

**Secondary  
Student Handbook  
&  
Code of Conduct  
Grades 6-12  
2021-2022**



**Melrose Public Schools  
Melrose, Massachusetts**

# Melrose Public Schools

Dear Parents/Guardians/Students,

Welcome to Melrose Veterans Memorial Middle School and Melrose High School. Our secondary school campus represents a place of growth and preparation. We strive to support each child to achieve his/her highest potential by establishing high expectations. In order to make this happen, we firmly believe that the process of education is both lifelong and community oriented. A high level of involvement and good communication between administrators, teachers, parents, and students is essential to reach goals.

The alignment of schedules, sharing of resources and collaboration by staff and administration between buildings will provide greater opportunities to challenge and support students. One of our goals is to continue to provide a safe and caring learning environment where all students can succeed. It is our hope that a unified secondary campus will help us in achieving these goals.

This handbook and code of conduct serves as a guide, which will be the cornerstone of communication as we work together throughout the school year. It contains expectations around student behavior, personal interactions and responsibilities. Please keep it in a place that is handy for future reference. We hope you will find it helpful.

Make sure you and your child/ren sign and return the acknowledgement page of the booklet at the beginning of the school year.

Sincerely,

*Zachary Best*

Dr. Zachary Best  
Melrose Veterans Memorial Middle School  
Principal

*Jason Merrill*

Mr. Jason Merrill  
Melrose High School  
Principal

If you need a translated version of this handbook, please call your child's school.

Si necesita una versión traducida de este manual, por favor llame a la escuela de su hijo.

Si vous avez besoin d'une version traduite de ce manuel, s'il vous plaît appelez l'école de votre enfant.

Se você precisa de uma versão traduzida deste manual, ligue para a escola do seu filho.

如果您需要這本手冊的翻譯版本，請致電您的孩子的學校。

**I have received and read the Student Handbook and I/my child understand the rules and regulations of the Melrose Public Schools as presented in this book. I understand at all school events I/my child is expected to adhere to the Code of Discipline as outlined in the Student Handbook.**

**Please sign below and have your child return this page to his/her homeroom/Advisory teacher.**

**STUDENT'S NAME (print):** \_\_\_\_\_

**Student's Signature:** \_\_\_\_\_

**Parent/Guardian's Signature:** \_\_\_\_\_

**Student's Homeroom:** \_\_\_\_\_ **Grade:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## **Melrose Public Schools Secondary Administrative Team**

Central Administration  
360 Lynn Fells Parkway  
Melrose, MA 02176  
781-665-2000  
[www.melroseschools.com](http://www.melroseschools.com)

Superintendent – Dr. Julie Kukenberger	781-979-2294
Business Manager – Ms. Leia DiLorenzo-Secor	781-979-2290
Assistant Superintendent of Pupil Personnel Services– Ms. Patricia White-Lambright	781-979-2160
Assistant Superintendent for Teaching and Learning – Dr. Margaret Adams	781-979-2166
Assistant City Solicitor for School and Labor and Civil Rights Officer – Amy Lindquist	781-462-3235

Melrose High School  
360 Lynn Fells Parkway  
Melrose, MA 02176  
781-979-2200  
[www.melroseschools.com/mhs](http://www.melroseschools.com/mhs)

Attendance / Tardy Line	781-979-2200
Principal – Mr. Jason Merrill	781-979-2202
Assistant Principal – Ms. Cari Berman	781-462-3231
Assistant Principal – Mr. Bryan Corrigan	781-462-3220

Melrose Veterans Memorial Middle School  
350 Lynn Fells Parkway  
Melrose, MA 02176  
781-979-2100  
[www.melroseschools.com/mms](http://www.melroseschools.com/mms)

Attendance / Tardy Line	781-979-2116
Principal – Dr. Zachary Best	781-462-3101
Assistant Principal – Mr. Jaime Parsons	781-462-3102

# Melrose Public Schools

## Vision Statement

Every student will be an engaged, challenged, enriched, and self-directed learner.

# Melrose Public Schools

## Mission Statement

The Melrose Public Schools will provide and sustain a thriving and dynamic teaching and learning environment, preparing every student to excel in their authentic life and global citizenship, as supported by an engaged community.

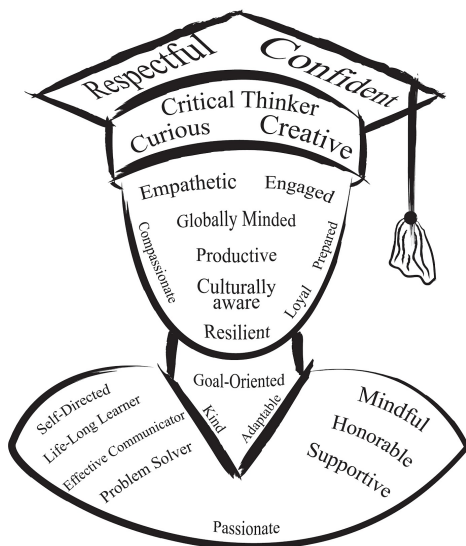
# Melrose High School

## Positive Behavior Statement

We are **Mindful**, **Honorable** and **Supportive**

At Melrose High School we **M**ake connections, **E**mbrace challenges, **L**ead by example, and **R**espect everyone.

*We are **One** community open to all; we **S**upport each other and **E**xpect integrity.*



## Vision of a Graduate

The School's Core Values and Beliefs about learning are captured within its Vision of a Graduate. During their time at Melrose High School, students will reflect on these values via digital portfolios. Each year, students will engage in an experience that will provide them with an opportunity to reflect on their progress toward achieving the skills, dispositions, traits, and knowledge necessary for future success as a 21st century citizen and learner.

