and location of the hearing.
- b. The superintendent will conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence will be. The superintendent will arrange for an audio recording of the hearing, a copy of which will be provided to the student or parent upon request.



The superintendent will inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent upon request.

- c. The student will have all the rights afforded the student at the administrator's hearing for long-term suspension as described in Section C above.
- d. The superintendent will issue a written decision within five (5) calendar days of the hearing which meets the requirements for a long-term suspension as described in Section C above. If the superintendent determines that the student committed the disciplinary offense, the superintendent may impose the same or a lesser consequence than the administrator, but will not impose a suspension greater than that imposed by the administrator's decision.

The decision of the superintendent constitutes the final decision of the school district.

### **Conduct Which May Lead To Expulsion (Statutory Offenses)**

Students are subject to suspension/expulsion by the Principal for the conduct listed below, subject to the procedures set forth in M.G.L. ch. 71, § 37H.

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

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

### **Gun Free Policy**

In accordance with the Gun Free Schools Act of 1994, any student who is determined to have brought a firearm to school or to a school related event will be excluded from Needham Public Schools for a period of not less than one year except as determine by the Superintendent on a case by case basis. The definition of a firearm includes but is not limited to guns (including a starter gun, bombs, grenades, rockets, missiles, mines and similar devices). 20 U.S.C. S8921

#### **STATUTORY OFFENSES: DUE PROCESS AND PROVISIONS OF LAW:**

When considering the exclusion of a student from school for possession of a dangerous weapon, possession of a controlled substance (such as marijuana, cocaine, or prescription drugs not authorized by the school nurse), or assault on teachers, an administrator may place a student on short term suspension (ten days or less) based upon an informal hearing, to be followed by a formal hearing before the Principal within that period of suspension to determine whether to take additional disciplinary action, up to and including expulsion from school.

1. The informal hearing will be in the form of a conference between the student and the principal or designee. At this conference, the student (1) shall be informed of the reason for the conference, (2) shall be given the opportunity to present his or her side of the story, and (3) shall be given a decision on the suspension. If the administrator deems delay of the hearing necessary to avoid danger or substantial disruption, this process may occur immediately after, rather than before, the suspension.
2. Prior to putting a suspension into effect, the principal or designee shall make a reasonable effort to telephone and inform the student's parent or guardian of the impending suspension; this shall include attempts to contact the parents or guardian at home and at work. Parents may contact the school for additional information regarding the suspension.
3. A letter will be mailed to the parent/guardian of the suspended student stating:
  - i. The reason for the suspension
  - ii. A statement of the effective date and duration of the suspension
  - iii. A statement regarding whether or not the Principal will schedule a formal hearing to consider further discipline, up to and including expulsion from school in accordance with M.G.L. c. 71, §37H

When considering a suspension/expulsion of a student charged with/convicted of felony, the Principal will use the standards and procedures set forth in M.G.L. c.71, §37H1/2. In addition, prior to initiating such procedures, the Principal may meet informally with the student and/or his parents to review the charge and the applicable standards if the Principal deems appropriate.

#### **STATUTE: CONTROLLED SUBSTANCES, DANGEROUS WEAPONS & ASSAULTS ON EDUCATIONAL PERSONNEL (MASS. GEN. LAWS, CHAPTER 71 SECTION 37H)**

- a. Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but limited to, a gun or a knife; or a controlled substance as defined in

chapter 94 C, including but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from the school or school district by the Principal.

- b. Any student who assaults a principal, assistant principal, teacher, teacher's aide or other educational staff on school premises or at school-sponsored or school-related events, including athletic games, may be subject to expulsion from the school or school district by the principal.
- c. Any student who is charged with a violation of either paragraph a or b shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the Principal. After said hearing, a Principal may, in his/her discretion, decide to suspend rather than expel a student who has been determined by the Principal to have violated either paragraph a or b.
- d. Any student who has been expelled from a school district pursuant to these provisions shall have the right to appeal to the Superintendent. The expelled student shall have 10 days from the date of the expulsion in which to notify the Superintendent of his appeal. The student has the right to counsel at a hearing before the Superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section.
- e. Any school district that suspends or expels a student under this section shall continue to provide educational services to the student during the period of suspension or expulsion under section 21 of chapter 76. If the student moves to another district during the period of suspension or expulsion, the new district of residence shall either admit the student to the school or provide educational services to the student in an education service plan, under section 21 of chapter 76.

**STATUTE: FELONY COMPLAINTS & FELONY CONVICTIONS (MASS GEN. LAWS, CHAPTER 71 SECTION 37H1/2)**

Notwithstanding the provisions of section 84 and sections 16 and 17 on chapter 76;

- a. Upon the issuance of a criminal complaint charging a student with a felony or upon the issuance of a felony delinquency complaint against a student, the Principal of a school in which the student is enrolled may suspend such student for a period of time determined appropriate by said Principal if said Principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and the reasons for such suspension prior to such suspension taking effect. The student shall also receive written notification of his/her right to appeal and the process for appealing such suspension; provided, however, that such suspension shall remain in effect prior to any appeal hearing conducted by the Superintendent. The student shall have the right to appeal the suspension to the Superintendent. The student shall notify the Superintendent in writing of his/her request for an appeal no

later than 5 calendar days following the effective date of the suspension. The Superintendent shall hold a hearing with the student and the student's parents/guardians within 3 calendar days of the student's request for an appeal. At the hearing, the student shall have the right to present oral and written testimony on his/her behalf, and shall have the right to counsel. The Superintendent shall have the authority to overturn or alter the decision of the Principal, including recommending an alternate educational program for the student. The Superintendent shall render a decision on the appeal within 5 calendar days of the hearing. Such decision shall be the final decision of the city, town or regional school district with regard to the suspension.

- b. Upon a student being convicted of a felony or upon an adjudication or admission in court of guilt with respect to such a felony or felony delinquency, the Principal of a school in which the student is enrolled may expel said student if such Principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and reasons for such expulsion prior to such expulsion taking effect. The student shall also receive written notification of his/her right to appeal and the process for appealing such expulsion; provided, however, that the expulsion shall remain in effect prior to any appeal hearing conducted by the Superintendent. The student shall have the right to appeal the expulsion to the Superintendent. The student shall notify the superintendent, in writing, of his/her request for an appeal no later than 5 calendar days following the effective date of the expulsion. The superintendent shall hold a hearing with the student and the student's parents/guardians within 3 calendar days of the expulsion. At the hearing, the student shall have the right to present oral and written testimony on his/her behalf, and shall have the right to counsel. The superintendent shall have the authority to overturn or alter the decision of the Principal, including recommending an alternate educational program for the student. The superintendent shall render a decision on the appeal within 5 calendar days of the hearing. Such decision shall be the final decision of the city, town or regional school district with regard to the expulsion.

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

## **DISCIPLINE OF SPECIAL EDUCATION STUDENTS**

The Individuals with Disabilities Education Act at 20 U.S.C., §1400, et. seq. and related regulations and 34 C.F.R., §300 et.seq., ("IDEA") provide eligible students ("students") with certain procedural

rights and protections in the context of student discipline, as set forth below. These rights are in addition to the due process rights applicable to all students as described above.