## MHS Schedule 2021-2022

Times	Monday	Tuesday	Wednesday	Thursday	Friday
8:15-9:17am	Crew	G	A	G	A
9:20-10:17am	A	F	B	F	C
10:20-11:17am	B	E	C	E	D
11:19-12:41pm Lunch block	C	D	F	D	E
12:44-1:41pm	D	C	G	B	F
1:44-2:41pm	E	B	FLEX	A	G
	F, G Drop	A Drop	D, E Drop	C Drop	B Drop

## MVMMS Schedule

Times	Monday	Tuesday	Wednesday	Thursday	Friday
8:15-9:17am	A 6th team	A	A 7th team	A	A 8th team
9:20-10:17am	G	F	B	F	C
10:20-11:17a m	B	E	C	E	D
11:19-12:41p m Lunch	C	D	F	D	E
12:44-1:41pm	D	C	G	B	F
1:44-2:41pm	E	B	FLEX	G	G
	F Drop	G Drop	D, E Drop	C Drop	B Drop

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# **Students' Rights and Responsibilities**

The faculty and staff of Melrose Public Schools are committed to providing a safe and supportive environment in which high expectations are held for all. All members of our community should be able to feel safe and to expect that their person, property and opinions will be respected. As such, all members of our school community are expected to contribute to an atmosphere of mutual trust and respect. This handbook is intended to explain to students their individual rights and responsibilities to themselves and their community. School should be a setting where respect for rules and common decency are accepted by all as the necessary structure for both learning and community, and where those in authority strive to strike a balance between individual rights and the general good.

## **Student Rights:**

### **I. RIGHT TO AN EQUAL EDUCATION**

#### **A. Non-Discrimination Policy:**

State and federal laws prohibit discrimination in education (see MA G.L. c. 622 and c. 282). In the Melrose Public Schools, we do not discriminate on the basis of race, color, age, sex, gender identity, homelessness, religion, national origin, disability or sexual orientation with regard to admission, access to programs or activities, or employment opportunities. In the Melrose Public Schools:

- No individual shall be excluded from participation in, denied the benefit of, or subjected to discrimination, or subjected to harassment in any program or activity of the school because of such student's race, color, age, sex, gender identity, homelessness, religion, national origin, disability or sexual orientation (i.e., protected status).
- English language learners have the right to counseling and course information in a language they understand. Families of English language learners have a right to school information in a language and/or way they understand. School staff will arrange for interpreters for conferences or meetings related to the education of their child.
- No student shall be excluded from any school program or school-sponsored activity because of pregnancy or because of marital or parental status, except where required by health considerations or where the educational process would be disrupted.

After giving birth, a student is permitted to return to the same academic and extracurricular programs as before her leave. The district does not require a pregnant student to obtain certification of a physician that the student is physically and emotionally able to continue in school, other than the same health and immunization records that are required of all students. The only limitations or accommodations implemented for a pregnant student will be those deemed necessary by the student's physician, as documented in writing by that physician.

Melrose Public Schools has identified Assistant City Solicitor for School and Labor Amy Lindquist as the Civil Rights Officer for the following:

- Section 504 of the Rehabilitation Act of 1973;
- Title II of the Americans with Disabilities Act of 1990;
- Title VI of the Civil Rights Act of 1964;
- Title IX of the Education Amendments Act of 1972;
- Age Act.

## **B. Definitions:**

- A “Complaint” is defined as an allegation that a student or employee has been discriminated against or harassed on the basis of race, color, national origin, age, sex, sexual orientation, gender identity, disability, or religion.
- “Discrimination” means discrimination or harassment on the basis of race, age, color, national origin, sex, sexual orientation, gender identity, disability or religion that is excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity of the school.
- “Harassment” means unwelcome conduct on the basis of race, age, color, national origin, sex, sexual orientation, gender identity, disability or religion that is sufficiently severe, persistent or pervasive to create a hostile environment for the individual at school. Harassment may include insults, name-calling, off-color jokes, threats, comments, innuendos, notes, display of pictures or symbols, gestures, or other conduct which rises to the level of a hostile environment.
- “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. 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.
- 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 or at school related events. 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.
- 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 Melrose 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.

### **C. Procedure for Filing Complaints Related to Discrimination or Harassment:**

- If an individual feels he or she has been discriminated against, harassed or has been subjected to retaliation, the student may lodge a complaint with appropriate school staff, the principal of his or her school, or the Superintendent.
- District staff is expected to report possible incidents of discrimination or harassment of students and fellow employees. Parents and other adults are also encouraged to report any concerns about possible discrimination or harassment of students or employees which have allegedly occurred on school grounds, at school related events, or actions which occurred outside of school but possibly create a hostile environment for a student or employee while he/she is at school.
- All reports of discrimination, harassment, or retaliation will be investigated promptly and in an impartial and as confidential a manner as possible, to ensure prompt and appropriate action.
- The appropriate civil rights officer, or his or her designee, will conduct a prompt, impartial investigation. Interviews and gathering of information, except in circumstances in which more time is necessary to complete the investigation, will be completed within approximately fifteen (15) schooldays of the receiving of the complaint. The parties to the complaint will be provided opportunity to be heard as part of the investigation including the opportunity to provide relevant information and identify witnesses for the investigator's consideration.
- Within ten (10) schooldays, the civil rights officer or designee will provide written notice of the outcome of the investigation to both the complainant and the individual accused of the discriminatory conduct.
- Any individual who is found, after appropriate investigation, to have engaged in discriminatory conduct, or harassing conduct, or retaliation will be subject to disciplinary action up to and including suspension or termination of employment. Additionally, the Melrose Public Schools will implement remedial and/or corrective measures that are reasonably calculated to eliminate the discrimination and/or harassment.
- If a party is not satisfied with the outcome of the investigation, that individual may appeal, within fifteen (15) calendar days of the notice of the outcome of the investigation by filing a written appeal with the Superintendent of Schools. The Superintendent will issue a written response on the appeal to the grievant and the respondent within fifteen (15) calendar days of receiving the appeal. If the individual is not satisfied with the response, he/she may take the complaint to Massachusetts Department of Elementary and Secondary Education, Program Quality Assurance, 75 Pleasant Street, Malden, MA 02148-4096 or other appropriate federal or state agency.
- All the timelines indicated above will be implemented, as specified, unless the nature of the investigation or exigent circumstances prevents such implementation, in which case the matter will be completed promptly and equitably.
- Harassment may constitute child abuse under Massachusetts law (G.L. c.119, §51A) and/or a violation of criminal law. Melrose Public Schools will comply with Massachusetts law in reporting suspected cases of child abuse, including those involving sexual harassment, to the Department of Children and Families and/or the Melrose Police.

**D. Rights of Eighteen-Year-Old Students:**

- When a student reaches the age of eighteen, he or she shall have the following rights:
  - He or she may sign his or her own absence notes, though school officials may require satisfactory verification as to the cause of the absence.
  - He or she may sign his or her own permission slips for field trips.
  - He or she may authorize or limit access to his or her own school records.
  - He or she may withdraw from school without permission of a parent or guardian.
  - He or she has all the rights which would belong to a parent or guardian in connection with the special education process, including the right to consent to or object to his or her individual education plan (IEP).

**E. Rights of Students with Disabilities**

- Under G.L. c. 71B and the Individuals with Disabilities Education Act of 2004 (IDEA-04), every student must be given an adequate and appropriate education with special services and special programs when needed. A student is entitled to special education services if he or she meets all three of the following requirements:
  - He or she is between the ages of 3 and 22
  - He or she has not obtained a high school diploma or its equivalent
  - He or she has a physical, emotional or educational disability which keeps him or her from progressing effectively in a regular classroom
- One year prior to the student reaching age eighteen, the IEP Team must inform the student of his or her rights at age eighteen to make all decisions in relation to special education programs and services. Upon reaching the age of eighteen, the student has decision-making authority and signs the IEP. There are three exceptions, however, that can be made:
  - If the parent has sought and received guardianship from a court of competent jurisdiction, then the parent retains full decision-making authority.
  - The student, upon reaching the age of majority (18) and in the absence of any court actions to the contrary, may choose to share decision-making with his or her parent (or other willing adult), including allowing the parent to co-sign the IEP. Such choice is made in the presence of the Team and is documented in written form. The student's choice prevails at any time that a disagreement occurs between the adult student and the parent or other adult with whom the student has shared decision-making.
  - The student, upon reaching the age of majority and in the absence of any court actions to the contrary, may choose to delegate continued decision-making to his or her parent or other willing adult. Such choice is made in the presence of at least one representative of the school district and one other witness and is documented in written form and maintained in the student record.
- 504 Accommodation Plans are developed and implemented to protect qualified individuals with disabilities to ensure that those students receive an appropriate education. A 504 Accommodation Plan is designed to articulate and implement a program of instructional services, including general classroom modifications, to assist students with mental or physical impairments. In order to be eligible for a 504 Accommodation Plan, the student must be found eligible for services under Section 504. To be found eligible for services under Section 504, the student must have a physical or mental impairment which substantially limits one or more major life activities. Major life activities include, but are

not limited to; caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, working, and learning.

- Students who must be absent from school or remain in the hospital for medical reasons will be provided with educational services in the home or hospital. To be eligible for these services, students need to have a physician's written order and to be in the home or hospital for a period not less than fourteen schooldays in any school year. To obtain home or hospital services, parents should contact their child's principal or school counselor and provide the requested written documentation from the physician. Such educational services shall not be considered special education unless the student has been determined eligible for such services and the services include requirements of the student's IEP.

## **II. RIGHTS OF FREEDOM OF EXPRESSION**

### **A. Freedom of Speech:**

All students are free to express their own points of view and are protected from those who would inhibit that expression. However, freedom of speech is a right that carries with it certain responsibilities and its exercise is subject to certain limitations as to time, manner and place. The Melrose Public Schools may also restrict or limit speech that causes disorder or disruption within the school.

### **B. Freedom of the Press:**

The Melrose Public Schools have a proud tradition of publications and performances which have provided a legitimate forum for student opinions and views. Our secondary schools have always supported an atmosphere where it has been possible for students and faculty members to exercise their First Amendment rights in a responsible manner. Principals will continue to appoint highly qualified faculty advisers and the students will continue to uphold the highest standards of freedom of expression avoiding libel, slander and that which would substantially interfere with the work of the school or impinge on the rights of other students.

### **C. Freedom of Assembly:**

Associations may be organized within the school for political, social, athletic or other proper and lawful purposes, subject to reasonable limitations as to time, manner and place of assembly.

### **D. Freedom of Petition:**

Students are free to collect signatures on petitions concerning either in-school or out-of-school issues as long as this activity does not interfere with the regular operation of the school.

### **E. Freedom of Religion:**

Melrose Public Schools shall not interfere with or infringe upon the religious freedom of its students. The study of religion or of the Bible from a literary or historical point of view is permitted but must be presented objectively.

## **III. RIGHTS OF STUDENTS AND FAMILIES REGARDING STUDENT RECORDS**

To facilitate the educational process and to provide students with appropriate instructional and related services, the Melrose Public Schools collects and maintains certain information regarding students and their families, including information of a confidential nature. The Massachusetts Student Records regulations and the Federal

Family Educational Rights and Privacy Act (FERPA) provide that parents (including legal guardians), eligible students, and school officials are entitled to have access to such information, but protect such private information from disclosure to most third parties without the prior consent of a parent or eligible student. Relevant provisions of the laws and regulations are summarized below. Questions concerning student records that are not addressed in this Handbook should be directed to the Principal.

#### **A. Access to Student Records by Parents and Eligible Students**

- The term “student record” refers to those education records that are maintained by a school district and contain personally identifiable information about a student, such as a transcript, standardized test results, class rank, extracurricular activities, evaluations, disciplinary records and special education records.
- The parent of a student, and a student who has entered ninth grade or is at least fourteen years old (“eligible student”), has the right, upon request, to inspect and, for a copying fee, to obtain photocopies of all or any portion of the student record. Once a student reaches eighteen years of age, the rights formally given to the parent transfer to the student.
- A parent or eligible student who wishes to access a student record should submit a written request to the Principal, identifying the portion of the record that he or she wishes to inspect. The Principal will make arrangements for access and notify the parent or eligible student when and where the record may be inspected. The school will make a student’s record available as soon as practicable but no later than ten (10) calendar days after a request, unless the request is made by a non-custodial parent. Schools must follow specific procedures if a non-custodial parent seeks access to a student’s record, requests must be submitted in writing to the Principal.
- The parent and eligible student have the right, upon request, to meet with professionally qualified school personnel to have the contents of a student’s record explained and interpreted or to have the record inspected or interpreted by a third party at private expense.

#### **B. Amendment of Student Records**

The parent and eligible student are permitted to add relevant comments, information or other written material to the student's record or to request the Principal to amend or delete information from the record (except for information inserted by a student’s Evaluation Team). If a parent or eligible student wishes to have a student record amended, he or she should write to the Principal, clearly identifying the part(s) of the record that the parent or student wishes to have changed and the reason(s) for the amendment. If the Principal decides not to amend the record as requested, the Principal will notify the parent or eligible student of the decision in writing and will provide information relative to the right to a hearing with the Principal regarding the request for the amendment and the right to appeal the Principal’s decision to the Superintendent and School Committee.