**Short term removals.** Students who violate school rules are subject to removal from their current placement for up to ten (10) consecutive school days to the extent that such a removal would be applied to students without disabilities, without a prior determination of whether the conduct is a manifestation of the student's disability. Students may be removed for additional periods of up to ten (10) consecutive school days in the same school year for separate incidents of misconduct without a manifestation determination, so long as the removal does not constitute a "change of placement" as described below. However, during such additional removals the district must provide the student with services to the extent necessary for progress in the general curriculum and the student's IEP goals, as determined by the Principal in consultation with at least one teacher. In addition, if appropriate, the district must conduct a functional behavioral assessment and develop or revise an existing behavioral plan for the student.

**Change of Placement.** A suspension of longer than 10 consecutive days or a series of shorter term suspensions that constitute a pattern are considered to represent a "change in placement." Prior to a suspension that constitutes a change in placement, the student's Team, including the student's parents, must convene to determine whether the behavior is a manifestation of the student's disability. In making this determination, the Team must review all relevant information in the student's file, including the IEP, teacher observations, and any relevant information provided by the parents, to determine if the conduct was caused by, or had a direct and substantial relationship to the student's disability, or was the direct result of any failure by the school to implement the IEP.

**Results of the Manifestation Determination.** If the Team determines that the behavior is not a manifestation of the disability, then the school may suspend or expel the student consistent with the policies applied to students without disabilities, except that the district must still provide an appropriate educational program to the student, as determined by the Team, which program may be in a different setting. If the Team determines that the behavior is a manifestation of a disability, the Team must conduct a functional behavioral assessment and develop a behavioral intervention plan or where a behavioral intervention plan was previously developed, must review the plan and, if necessary, modify it to address the behavior. Except in circumstances involving drugs, weapons, or serious bodily injury as described below, the student will be returned to the placement from which the student was removed unless the placement is changed by agreement or through the Team process.

**Exception for Drugs, Weapons and Serious Injury.** Regardless of the Team's decisions regarding the manifestation determination, school personnel may order a change in the placement of a student to an interim alternative educational setting, such setting to be determined by the Team, for not more than forty-five (45) school days if the student (1) carries a weapon to school or to a school function; (2) knowingly possesses, uses illegal drugs, or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function; or has inflicted serious bodily injury upon another person at school, on school premises, or at a school function. Additionally, a Massachusetts Department of Education Hearing Officer, under certain circumstances, may order a change in the placement of a student with a disability to an interim alternative education setting for up to forty-five (45) days if the hearing officer determines that maintaining the current placement is substantially likely to result in injury to the child or others.

When a parent(s)/guardian(s) disagrees with the Team's decision on the "manifestation determination" or with a decision regarding placement, the parent(s)/guardian(s) has a right to request an expedited due process hearing from the Bureau of Special Education Appeals.

Additional information regarding the procedural protections for special education students eligible for services under laws providing for services for students with disabilities can be obtained from the Director of Student Support Services, who can be reached at 781-455-0400 x 213.

#### **Discipline of Students Whose Eligibility for Special Education is Suspected**

The IDEA protections summarized above also apply to a child who has not yet been found eligible for services under the statute if the district is "deemed to have knowledge" that the child was eligible for such services before the conduct that precipitated the disciplinary action occurred. The IDEA provides that a school district is "deemed to have knowledge" if: (1) the child's parent had expressed concern in writing to district supervisory or administrative personnel or the child's teacher that the child needs special education and related services; (2) the child's parent had requested an evaluation of the child to determine eligibility for special education services; or (3) the teacher of the child or other school district personnel had expressed specific concerns about a pattern of behavior by the child directly to the district's director of special education or to other supervisory personnel. However, a school district is not "deemed to have knowledge" if the district evaluated the student and determined that the child was not eligible for special education services or the child's parent refused an evaluation of the child or IDEA services.

If the school district has no knowledge that a student is an eligible student under the IDEA before taking disciplinary measures against the student, the student may be disciplined just as any other student may be. If, however, a request is made for an evaluation to determine eligibility while the student is subject to disciplinary measures, the district must conduct the evaluation in an expedited manner. Pending the results of the evaluation, the student must remain in the educational placement determined by school authorities, which may include suspension or expulsion without services. If the student is determined eligible for an IEP as a result of the evaluation, the school district must provide the student with special education and related services in accordance with the IDEA.

#### **DISCIPLINE OF STUDENTS WITH DISABILITIES UNDER SECTION 504 OF THE REHABILITATION ACT**

Section 504 of the Rehabilitation Act of 1973 ("Section 504") provides students with disabilities certain procedural rights and protections in the context of student discipline. Prior to imposing a "significant change in placement" for disciplinary reasons, the district must determine whether the conduct is a manifestation of the student's disability. A significant change of placement results not only from an exclusion for more than 10 consecutive school days, but also from a pattern of shorter suspensions accumulating to 10 school days during a school year. Whether a pattern exists must be decided on a case-by-case basis, considering such factors as the length of each suspension, the nature of the alleged conduct, the proximity of the suspensions to one another, and the total amount of time the student is excluded from school.

Prior to any significant change in placement for disciplinary reasons, a group of individuals knowledgeable of the student, the evaluation data, and the school program must determine whether the conduct at issue is related to the student's disability. If the conduct is directly related to the

disability, the district will not impose the discipline and will develop an individual behavior management plan if the behavior significantly interferes with the student's ability to benefit from his education. If the conduct is not directly related to the student's disability, the district may discipline the student as it does general education students.

## **DISCRIMINATION AND HARASSMENT GRIEVANCE PROCEDURES**

The Needham Public Schools does not discriminate against students, parents, employees, or the general public based on race, color, sex, homeless status, gender identity, religion, national origin, sexual orientation, disability, or age. Discrimination or harassment by administrators, teachers, certified and support personnel, students, vendors and other individuals at school or at school-sponsored events is unlawful and is strictly prohibited. The Needham Public Schools requires all employees and students to conduct themselves in an appropriate manner with respect to their fellow employees, students and all members of the school community.

This Grievance Procedure is adopted to assist school staff in responding to claims of discrimination and/or harassment based on race, color, sex, homeless status, gender identity, religion, national origin, sexual orientation, disability, or age, including those claims brought under to Title VI of the Civil Rights Act of 1964 ("Title VI"), Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, M.G.L c. 76, § 5; M.G.L. c. 151B and 151C; and 603 C.M.R. § 26.00 and the Age Act, provided that claims of sexual harassment that fall within the parameters of Title IX will be processed under the District's Title IX Grievance Procedure. This policy applies to all students, and staff, as well as members of the general public.

### Definitions

For the purposes of this procedure:

- a. A "Complaint" is defined as an allegation that a student, employee or other individual has been discriminated against or harassed on the basis of race, color, sex, homeless status, gender identity, religion, national origin, sexual orientation, disability, or age.
- a. "Discrimination" means discrimination or harassment on the basis of race, color, sex, homeless status, gender identity, religion, national origin, sexual orientation, disability, or age by which an individual is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any program or activity of the school.