#### **C. Access to Student Records by Third Parties**

Ordinarily, student record information may not be disclosed to third parties without the written permission of the parent or eligible student. State and Federal law, however, provide that student records may be released without such consent in certain circumstances, including the following:

- To authorized school personnel who have a legitimate need for such information in the performance of their duties (for example, administrators, teachers, counselors, nurses, and clerical staff to the extent necessary to enable them to do their jobs)
- To a person or company to whom the school district has outsourced services or functions for which it otherwise would use its own employees (for example, an auditor, attorney, medical consultant or therapist)

- Upon request, to officials in the Massachusetts Department of Children and Families, the Department of Youth Services, judicial officials and probation officers under the provisions of M.G.L. c. 119, sections 51B, 57, 69 and 69A respectively
- Upon receipt of a court order or lawfully issued subpoena
- To appropriate parties in connection with a health or safety emergency when the release of such information is necessary to protect the health or safety of the student or other individuals (for example, the local police department)

#### **D. Release of Information**

The school district may disclose the following information without the parent's or eligible student's consent, unless the parent or student notifies the Principal in writing (within the first three weeks of school) each year that such information is not to be released without prior consent:

- A student's name, address, e-mail address, telephone listing, date and place of birth, major field of study, dates of attendance, weight and height of members of athletic teams, grade, and participation in officially recognized activities and sports, degrees, honors and awards, and post-high-school plans.

If no such written notice is received from the parent or eligible student, the school will comply with all appropriate requests for directory information.

#### **E. Disclosure of Contact Information to Military Recruiters, Institutions of Higher Education and Prospective Employers.**

In accordance with Federal law, Melrose High School will release the names, addresses and telephone numbers of its students to United States military recruiters, colleges, universities and other postsecondary educational institutions and prospective employers upon request without written parental or student consent. A parent or eligible student, however, may request that the school not release this information by notifying the Principal in writing (within the first three weeks of school) that such information is not to be released without prior parental or student consent. If no such written notice is received from a parent or eligible student, the school will comply with all appropriate requests to disclose this basic contact information.

#### **F. Information to Charter Schools**

Under State Law, upon receipt of a request from a Commonwealth charter school, the school district will release the names and addresses of public school students to a third party mail house that has been approved by the Massachusetts Department of Elementary and Secondary Education so that the Commonwealth charter school may send recruiting information to students who are eligible to enroll in the charter school. If a parent or eligible student does not want the school district to release this information without his or her prior consent, the parent or student must notify the Principal in writing (within the first three weeks of school) each year. If no such written notice is received from the parent or eligible student, the school will comply with all appropriate requests for contact information from Commonwealth charter schools.

#### **G. Transfer of School Records to New School**

The school district will forward a student's "complete school record," including disciplinary and special education records, upon request to officials of another public school in which the student seeks or intends to enroll or already has enrolled, if the disclosure is for purposes of the student's enrollment or transfer. The parent or eligible student has the right to receive a copy of the school record that is forwarded to the new school.

## **H. Destruction of Records**

Under the law, a student's transcript must be maintained by the school district for sixty (60) years after the student graduates, transfers or withdraws. Other parts of the student record, however, such as the temporary record, must be destroyed within seven (7) years after the student leaves the school system. School authorities also are 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 and eligible student must be notified and given an opportunity to receive a copy of the information before its destruction.

## **I. Complaint Process**

If a parent or student believes that the school district has failed to comply with the requirements of FERPA, he or she may file a complaint with the United States Department of Education at the following address:

Family Policy Compliance Office  
United States Department of Education  
400 Maryland Avenue, S.W.  
Washington, D.C. 20202-8520

## **J. PPRA Notice and Consent/Opt-Out for Specific Activities**

The Protection of Pupil Rights Amendment (PPRA), 20 U.S.C. § 1232h, requires the Melrose Public Schools to notify you and obtain consent or allow you to opt your child out of participating in certain school activities. These activities include a student survey, analysis, or evaluation that concerns one or more of the following eight areas ("protected information surveys"):

1. Political affiliations or beliefs of the student or student's parent;
2. Mental or psychological problems of the student or student's family;
3. Sexual behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.

The Melrose Public Schools will provide parents, within a reasonable period of time prior to the administration of the surveys and activities, notification of the surveys and activities and be provided an opportunity to opt their child out, as well as an opportunity to review the surveys. (Please note that this notice and opt-out transfers from parents to any student who is eighteen years old or an emancipated minor under State law. If the school does not receive notification that a parent wishes to opt their child out of participation in the survey, passive parental consent for participation will be assumed).

## **Student Responsibilities:**

### **IV. RESPONSIBILITY FOR REGULAR ATTENDANCE**

Parents have the responsibility of reporting student absences. Parents/guardians should call:

- 781-979-2116 for middle school students and
- 781-979-2216 for high school students.

This notification allows school personnel to know that your child is safe and that the parent/guardian is aware of the absence.

A student will not be eligible to participate in the day's co-curricular activities if the student is tardy after 9:30 A.M. or dismissed before 2:00 P.M. without medical documentation or verified extenuating circumstances. Participation will not be allowed without the approval of the Principal or designee. Furthermore, in order to participate in events on non-school days, students must be in attendance on the day prior.

Regular attendance in school is required by Massachusetts law (G.L. c.76, §2) for all persons between the ages of 6 and 16. It is the shared responsibility of each student, his or her family, and the school to ensure that the student attends school each day that he or she is not sick. Failure to attend school, except under extraordinary circumstances, will require school personnel to seek help for the student and the student's family through court action and/or through the Massachusetts Department of Children and Families.

Seven (7) unexcused absences in any term will result in a failing grade for that term or four (4) unexcused absences for a half credit course. In addition, three (3) tardies to any class equals one absence from that class. For fourth quarter seniors, four (4) unexcused absences will result in a failing grade for that term. Students at Melrose High School who exceed this limit will be given an opportunity to participate in an appeal process.

Per MA Law Chapter 76, Section 1, the school principal may excuse cases of necessary absence for other causes not exceeding seven day sessions or fourteen half day sessions in any period of six months. Absences may be excused, with documentation provided, for any of the following reasons: visit to a doctor or medical professional; attendance at court; or bereavement. Seniors at Melrose High School are allowed three excused absences for college visits, with documentation. Students may apply to have other absences excused by submitting a request that the circumstances in writing to an assistant principal prior to the date of their absence. Students who exceed 14 consecutive or cumulative absences in a school year, due to a medical condition, will be required to complete the Physician's Statement for Home and Hospital Education.

If a student is absent for ten (10) days in a half-year period (18 weeks) without clear communication about the reason, the student's parent(s) or guardian(s) will be contacted by the principal or designee. If necessary, a meeting including the parent(s) or guardian(s), principal or designee, and student will be held to determine the reasons for the absence and to encourage the student to attend school regularly. When necessary, an officer from the Melrose Police Department will be asked to join this meeting. A record of this meeting and the reason for the absence will be filed in the student's permanent folder.

No student who has not graduated from high school shall be considered to have permanently left public school unless an administrator of the school which the student last attended has sent notice within a period of five (5) days from the student's tenth (10) consecutive absence to the student and the parent or guardian of that student in both the primary language of the parent or guardian, to the extent practicable, and English. The notice shall initially offer at least 2 dates and times for an exit interview between the superintendent, or a designee, and the student and the parent or guardian of the student to occur prior to the student permanently leaving school and shall include contact information for scheduling the exit interview. The notice shall indicate that the parties shall agree upon a date and time for the exit interview, and that interview shall occur within ten (10) days after the sending of the notice. The time for the exit interview may be extended at the request of the parent or guardian and no extension shall be for longer than fourteen (14) days. The superintendent, or a designee, may proceed with any such interview without a parent or guardian if the superintendent, or a designee, makes a good faith effort to include the parent or guardian. The exit interview shall be for the purpose of discussing the reasons for the student permanently leaving school and to consider alternative education or other placements.

The superintendent or a designee shall convene a team of school personnel, such as the principal, guidance counselor, teachers, attendance officer and other relevant school staff, to participate in the exit interview with the student and the parent or guardian of the student. During the exit interview, the student shall be given information about the detrimental effects of early withdrawal from school, the benefits of earning a high school diploma and the alternative education programs and services available to the student. M.G.L. c.76 §18 Chapter 222, section 8

A student may be re-enrolled in school after an extended absence, but academic credits and promotion to the next grade are likely to be seriously jeopardized by the student's lack of academic progress during the extended absence. Therefore, lengthy absences for extended trips are strongly discouraged by the Melrose Public Schools; as teachers cannot provide the advance assignments or study aids a child would need over long periods of time to maintain the pace of learning in his or her classroom.

## **V. RESPONSIBILITY FOR ACADEMIC HONESTY**

Students in the Melrose Public Schools have a great deal of freedom to pursue individual research and writing (information on academic options can be found in the program of studies). However, they are expected to do this work honestly and never to represent any other person's work as their own, to allow any other student to copy their work, or to obtain test information ahead of time or pass such information to others.

Teachers at both Melrose High School and Middle School discuss plagiarism, cheating, and forgery at the beginning of each academic course and talk with students about the academic and ethical reasons for avoiding these behaviors. Teachers also make clear that they will be vigilant about plagiarism, cheating, and forgery.

Consequences/penalties for plagiarism, cheating, forgery: If a teacher and administrator believe that an offense has occurred, they meet with the student. When they determine that the student has committed a first offense:

- The student receives a zero for the assignment. The teacher and administrator decide whether the student deserves a chance to redo the work and how the zero will affect the term grade.
- The teacher or administrator informs the parent(s) or guardian(s).

When they determine that the student has committed a second offense:

- The student receives a zero for the assignment with no makeup, and the term grade reflects this zero.

Further offenses result in more serious disciplinary action.

## **VI. RESPONSIBILITY FOR APPROPRIATE USE OF ELECTRONIC DEVICES**

### **Privacy and Information Security**

All Melrose students are provided a personal Google account and its suite of online productivity and educational applications. It is the expectation of Melrose Public Schools that students will use any and all school or personal accounts in a manner that is positive, and take a proactive approach to the security of personal information. Students should recognize that information security begins with responsible individual behaviors; including, but not limited to, a secure password, signing out of any and all devices, and exercising caution when viewing, storing, and sharing personal information and data.

Within reason, freedom of speech and access to information will be honored and all accommodations will be made to ensure the availability of necessary scholarly information and resources.



The Melrose Secondary Schools Code of Conduct applies to all digital interactions on the school network and on personal devices used on school grounds. As such, students are subject to the behavioral expectations included therein in addition to a prohibition on the online-specific actions outlined below:

- Any attempts to gain access to other student or teacher accounts.
- Using another student's account or posing as anyone other than yourself in an online environment.
- Sending or displaying offensive messages or pictures.
- Unauthorized access or use of another's folders, work or files.
- Damaging school-owned devices, systems, or networks.
- Intentionally wasting or monopolizing limited network resources.

## **Digital Citizenship**

In the 21st century, students will need a constantly evolving set of abilities that rely on a core set of digital literacy skills. Melrose Public School students are expected to recognize human, cultural, and societal issues related to use of technology and act within our evolving understanding of each. In addition, students will practice both legal and ethical behavior in a connected environment while adhering to the same behavioral expectations as all traditional school environments.

Students will be expected to:

- Advocate and practice safe, legal, and responsible use of information.
- Recognize and respect established legal frameworks regarding age restrictions on various forms of digital and social media.
- Demonstrate a willingness and ability to collaborate both in and out of school.
- Recognize the expectation for the originality and proper attribution that results from access to the totality of human scholarship.

In all digital interactions, students will be expected to model behaviors that are considered appropriate in one's physical (non-digital) life.

## **Use of Personal Devices/Bring Your Own Device (BYOD)**

Melrose Public Schools is committed to supporting access for student-owned devices, such as phones, tablets, and laptop computers, to supplement the District's current 3-1 student to computer initiative. Students who choose to use a personal device will be held to the same expectations for responsible and ethical behavior as students on school devices. Any unauthorized, improper, or illegal use of personal devices while in school, whether on or off the school network, will be treated as a disciplinary matter and may result in loss of network use.