- a. “Harassment” means unwelcome conduct on the basis of race, color, sex, homeless status, gender identity, religion, national origin, sexual orientation, disability, or age that is sufficiently severe, persistent or pervasive to create a hostile environment for the individual at school. Harassment may include insults, name-calling, off color jokes, threats, comments, innuendoes, notes, display of pictures or symbols, gestures, or other conduct which rises to the level of a hostile environment.

D. “Sexual Harassment” means unwelcome, sexually offensive or gender-based conduct which is sufficiently severe, persistent or pervasive to create a hostile environment for the individual at school. Specifically, under regulations promulgated under Title IX, sexual harassment includes three types of misconduct:

1. Any instance of “quid pro quo” conduct (conditioning an educational benefit or service upon a person’s participation in unwelcome sexual conduct.) by an employee.
2. Any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access.
3. Any instance of sexual assault, dating violence, domestic violence or stalking (all as defined by federal laws.)

Additionally, under M.G.L. c. 151C, § 1, the term “sexual harassment” may also include, but is not limited to, sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when: (i) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of the provision of the benefits, privileges or placement services or as a basis for the evaluation of academic achievement; or (ii) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual’s education by creating an intimidating, hostile, humiliating or sexually offensive educational environment. Under M.G.L. c. 151B, § 1, the term “sexual harassment” shall mean sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when: (i) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; or (ii) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual’s work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment.

When determining whether an environment is hostile, the school district examines the context, nature, frequency, and location of the sexual or gender-based incidents, as well as the identity, number and relationships of the persons involved. The school district must consider whether the alleged harassment was sufficient to have created such an environment for a reasonable person of the same age, gender, and experience as the alleged victim, and under similar circumstances.

#### Harassment and Retaliation Prohibited



Harassment in any form or for any reason is absolutely forbidden. This includes harassment by administrators, certified and support personnel, students, vendors and other individuals in school (1) on school grounds, (2) at school related events and (3) at all locations and events where the district exercises substantial control of the context of the harassment and the person accused of it. The District will also address circumstances in which conduct took place in other locations but may nevertheless have a significant impact on the school environment, with the understanding that such circumstances do not fall within the parameters of Title IX. Retaliation against any individual who has brought harassment or other inappropriate behavior to the attention of school officials or who has cooperated in an investigation of a complaint under this policy is unlawful and will not be tolerated by the Needham Public Schools.

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

How to make a complaint

- a. Any student, employee or other individual who believes that he/she has been discriminated against or harassed should report their concern promptly to the school principal, or to the District's Civil Rights Coordinator. If the school principal receives the report, he or she will notify the Civil Rights Coordinator of the Complaint. Students, employees or other individuals who are unsure whether discrimination or harassment has occurred are encouraged to discuss the situation with the school principal.

The District's Civil Rights Coordinator is:

For employees:           Alex McNeil  
Assistant Superintendent for Human Resources  
Alexandra\_mcnail@needham.k12.ma.us  
781-455-0400 x11208

For students and families:   Mary Lammi  
Assistant Superintendent for Student Support Services  
Mary\_lammi@needham.k12.ma.us  
781-455-0400 x11213

- a. All employees of the Needham Public Schools including, but not limited to principals, teachers, school counselors, coaches, paraprofessionals, school bus drivers, administrative assistants, custodians, and food service staff who observe

harassment or who receive a report of harassment relating to a student or another staff member are required to immediately report such conduct. All employees must recognize that under the Title IX regulations, the District is deemed to have actual knowledge of an alleged incident of sexual harassment (and must thus address it) when any employee has knowledge of such conduct. Thus, all employees who have knowledge of sexual harassment must report it and do not have the option of ignoring it. Parents and other adults are also encouraged to report any concerns about possible discrimination or harassment of students, employees or other individuals which have allegedly occurred on school grounds, at school-related events, or actions that occurred outside of school but possibly create a hostile environment for a student or employee while he/she is at school.

- a. Students, employees, and other individuals are encouraged to utilize the District's Complaint Procedure. However, individuals are hereby notified that they also have the right to report complaints to: The United States Department of Education; Office for Civil Rights, 5 Post Office Square, 8<sup>th</sup> Floor; Boston, Massachusetts 02110-1491, Telephone: (617) 289-0111, Fax: 617-289-0150, TDD: 877-521-2172; or Program Quality Assurance Services, Massachusetts Department of Elementary and Secondary Education, 75 Pleasant Street, Malden, MA 02148-4906, Telephone: 781-338-3700, TTY: N.E.T. Relay: 1-800-439-2370, FAX: 781-338-3710. Employees also have the right to seek a remedy at any time at the Equal Employment Opportunity Commission (EEOC), JFK Federal Building, 15 New Sudbury Street, Room 475, Boston, MA 02203-0506; 1-800-669-4000 or 1-800-669-6820 (TTY) and the Massachusetts Commission Against Discrimination (MCAD) at One Ashburton Place, Suite 601, Boston, MA 02018; 617-994-6000 or 617-994-6196(TTY), [mass.gov/orgs/massachusetts-commission-against-discrimination](http://mass.gov/orgs/massachusetts-commission-against-discrimination).

### Complaint Handling and Investigation

- a. The school principal or designee shall promptly inform the relevant Civil Rights Coordinator and the person(s) who is the subject of the Complaint that a Complaint has been received.
- a. After notifying the appropriate Civil Rights Coordinator, the school principal or designee may pursue an informal resolution of the Complaint with the agreement of the parties involved. Informal resolution is optional, and the Complainant may elect to proceed according to the formal resolution procedure at any time prior to the completion of the informal resolution.

- a. Under the formal resolution procedure, the Complaint will be investigated by the school principal or other individual designated by the school principal or Civil Rights Coordinator. Any Complaint about an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. Any Complaint about the Superintendent should be submitted to the School Committee Chair, who will consult with legal counsel concerning handling the investigation of the Complaint.

- a. The Complainant shall have the opportunity to identify witnesses and other relevant evidence to the investigator.
- b. The person who is the subject of the Complaint will be provided with an opportunity to be heard as part of the investigation including the opportunity to provide relevant information and identify witnesses for the investigator's consideration.
- c. The privacy rights of all parties to the Complaint shall be maintained in accordance with applicable state and federal laws.
- d. The investigator will keep a written record of the investigation process.
- e. The investigator may take interim remedial measures to reduce the risk of further discrimination or harassment while the investigation is pending.
- f. The investigation shall be completed within fifteen (15) school days of the date of the receipt of the Complaint.
- g. The investigator may extend the investigation period beyond fifteen (15) school days because of extenuating circumstances, including but not limited to availability and cooperation of witnesses, complexity of the investigation, school vacation periods, and the involvement of law enforcement and other outside agency investigations. If the investigator extends the investigation, he or she will notify the Complainant of the extension.
- h. If a complaint or report of discrimination or harassment is received after June 1 of a given school year, the investigator will attempt to complete the investigation by the end of the school year. In the event that the investigation extends beyond the last day of school, the District will make reasonable efforts to complete the investigation within the above-referenced time frame, but may extend the investigation period to account for the availability of witnesses during the summer vacation period. If the investigator extends the investigation, he or she will notify the Complainant of the extension and make reasonable efforts to interview the witnesses during the summer vacation period.
- i. Nothing in this procedure will preclude the investigator, in his or her discretion, from completing the investigation sooner than the fifteen (15) school days described above.

- a. If the investigator determines that discrimination or harassment has occurred, he/she shall take steps to eliminate the discriminatory hostile environment, which may include but is not limited to:
  - a. Determining what disciplinary action should be taken against the person(s) who engaged in discrimination or harassment, if any;
  - b. Determining what steps are necessary to prevent recurrence of any discriminatory behavior, including but not limited to harassment, and to correct its discriminatory effects if appropriate; and
  - c. Informing the Complainant and the person(s) who was the subject of the Complaint of the results of the investigation (in accordance with applicable state and federal privacy laws) within twenty (20) school days of receipt of the Complaint, unless the investigation is extended under the provision described above.
  
- a. If the Complainant or, in the case of a student, the student's parents/legal guardians, are dissatisfied with the results of the investigation, an appeal may be made to the appropriate Civil Rights Coordinator within ten (10) school days after receiving notice of the outcome of the investigation. In the appeal, the appellant should identify any specific alleged factual or legal errors and explain why the errors should result in a different conclusion. The Civil Rights Coordinator shall review the investigation and may conduct further investigation if deemed appropriate. Within seven (7) school days of receipt of any such appeal, the Civil Rights Coordinator shall decide whether or not to reopen the investigation, uphold the principal or designee's determination, or reverse the principal or designee's determination. The Civil Rights Coordinator shall provide written notification of that determination to both the Complainant and the accused. The Civil Rights Coordinator's decision shall be final, subject to further appeal to the Superintendent.
  
- a. If the Complainant or, in the case of a student, the student's parents/legal guardians, are dissatisfied with the decision of the Civil Rights Coordinator, an appeal may be submitted to the Superintendent within seven (7) calendar days after receiving notice of the Civil Rights Coordinator's decision. The Superintendent will consider the appeal. The Superintendent's decision shall be final.

## **Title IX Grievance Process**

The Needham Public Schools (“District”) will promptly respond to all reports alleging sexual harassment as defined by Title IX regulations. The District will ensure a fair and equitable resolution and will provide supportive measures to both the alleged victim and the respondent. If sexual harassment is found to have occurred, the District will take steps to prevent recurrence and to provide remedies designed to restore or preserve equal access to the District’s programs.

The Title IX Coordinator (“Coordinator”) is responsible for ensuring the District’s compliance with Title IX and this Grievance Process. The Coordinator’s contact information is as follows:

For employees:

Alexandra Montes McNeil, Assistant Superintendent for Human Resources  
781-455-0400 x 11208  
[alex\\_mcneil@needham.k12.ma.us](mailto:alex_mcneil@needham.k12.ma.us)  
1330 Highland Avenue  
Needham, MA 02492

For Students and Families:

Tom Denton, Director of Guidance  
781-455-0800 x 22130  
[tom\\_denton@needham.k12.ma.us](mailto:tom_denton@needham.k12.ma.us)  
609 Webster Street  
Needham, MA 02494

Principals also serve in the role of Title IX Coordinator

### **Process Before the Filing of a Formal Complaint**

Any District employee who has knowledge of an allegation of sexual harassment must inform the Title IX Coordinator or the Building Principal (who shall take responsibility for notifying the Title IX Coordinator). The employee’s knowledge may be based upon personal observation or upon a report from the alleged victim or from anyone else.

Once the Title IX Coordinator learns of an allegation of sexual harassment, the Coordinator will contact the alleged victim (“the Complainant”) to gather preliminary information and describe the Complainant’s right to file a “Formal Complaint” against the alleged perpetrator (“the Respondent”). The Coordinator will discuss and offer “Supportive Measures” and will explain that they are available whether or not the Complainant files a Formal Complaint.

A “Formal Complaint” is a document filed by the Complainant alleging sexual harassment against a respondent and requesting that Needham Public Schools initiate the Grievance

Process. Formal Complaints may be filed with the Title IX Coordinator in person, by mail, or electronic mail. If a Formal Complaint is dismissed because the alleged events do not fall within the parameters of Title IX, the District will promptly notify the parties of its dismissal and the reasons therefore. When the Complainant chooses not to file a Formal Complaint, the Coordinator may elect to do so, particularly when the Coordinator deems that an investigation and potential sanctions are necessary to address safety or similar concerns within the District. If electing to override a Complainant's decision, the Coordinator must document the reasons in writing.

"Supportive Measures" are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent. They may be provided before or after the filing of a Formal Complaint or where no Formal Complaint is filed. Such Measures are designed to restore or preserve equal access to the District's education and activities, including measures designed to protect the safety of all or the educational environment or to deter sexual harassment. The District will maintain the confidentiality of any Supportive Measures to the extent possible. Examples of supportive measures include, but are not limited to the following: counseling, deadline extensions, course adjustments, work or schedule modifications, and increased security.

### **Process After the Filing of a Formal Complaint**

Once the Formal Complaint is filed, the Grievance Process begins. The District will provide the Complainant and Respondent with written notice of the allegations and information about the Grievance Process. This written notice will include details of the specific allegations including (if known) the individuals involved, the alleged conduct, and its date and location. The notice must include a statement that the Respondent is presumed not responsible for the alleged conduct and that a determination of responsibility is to be made at the conclusion of the Grievance Process. The parties will be informed of the right to have an advisor of his/her choice (who may be, but is not required to be, an attorney) who may accompany them at any point during the process. Each party will also be informed of his/her right to inspect and review evidence that is gathered. The parties will also be reminded of the school's prohibition against knowingly making false statements during this process and of the District's policy prohibiting retaliation against anyone who participates in the Grievance Process.

After the Formal Complaint is filed and the parties have been advised of their rights, the Title IX Coordinator will offer the parties the option of participating in an informal resolution process if appropriate. Before beginning an informal resolution process, the District will obtain written consent from the Complainant and Respondent. A Facilitator assigned by the Coordinator will conduct a mediation. If a resolution is reached, the Facilitator will maintain

the result in writing, and no further action need be taken. As the process is entirely voluntary, either party may withdraw from the informal resolution process at any time.

If either party declines informal resolution, or in the event no agreement is reached, the Grievance Process will resume. The Coordinator will assign an “Investigator” and a separate “Decision-Maker.” In the event of an appeal, a separate Appeal Office must also be appointed. All individuals involved in processing a Formal Complaint must be free of bias and conflict of interest and must receive training regarding this policy and their respective roles.