### **Middle School:**

Students at MVMMS are permitted to bring personal devices, such as phones, tablets, and laptop computers, to school as it is recognized that communication with parents and guardians may be needed before and after the schoolday. During the schoolday, students must turn off all personal devices to limit distractions and interruptions to the learning environment, unless instructed otherwise by a staff member. Both students and parents/guardians are expected to refrain from communicating with each other during the day using electronic devices and may use school phones to communicate if necessary. Students may use a personal electronic device during school, but only with staff permission. Students who violate this expectation will have their device confiscated by administration and parents/guardians will be required to come to the school to retrieve it.

## VII. RESPONSIBILITY FOR APPEARANCE

In accordance with Massachusetts State Law, there is an expectation that students dress in keeping with reasonable standards of safety, health, and cleanliness so as not to detract from the educational process. We expect that students at Melrose Public Schools dress in a manner that is appropriate for school, a place of work and study. A person's grooming, dress, appearance, and behavior does have a bearing on how others react.

Any student who is wearing inappropriate clothing will be referred immediately to an administrator who may simply remind the student of the responsibility for appearance as outlined below or may contact a parent to provide alternative attire. There is no first offense punishment for making a mistake and wearing clothes that violate the Dress Code. If deemed necessary, students simply must change their clothing and attend class as soon as possible. However, students who repeatedly and/or habitually violate the Dress Code (i.e. wears the same or similar clothes to school after being told not to) may be punished in accordance with the "INSUBORDINATION or DEFIANCE" section of the Code of Conduct. The final determination of what constitutes "appropriate appearance" is left to the discretion of the building administrator(s).

	Middle and High School
General Rules	<p>Dress code is designed to allow for student comfort while maintaining an environment conducive to learning and appropriate for the educational setting.</p> <p>Clothing that creates disruption or disorder within the school is not allowed. Clothing should properly cover the body; stomachs and undergarments should not be visible.</p> <p>Students must wear appropriate footwear.</p> <p>MVMMS-only: All footwear should be fully enclosed. In the case of sandals, footwear must have a heel strap. Flip flops and sandals without heel straps are not allowed for safety reasons.</p>
Physical Education	Students must wear clothing appropriate for physical education. Sneakers are required for physical education classes.
Headwear	<p>Students are not allowed to wear hats, hoods, or sunglasses in the building during school hours.</p> <p>*Except for religious observance.</p>

## VIII. RESPONSIBILITY FOR POSITIVE BEHAVIOR

All members of the school community have the responsibility to demonstrate respect for and acceptance of other individuals and their property. This expectation applies to peers, as well as to all school personnel, while in school or on school property and during all school-sponsored activities, both on and off campus, including those times when they are riding school buses or other school-provided vehicles. It is specifically noted that, for the purposes of these rules and regulations, buses and other school transportation vehicles are considered school property and bus drivers are considered school personnel.

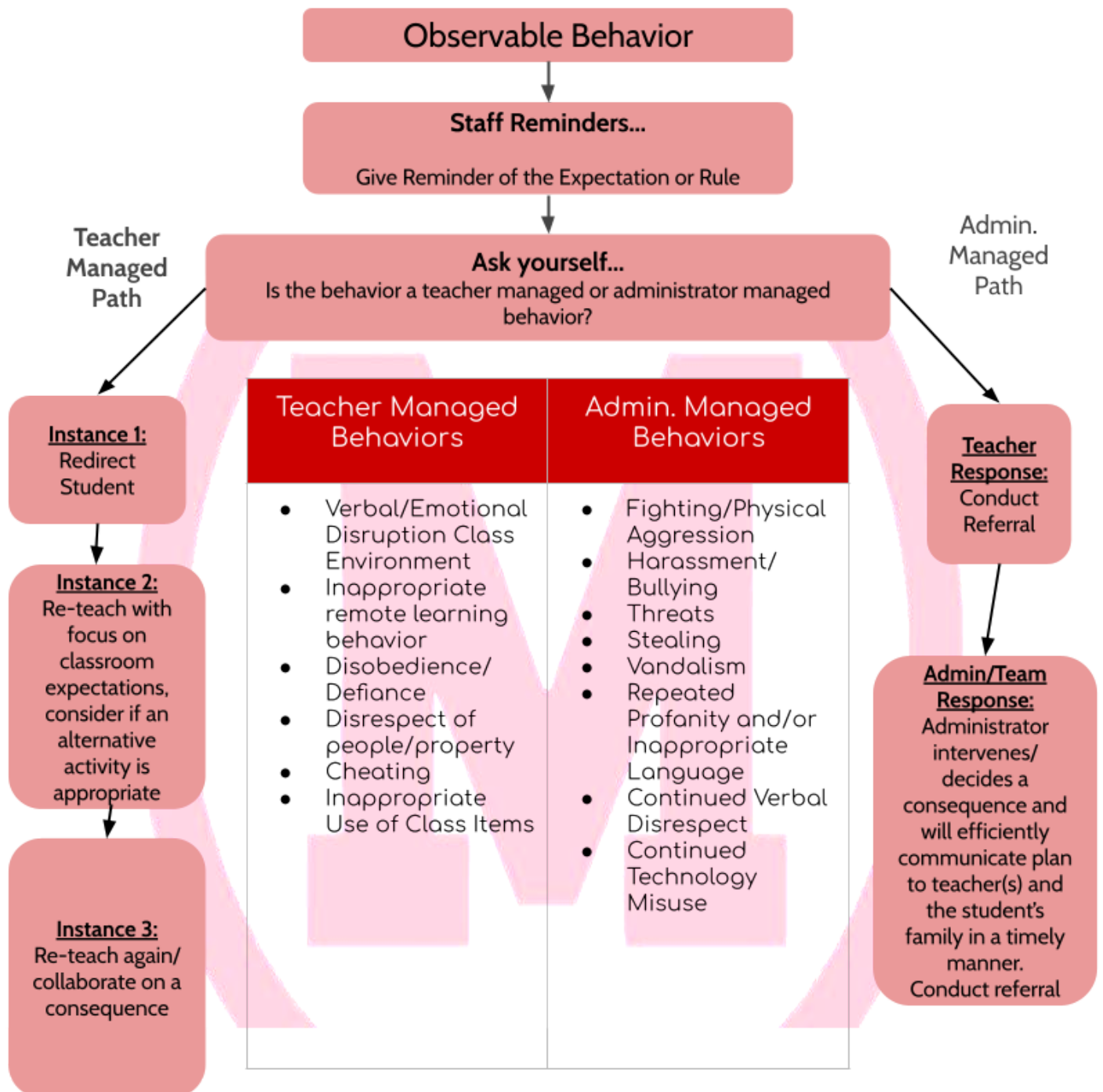
Students are expected to behave in accordance with these rules and regulations and to remove themselves from situations which involve illegal activity; the possession or use of illicit drugs, alcohol, or weapons, or the violation of the discipline codes.