The Investigator will complete an investigation into the Formal Complaint. Both the Complainant and Respondent will have an equal opportunity to present witnesses and other evidence. Prior to any interviews with a witness, the Investigator will provide the witness with notice of the date, time, location, participants, and sufficient time to prepare for that interview. Both parties will have an equal opportunity to examine and inspect evidence. At the conclusion of the investigation, the Investigator will create an initial Investigative Report that summarizes the relevant evidence and will send it simultaneously to each party and the party’s Advisor. The parties will have 10 days to review and respond to the report if they so choose. After considering any response, the Investigator will then finalize the Investigative Report and provide a copy to each party, his/her Advisor, and to the Decision-Maker.

The Decision-Maker will afford each party the opportunity (1) to submit written, relevant questions that a party wishes to ask of any party or witness, (2) to provide answers, and (3) to submit additional, limited follow-up questions. The Decision-Maker must provide an explanation in the event he/she excludes a question as not relevant.

In addition, or in the alternative, the District has the discretion (and is not required) to conduct a live hearing as part of the Grievance Process. At such a hearing, the Decision-Maker will permit each party’s Advisor to ask the other party and any witnesses relevant questions. If a party does not have an Advisor for the hearing, the District will provide one at no cost. Upon the request of the Complainant or Respondent, the District will utilize technology to separate the parties during the hearing process. If a party or witness does not submit to cross-examination at the live hearing, the Decision-Maker will not consider any statement of that party or witness in determining responsibility.

Following the written or live hearing process, the Decision-Maker will issue simultaneously to both parties a written decision as to whether Respondent engaged in Sexual Harassment, using a preponderance of the evidence standard. The report must include a description of the allegations, the procedural steps followed in the grievance process, a finding of facts, the conclusions reached, and the rationale therefore, and if applicable, any discipline imposed (subject to applicable procedures). If applicable, the Decision-Maker will also include

remedies designed to restore or preserve equal access to education and activities within the District.

### **Appeal**

Both the Complainant and Respondent shall have the right to appeal the decision by notifying the Title IX Coordinator in writing within 10 business days of receiving the decision. The District will provide written notice of the appeal to the other party. The grounds for appeal are limited to: Procedural irregularity, new evidence that was not reasonably available at the time of the determination or dismissal, or an alleged conflict of interest. Both parties shall have an opportunity to provide a written statement supporting their position on Appeal. The Appeal shall be reviewed by a person who is not the original Facilitator, Investigator, Decision-Maker, or Title IX Coordinator. The Appeal Officer shall issue simultaneously to the parties a written decision and rationale therefore.

### **Records**

The District will maintain for seven years a record of the alleged conduct and of any actions taken, including supportive measures provided and the basis for the District's conclusion with respect to the alleged conduct.

### **DISTRICT MEETINGS, PROGRAMS, ACTIVITIES**

The Public Schools, recognizing that some areas in its school department buildings are inaccessible to individuals with disabilities, adopts the following policy:

- All meetings, conferences, programs, and activities in school department buildings are available, without discrimination, to individuals with disabilities as defined by the Rehabilitation Act of 1973 and/or Title II of the American with Disabilities Act.
- Whenever an individual with a disability(ies) wishes to attend or participate in a meeting, conference, program, or activity which is inaccessible, that meeting, conference, program or activity will be relocated to an accessible area. Forty-eight hour notice of the need for relocation should be made by the person with a disability(ies) to the Superintendent's Office:

Needham Public Schools  
1330 Highland Avenue  
Needham, MA 02492  
(781) 455-0400 x 203

The Superintendent is responsible for implementing this policy by relocating meetings, conferences, programs, or activities.



Whenever an individual with impaired vision seeks to obtain information under this procedure, the information will be communicated as follows:

- A Braille copy of the posting; a tape recording of the notice; and the use of a reader, where necessary, will be provide upon request.

Whenever an individual who is Deaf or Hard of Hearing seeks to obtain information under this procedure, the district will seek to provide access to that person as follows:

- A communication option will be offered that reflects the individual's preference: interpretation by a sign language interpreter or oral interpreter; live transcription services; or another method, which could include written notes. This assistance will be arranged through the Massachusetts Commission for the Deaf and Hard of Hearing. Please contact the Director of Student Support Services for more information: (781) 455-0400 x 213.

This policy will be posted in prominent and, where possible, accessible places in all School Department buildings, Town Hall, and the Public Library.

## **SPECIAL EDUCATION SERVICES**

Special Education services provide specialized instruction to students who have been identified through testing, as having an educational disability that prevents them from making effective progress in their classroom. Parents/guardians play a key role in this process by offering their insight and information that helps the TEAM to understand their children. If determined to be eligible for special education services, a TEAM meeting, including parents and teachers, develops an Individualized Education Program (IEP) for the student. This Program is designed to support the student's access to the general education curriculum. Special Education evaluation and services can only be provided with a parent's permission. If you would like more information or believe your child may have a disability, please contact your child's teacher or your school's principal.

## **Educational Opportunities for homeless, foster care, and military connected students**

### **Educational Opportunities for homeless students**

#### **Definitions**

*Homeless children and youth* are individuals who lack a fixed, regular, and adequate nighttime residence or have a primary nighttime residence in a supervised, publicly or privately, operated shelter for temporary accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill), an institution providing temporary residence for individuals intended to be institutionalized, or a public or private place not designated for, or ordinarily used as, a regular sleeping accommodation for human beings.

This definition shall include:

- children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
- children and youth who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings;
- migratory children who qualify as homeless because they are living in circumstances described above; and
- unaccompanied youth a youth not in the physical custody of a parent or guardian.
- *Enroll and enrollment:* attending classes and participating fully in school activities.

*School of origin:* the school the child or youth attended when permanently housed, or the school in which the child or youth was last enrolled, including a preschool. When a child or youth completes the final grade level served by the school of origin, the school of origin includes the designated receiving school at the next grade level for all feeder schools.

*Unaccompanied youth:* a homeless child or youth not in the physical custody of a parent or guardian

### **Homeless students: Enrollment Rights and Services**

To the extent practical and as required by law, the district will work with homeless students and their families 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 and school nutrition programs.

The district liaison for homeless students and their families is Mary Lammi, Assistant Superintendent for Student Support Services.

To the extent feasible, homeless students will continue to be enrolled in their school of origin while they remain homeless or until the end of the academic year in which they obtain permanent housing. Instead of remaining in the school of origin, parents or guardians of homeless students may request enrollment in the school in the attendance area in which the student is actually living, or other

schools. 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.

If there is an enrollment dispute, the student shall be immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute. The parent or guardian shall be informed of the district's decision and their appeal rights in writing. The district's liaison will carry out dispute resolution as provided by state rule. Unaccompanied youth will also be enrolled pending resolution of the dispute.

Once the enrollment decision is made, the school shall immediately enroll the student, pursuant to district policies. If the student does not have immediate access to immunization records, the student shall be admitted 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. Records from the student's previous school shall be requested from the previous school pursuant to district policies. 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.

Homeless students are entitled to transportation to their school of origin or the school where they are to be enrolled. If the school of origin is in a different district, or a homeless student is living in another district but will attend his or her school of origin in this district, the districts will coordinate the transportation services necessary for the student, or will divide the costs equally.

LEGAL REFS.: The McKinney-Vento Act and Title I, Part A, as Amended by the Every Student Succeeds Act of 2015

## **Educational Opportunities for Children in Foster Care**

### **Definitions**

*Foster Care*: placement by DCF of a student into 24 hour out-of-home-care away from his/her parents or guardians. These placements include among others:

- foster family homes
- foster homes of relatives
- emergency shelters including STARR programs and Transitional Care units
- residential facilities
- child care institutions
- group homes
- pre-adoptive homes

*Best Interest Determination:* the collaborative process based on the individual student's unique best interest and involving input from multiple parties used for making decisions about whether a student placed in foster care involving input from multiple parties used for making decisions about whether a student placed in foster care should continue to attend the school of origin.

*District of Origin:* the Massachusetts school district in which a school of origin is physically located. For situations in which an individual school operates as an individual school district the school will be considered both the school of origin and the district of origin. Examples of such single school districts/education authorities include but are not limited to charter schools and regional high schools

The district ensures the educational stability of students in foster care and their equal access to the same free and appropriate public education through high school graduation as provided to other students as required by law. Educational stability has a lasting impact on students' academic achievement and wellbeing, and the School Committee is committed to supporting district and community efforts to ensure that students in foster care have access to high-quality, stable educational experiences.

The law requires that foster care students 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 a foster care provider or facility is located (if different). The law also requires that when it is not in the student's best interest to remain in the school of origin, the student is immediately enrolled and attending in a new school district, even if records normally required for enrollment cannot be quickly produced. Additionally, the law requires the Department of Children and Families (DCF), The Department of Elementary and Secondary Education (DESE), and the school district to designate points of contact; and also that the district collaborate with DCF to ensure that students will receive transportation to the school of origin if needed.

The points of contact for the district include:

Julie Muse-Fisher, Executive Director of Special Education

[Julie\\_MuseFisher@needham.k12.ma.us](mailto:Julie_MuseFisher@needham.k12.ma.us)

Mary Lammi, Assistant Superintendent for Student Support Services

[mary\\_lammi@needham.k12.ma.us](mailto:mary_lammi@needham.k12.ma.us)

*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 (and if different, the person authorized to make educational decisions on behalf of the student), the school and district of origin, and (when different) the local district where the student is placed. Best interest determinations should focus on the needs of each individual student and take into account a variety of factors. Every effort should be made to reach agreement regarding the

appropriate school placement of a student in foster care. However, if there is disagreement regarding school placement for a student in foster care, DCF will finalize the best interest determination.

### *Transportation*

The district of origin must collaborate with DCF on how transportation will be provided and arranged 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.

### *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 enrolled in school in the local school district immediately. To minimize disruption of the student's education, the law requires the district to enroll the student in a new school right away, without waiting to receive the typical student enrollment documentation (other than emergency contact information). The enrolling school must immediately contact the child's school and district of origin to obtain the relevant records and documentation, and the school and district of origin should immediately transfer those records.

LEGAL REFS: Every Student Succeeds Act (ESSA);

Fostering Connections to Success and Increasing Adoptions Act of 2008 (Fostering Connections Act)

## **Educational Opportunities for Military Children**

In an effort 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/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.

### **Definitions**

**Children of military families** means 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** means 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.

Eligible students are those who are children of active duty personnel, active duty personnel or veterans who have been severely injured and medically discharged, and active duty personnel who die on active duty within one year of service. Students are not eligible for the provisions of the Compact if they are children of inactive Guard or Reserves, retired personnel, veterans 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 children 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.
- Simultaneously, 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, special education students must be placed by the existing IEP with reasonable accommodations in the receiving school.
- The District will exercise, as deemed appropriate, the right to waive prerequisites for all courses and programs, while also maintaining its right to re-evaluate the student to ensure continued enrollment, as deemed appropriate.
- Students of active duty personnel shall have additional excused absences at the discretion of the District 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 attend the school in which he or she was enrolled while living without the custodial parent/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 in order 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

### **Bullying Prevention & Intervention**

Bullying, cyberbullying, and retaliation will not be tolerated in the Needham Public Schools. This includes forms of bullying that involve Needham students either on campus, on buses, or anywhere on school grounds or while engaged in school sponsored events or activities. While it is recognized that we have an obligation to our students and school community to respond effectively to all bullying that happens while school is in session, personnel will also make every reasonable attempt to intervene with situations where bullying might happen outside of school, but the ramifications are brought into the school building.

In addition, Needham Public Schools will not tolerate retaliation against any individual who has brought harassment, bullying, and/or other inappropriate behavior to the attention of the school. Persons who engage in such behavior may be subject to disciplinary action including, but not limited to: reprimand, suspension, expulsion or other sanctions as determined by the school administration to be appropriate.

Further the Needham Public Schools recognizes that students may be more vulnerable to bullying based upon actual or perceived differences related to race, color, religion, ancestry, national origin, sex, socio-economic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical developmental or sensory disability or by associations with other people who have one or more of these characteristics. Needham Public Schools will provide support to students whose vulnerability is brought to the attention of a teacher, guidance counselor or administrator through observation or direct report from a student, staff member or parent/guardian. This support may be in the form of counseling, education to support both the student's ability to report bullying and his/her skills, knowledge and strategies to respond to bullying or harassment.

Preventing and reducing bullying will be addressed in the following ways:

- By establishing a school-wide culture where bullying is not acceptable and where students recognize that helping students who are bullied is the right thing to do
- By training staff in identification of bullying, prevention and intervention techniques for bullying
- By providing time in classroom for teachers to focus on bullying prevention so that they can provide tools for students
- By establishing and enforcing school rules and policies related to bullying

**a. Definitions**

Aggressor is a student or a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional who engages in bullying, cyberbullying, or retaliation.

Bullying, as defined in M.G.L. c.71, s. 37O, is the repeated use by one or more students or by a staff member of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:

- a. causes physical or emotional harm to the target or damage to the target's property;
- b. places the target in reasonable fear of harm to himself or of damage to his property;
- c. creates a hostile environment at school for the target;
- d. infringes on the rights of the target at school; or

e. materially and substantially disrupts the education process or the orderly operation of a school.

Bullying may include conduct such as physical intimidation or assault, including intimidating an individual into taking an action against his/her will; oral or written threats; teasing; putdowns; name calling; stalking; threatening looks, gestures, or actions; cruel rumors; false accusations; and social isolation.

Cyber-bullying, as defined in M.G.L. c.71, s. 37O is bullying through the use of technology or any electronic communication, which shall include, but 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 also includes:

- a. the creation of a web page or blog in which the creator assumes the identity of another person;
- b. the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated above in clauses (i) to (v), inclusive, of the definition of bullying; and
- c. 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 above in clauses (i) to (v), inclusive, of the definition of bullying.

Cyber-bullying may include conduct such as sending derogatory, harassing or threatening email messages, instant messages, or text messages; creating websites that ridicule, humiliate, or intimidate others; and posting on websites or disseminating embarrassing or inappropriate pictures or images of others.