Schools provide support and behavioral interventions to help students behave as positive members of the Melrose Public School community. School officials will attempt to help students solve behavioral problems without interrupting the daily program of studies. However, certain types of behavior may require disciplinary action including suspension or expulsion.

## MHS Positive Behavior Expectations Rubric

WE ARE ...	Classroom / Offices	Hallway/Common Spaces	Cafeteria	Bathrooms and Locker Rooms	School Events	Learning Common, Tech Spaces, and Devices
<b><u>Mindful</u></b>	<ul style="list-style-type: none"> <li>• Listening to others</li> <li>• Respecting others' opinions and privacy</li> <li>• Self-regulating</li> <li>• Respecting classroom property</li> </ul>	<ul style="list-style-type: none"> <li>• Aware of appropriate noise level</li> <li>• Conscious of our surroundings</li> <li>• Displaying affection appropriately</li> <li>• Respectful of personal space</li> <li>• Walking on the right-hand side of the hallway</li> </ul>	<ul style="list-style-type: none"> <li>• Putting trash or recycling in barrels</li> <li>• Self-regulating</li> <li>• Using appropriate language</li> <li>• Courteous to all cafeteria workers, staff members, and peers</li> </ul>	<ul style="list-style-type: none"> <li>• Keeping floors and walls dry and clean</li> <li>• Reporting any lack of supplies</li> <li>• Locking up our valuables</li> <li>• Washing our hands</li> </ul>	<ul style="list-style-type: none"> <li>• Listening and being respectful</li> <li>• Participating appropriately</li> <li>• Entering and exiting in an orderly fashion</li> </ul>	<ul style="list-style-type: none"> <li>• Returning equipment, materials, and furniture to its proper place</li> <li>• Working quietly without disturbing others</li> <li>• Treating learning materials respectfully</li> <li>• Logging off and plugging in devices</li> </ul>
<b><u>Honorable</u></b>	<ul style="list-style-type: none"> <li>• Doing our own work</li> <li>• On time</li> <li>• Prepared</li> <li>• Engaged in learning</li> <li>• Taking responsibility for our actions</li> </ul>	<ul style="list-style-type: none"> <li>• Using passing time effectively</li> <li>• Using appropriate language</li> <li>• Looking out for our peers</li> </ul>	<ul style="list-style-type: none"> <li>• Following staff directions</li> <li>• Remaining in the cafeteria unless we have permission to eat somewhere else</li> <li>• Keeping food in the cafeteria so the building remains clean</li> </ul>	<ul style="list-style-type: none"> <li>• Using the bathroom for its intended purpose (go, flush, wash, leave)</li> <li>• Reporting vandalism, damage, or inappropriate behavior to an adult</li> </ul>	<ul style="list-style-type: none"> <li>• Respectful of visitors, guests, and members of opposing teams</li> <li>• Becoming active members of the school community</li> <li>• Demonstrating unity whether we succeed or fail</li> </ul>	<ul style="list-style-type: none"> <li>• Using the space for educational and academic purposes</li> <li>• Using technology appropriately</li> </ul>
<b><u>Supportive</u></b>	<ul style="list-style-type: none"> <li>• Listening to others</li> <li>• Respecting different perspectives</li> <li>• Actively participating</li> <li>• Encouraging our peers</li> </ul>	<ul style="list-style-type: none"> <li>• Holding doors for others</li> <li>• Actively helping others beyond being bystanders</li> </ul>	<ul style="list-style-type: none"> <li>• Respecting each other's personal space</li> <li>• Being inclusive</li> </ul>	<ul style="list-style-type: none"> <li>• Respecting each other's privacy</li> <li>• Speaking up for our peers</li> </ul>	<ul style="list-style-type: none"> <li>• Supporting our peers using positive language</li> <li>• Showing positive enthusiasm</li> <li>• Representing MHS in a positive way</li> </ul>	<ul style="list-style-type: none"> <li>• Helping our peers</li> <li>• Seeking help when needed</li> </ul>