Hostile Environment, as defined in M.G.L. c. 71, s. 37O, is a situation in which bullying causes the school environment to be permeated with intimidation, ridicule or insult that is sufficiently severe or pervasive to alter the conditions of a student's education.

Retaliation is any form of intimidation, reprisal, or harassment directed against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying.

Target is a student against whom bullying, cyber-bullying or retaliation has been perpetrated.

## **B. Bullying and Retaliation Are Prohibited and Will Lead to Discipline**



The Needham Public Schools absolutely prohibits bullying, cyber-bullying and retaliation as defined above. Students who engage in bullying or retaliation will be subject to disciplinary action, however, such disciplinary action must balance the need for accountability with the need to teach appropriate behavior. The range of disciplinary action for students includes, but is not limited to, one or more of the following: verbal warnings, written warnings, reprimands, detentions, short-term or long-term suspensions, or expulsions from school as determined by the school administration and/or school committee. Staff who engage in bullying or retaliation will be subject to disciplinary action, based upon appropriate standards and expectations in light of the staff member's role and responsibilities. All discipline is subject to applicable procedural requirements. Nothing in this policy is intended to prevent the school administration and/or school committee from taking disciplinary action against a student for conduct that does not meet the definition of bullying or cyberbullying, as defined above, but nevertheless is inappropriate for the school environment.

**a. Reporting Obligations**

**Reporting by Staff:** A member of school staff, including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional, shall immediately report any instance of bullying or retaliation s/he has witnessed or become aware of to the school principal or designee.

**Reporting by Students, Parents/Guardians, and Others:** The district expects students, parents/guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the school principal or designee. An individual may make an anonymous report of bullying or retaliation, however, no disciplinary action may be taken against a student solely on the basis of an anonymous report. A student who knowingly makes a false accusation of bullying or retaliation shall be subject to disciplinary action.

**Reporting to the Superintendent:** A staff member, parent/guardian, student or others who witness or become aware of conduct by the principal or assistant principal that may be bullying or retaliation are expected to report it to the Superintendent or designee, who shall then be responsible for taking steps otherwise assigned to the principal under this Policy.

**Reporting to School Committee:** If the Superintendent is the alleged aggressor, the School Committee, or its designee shall be responsible for investigating the report, and other steps necessary to address the safety of the alleged victim.

**Reporting to Parents/Guardians:** Upon determining that bullying or retaliation has occurred, the principal or designee will notify the parent/guardian of the target and of the aggressor of this finding and of the school's procedures for responding to it. If the alleged target and alleged aggressor attend different schools, the principal receiving the report shall inform the principal of the other student's school, who shall notify the student's parents/guardians of the report and procedures.

Reporting to Local Law Enforcement: At any point after receipt of a report of bullying or retaliation, or during or after an investigation, if the school principal or designee has a reasonable basis to believe that the incident may involve criminal conduct, the school principal or designee will notify the local law enforcement agency. In addition, if an incident of bullying or retaliation occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in a local school district, charter school, non-public school, approved private day or residential school or collaborative school, the Superintendent of the Needham Public Schools or designee will notify local law enforcement if s/he believes that criminal charges may be pursued.

Reporting to Administrator of Another School District or School: If an incident of bullying or retaliation involves students from more than one school district, charter school, non-public school, approved private day or residential school or collaborative school and the Needham Public Schools is the first to be informed of the bullying or retaliation, then the Superintendent of the Needham Public Schools or designee must, consistent with state and federal law, promptly notify the appropriate administrator of the other school district or school so that both may take appropriate action.

#### **a. Investigation**

The school principal or designee shall investigate promptly a report of bullying or retaliation, giving consideration to all the circumstances at hand, including the nature of the allegations and the ages of the students involved. The following are general guidelines for responding to a report of bullying or retaliation. The guidelines will be adapted as necessary to respond appropriately to the complaint.

Pre-Investigation: Even before fully investigating allegations of bullying or retaliation, school personnel will consider whether there is a need to take immediate steps to support the alleged target and/or protect the alleged target from further potential incidents of concern. In taking any such action, however, the rights of both the alleged target and alleged aggressor must be considered.

Written statement of the complaint: The investigator will seek to determine the basis of the complaint, gathering information from the complainant, including such matters as: what specifically happened, who committed the alleged acts, who was present or may have information about the events, when the events occurred (date, time of day), and where the events occurred.

It is helpful to have these facts in writing. If age appropriate, the complainant may be asked to put the complaint in writing and to sign and date it. If the complainant cannot or chooses not to write a complaint, the investigator will record the allegations, read them to the complainant to confirm accuracy, and ask the complainant to sign the document. If the complainant cannot or chooses not to sign, the investigator may sign and date the document her/himself.

Interviews: Once the allegations of the complainant are established, the investigator will gather other evidence, which often involves interviews of the alleged aggressor and/or other witnesses. If appropriate, the investigator should remind the alleged aggressor and witnesses that retaliation against persons whom they believe might have reported the incidents or cooperated with the investigation is strictly prohibited and will result in disciplinary action.

#### Confidentiality:

The confidentiality of the complainant and the other witnesses will be maintained to the extent practicable given the school's obligation to investigate and address the matter.

#### a. **Determination**

School personnel must weigh all of the evidence objectively to determine whether the alleged events occurred and, if they did, whether the events constitute bullying or retaliation. The determination must be based upon all of the facts and circumstances and the perspective of a reasonable person. When applied to children, the "reasonable person" standard is generally "that of a reasonable person of age, intelligence, and experience under similar circumstances." See *Ellison v. Brady*, 924 F.2d 872 (9th Cir. 1991).

If bullying or retaliation is substantiated, the school will take steps reasonably calculated to prevent recurrence and ensure that the target is not restricted in participating in school or in benefiting from school activities. As with the investigation, the response will be individually tailored to all of the circumstances, including the nature of the conduct and the age of the students involved. In addition to taking disciplinary action, the following are examples of steps that may be taken to prevent the recurrence of bullying or retaliation where appropriate:

- Holding parent/guardian conferences;
- Enhancing adult supervision on school premises
- Limiting or denying student access to a part, or area, of a school
- Excluding from participation in school-sponsored or school-related functions, after-school programs, and/or extracurricular activities
- Providing relevant educational activities for individual students or groups of students. Guidance counselors and others in the school setting who have been trained in working with students on interpersonal issues may be helpful in providing such programs
- Personalized Action Plan and directives for future conduct, including providing the target with a process for reporting any concerns about future conduct immediately. It is critical to involve the student in creating an action plan that involves a reporting process that works for that particular student

- Arranging for communication between the parties, if appropriate, to assist them in resolving issues which have arisen between them. (Such an approach will be used cautiously since communication can sometimes exacerbate, rather than alleviate, the target's concerns and since the conduct often involves an imbalance of power.)
- Providing counseling (or other appropriate services) or referral to such services for the target and/or the student aggressor and/or for appropriate family members of said students
- Transferring student's classroom or school

a. **Notice of Investigative Findings**

Upon determining that bullying or retaliation has occurred, the principal or designee will promptly notify parents or guardians of the target and aggressor of this, and of the procedures for responding to it. While prior notice of an investigation shall not be required, the principal shall not be precluded from notifying the parents of a target or aggressor prior to completion of the principal's investigation. This communication will be done in the primary language of the home.

In notifying the parents of a target or aggressor of an investigation or the principal's findings thereon, the principal shall maintain the privacy and confidentiality of any individual or child who is not the child of the parents to whom the notice is provided. The principal shall ensure that any notice to the parents complies with applicable state regulations including, but not limited to, 603 CMR 49.00, and shall not report specific information to the target's parent(s) about the disciplinary action taken against an aggressor unless it involves a "stay away" order or other directive that the target must be aware of in order to report violations.

The notice to the parents or guardians of the victim shall include information about the Massachusetts Department of Elementary and Secondary Education's ("DESE") problem resolution system and the process for seeking assistance or filing a claim through the problem resolution system. The parents of the victim should be provided the following contact information: Program Quality Assurance Services, Massachusetts Department of Elementary and Secondary Education, 75 Pleasant Street, Malden, MA 02148-4906, Telephone: 781-338-3700; TTY: N.E.T. Relay: 1-800-439-2370.

**Please see School Committee Policy JCFB Bullying for full statement on the district's policy regarding bullying and cyber-bullying.**

## **PHYSICAL RESTRAINT OF STUDENTS & TIME OUT PROCEDURE**

### **Physical Restraint**

School staff may physically restrain students only when needed to protect a student and/or a member of the school community from assault or imminent, serious, physical harm and as a last resort when other alternatives have failed or been deemed inappropriate. In all cases, staff will be mindful of the importance of preventing or minimizing any harm to the student that could result from physical restraint.

Physical restraint means direct physical contact that prevents or significantly restricts a student's freedom of movement. It does not include: brief physical contact to promote student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing comfort, or a physical escort. While use of physical restraint is generally restricted to personnel who have received appropriate training, this training requirement does not preclude personnel from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm. During a restraint, at least one adult who does not participate in the restraint will be present whenever possible.

A staff member who administers a restraint must verbally inform the principal or designee of the restraint as soon as possible and submit a written report no later than the next school working day. The principal or his/her designee will make reasonable efforts to verbally inform the student's parent of the restraint within 24 hours and will provide written notice within three school working days by email address provided by the parent ( or by regular mail to the parent postmarked within three school working days of the restraint.)

### **Time-out**

Time-out is a behavioral support strategy in which a student temporarily separates from the learning activity or the classroom, either by choice or by direction from staff, for the purpose of calming. During time-out, a student must be continuously observed by a staff member, and a staff member must be with the student or immediately available to the student at all times. Time-out must cease as soon as the student has calmed.

Complaints and investigations regarding restraint practices are covered by School Policy JKAA. Additional information, including a copy of applicable state regulations, can be obtained from Mary Lammi, Director of Student Support Services, who can be reached at 781-455-0400 x213

## **STUDENT RECORDS**

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

- a. The **right to access** the student's education records. Parents or eligible students should submit their request for access to the building principal. Access is generally provided within ten days of a request. However, Massachusetts General Laws c. 71, §34H ("Section 37H") law provides specific procedures that must be followed prior to release of records to a parent

who does not have physical custody of a child. These procedures include submitting a written request and other documentation to the principal on an annual basis. Information about these procedures can be obtained from the building principal.

- b. (b) The **right to request amendment** of the student's education records. Parents or eligible students should direct their request to the principal, clearly identifying the part of the record they wish to have amended, and why.
- c. © The **right to consent to disclosures** of personally identifiable information contained in the student's education records, except to the extent that FERPA and the Massachusetts regulations authorize disclosure without consent. One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests in the records. Such school officials include professional, administrative and clerical staff who are employed by or under agreement with the Needham Public Schools and who need access to a record in order to fulfill their duties. The Needham Public Schools also discloses student records without parent/eligible student consent to officials of other elementary or secondary schools in which a student enrolls, or seeks, intends, or is instructed to enroll upon receipt of a request from such school officials.
- d. As required by law, the Needham Public Schools routinely releases (1) the name, address and telephone listing of secondary school students to military recruiters and to institutions of higher learning upon request, (2) the name and address of students to third party mail service that has been approved by the Department of Elementary and Secondary Education upon the request of a Charter School and (3) directory information, without consent. Directory information consists of the following: the student's name, parents' names, address, parent's email address, telephone listing, date of birth, major field of study, dates of attendance, weight and height of athletic teams, class, participation in recognized activities and sports, honors and awards, and post-high school plans. In the event a parent or eligible student objects to the release of any of the above information, the parent or eligible student may state that objection in writing to the Assistant Superintendent for Student Support Services no later than October 1 of each school year. Absent receipt of a written objection for the parent or eligible student by that date, this information will be released without further notice or consent.
- e. (d) The **right to file a complaint** concerning alleged failures by the District to comply with the regulations and laws governing student records. Complaints may be filed at the Massachusetts Department of Education, 75 Pleasant Street, Malden, MA 02148. In addition, complaints relative to federal statutes and regulations governing student records may be filed with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington DC.
- f. (e) **Destruction of Records:** Regulations require that certain parts of the student record, such as the temporary record, be destroyed a certain period of time after the student leaves the school system. School authorities are also allowed to destroy misleading, outdated, or irrelevant information in the record from time to time while the student is enrolled in the school system. Before any such information is destroyed, the parent must be notified and have an opportunity to receive a copy of any of the information.

- g. (f) **Temporary Records** consist of all the information not kept on the transcript. This information includes the student's standardized test scores and evaluations by teachers, counselors, and other staff members. Said record shall include, but not be limited to, any incidents involving suspension or violation of criminal laws or any incident reports in which the student was charged with any suspendable act. In accordance with Department of Education regulations, a student's temporary record will be destroyed up to 7 years after leaving school provided prior notice is given to the student.

## **GUIDELINES FOR THE ASSIGNMENT OF STUDENTS**

These guidelines are intended to provide direction and to promote understanding about class assignments for students in all elementary programs. The primary goal of the class assignment or "placement" process at these levels is to construct balanced classes that address the needs of individual students and provide an appropriate learning environment for all.

We recognize that each student possesses personal experiences, skills, and characteristics and that the student brings these attributes into the classroom to strengthen and enrich the classroom experience. We value classrooms that promote diversity, equity, and inclusion for all students. We believe the learning environment is stronger for everyone when students from different racial, ethnic, learning, language, socioeconomic, religious, and cultural backgrounds have the opportunity to interact and engage in learning together.

The process for developing classes for each school year is a student-centered activity that involves the school staff, including appropriate program staff, (i.e., METCO, ELL), the child's current teacher(s), support staff, guidance counselor, assistant principal, and principal. In addition, families are encouraged to provide information about special or unique circumstances regarding their child that may inform the student placement process. Ultimately, the final decision about student placement in classes rests with the principal.