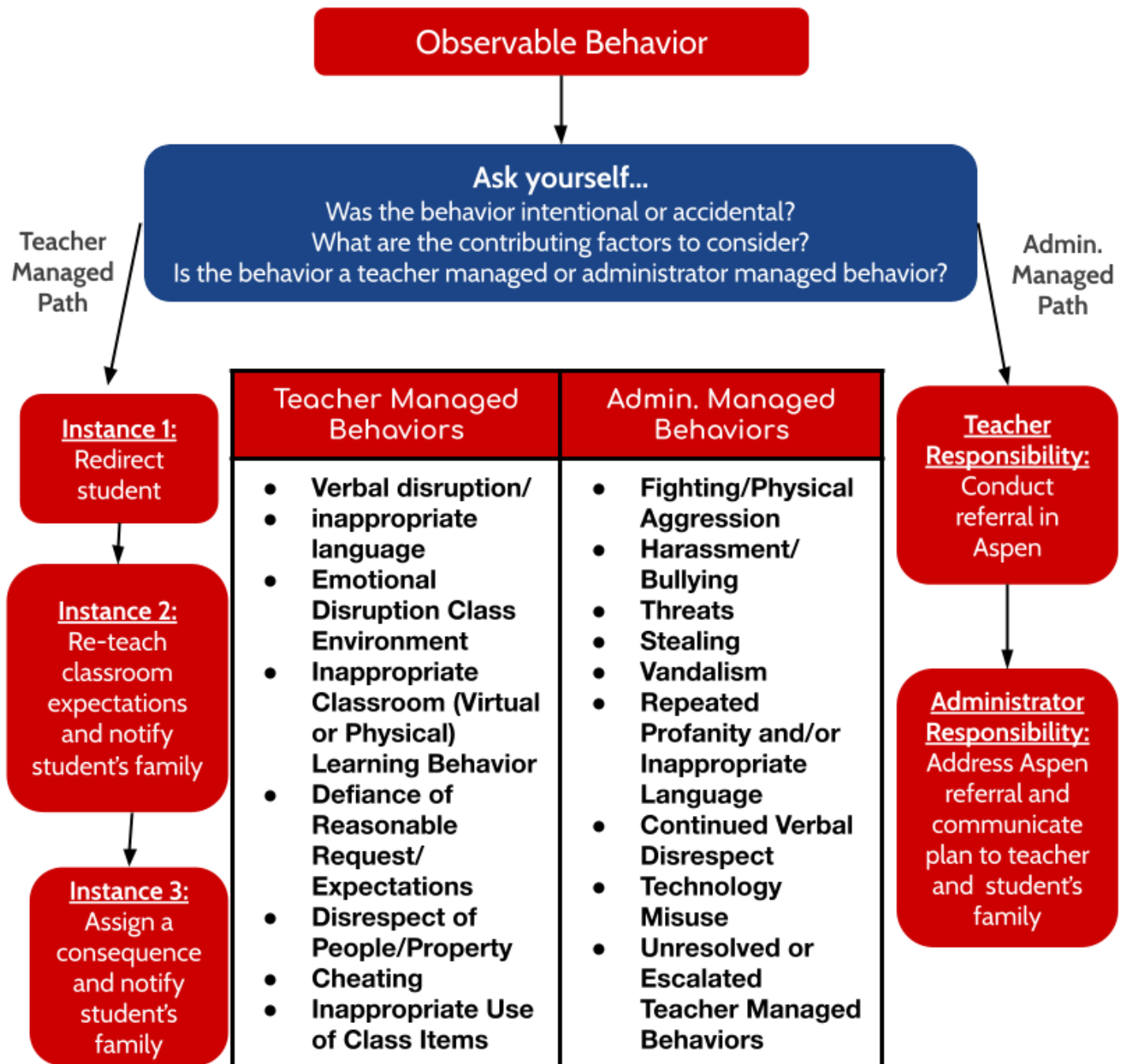
# Melrose High School Behavior Flow Chart



## MVMMS PBIS Behavior Matrix

Personal Quality	Cafeteria	Hallways/ Stairwells	Auditorium	Bathroom	Class Coverage (Auditorium, project room, cafeteria with substitute)
<b>Respect</b>  How I treat and view others.	I will... - Wait my turn in line - Use manners with cafeteria staff	I will... - Walk on the right side of the stairwells - Walk quietly - Wait my turn at the locker - Be kind	I will... - Show appreciation clapping and reacting at the appropriate times - Listen attentively - Keep my feet on the ground	I will... - Be aware of personal space/privacy in the bathroom - Ask to leave class at appropriate times	I will... - Listen to and follow instructions - Ask for clarification if I am unsure of the expectations
<b>Responsibility</b>  How I take care of the space and time around me.	I will... - Clean up after myself - Bring appropriate attire for recess - Finish my lunch inside	I will... - Ensure the neat and clean appearance of the hallways - Take the most direct route to class - Get to class on time	I will... - Sit and remain in my designated location - Ensure the neat and clean appearance of the auditorium	I will... - Dispose of trash properly - Maintain neatness of sinks, toilets, and floors - Report any suspicious or harmful activities - Use only the necessary amount of toilet paper, soap, and paper towels	I will... - Respect the learning time of others - Arrive on time with my materials - Use technology only for assignments
<b>Self-Management</b>  How I manage myself and my actions.	I will... - Choose and remain in my seat - Talk with only people seated near me - Keep my hands and feet to self	I will... - Gather needed materials for the next class(es) - Walk without disturbing others - Keep locker closed and neat - Keep my hands to myself	I will... - Make sure my behavior matches the tone of the assembly - Keep my hands and feet in my own personal space	I will... - Use bathroom quickly and only in the designated area - Walk directly there and back - Wash hands	I will... - Complete the given assignment - Exercise patience while waiting for instruction - Choose appropriate activities if I have completed my assignment

# Melrose Middle School Behavior Flow Chart



## **A. Emergency Support for Positive Behavior**

### Physical Restraint

- In rare cases, schools may need to physically restrain children to protect a student and/or member of the school community from imminent, serious, physical harm. 603 CMR 46.00. Physical restraint should be used only in emergency situations with extreme caution after other less intrusive alternatives have failed or been deemed inappropriate.
- The principal and parent(s) or guardian(s) will receive notification if physical restraint has occurred.

### Risk Assessment

- Further, in cases where a student threatens the safety of self or others, the school may require a risk assessment by a qualified professional before allowing the student to continue in school.

## **B. Responsibility Regarding Alcohol and Illicit Drugs**

A goal of the Melrose Public Schools is to promote and maintain a safe and drug-free learning environment for all students and staff. The use of alcohol and/or illicit drugs interferes with the learning, growth and well-being of students, families and the entire school community. Alcohol and illicit drugs do not have a place in an educational environment and will not be tolerated on school property or at any school-sponsored event.

Illicit drugs include:

- Controlled substances as defined in G.L., c.94C (e.g. cocaine, marijuana, LSD, steroids)
- The misuse of prescription or over-the-counter drugs
- Products misused for the purpose of mind-altering effects (e.g. aerosols, solvents).

Students are strictly prohibited from having alcohol and/or illicit drugs in their system during school hours, on school property or at any school-sponsored event. Prohibited activities include, but are not limited to:

- Using or being under the influence – when a student drinks alcohol, sniffs inhalants, ingests medications, smokes marijuana, uses any drug classified as a narcotic, barbiturate, amphetamine, hallucinogen, or any other controlled substance as defined in Massachusetts General Law 94c; or when the use of these substances has been determined through an investigation.
- Possession – when a student has drugs, drug paraphernalia, or alcohol on their person or among their belongings.
- Transactions – any involvement or attempt in the sale or exchange of drugs or alcohol.

Students who violate this policy will be subject to disciplinary action up to and including expulsion as delineated in the discipline codes and suspensions/expulsion section of this handbook.

In addition to, or as part of, the disciplinary response to such abuses, prevention and intervention services will be offered to students and families to support the system-wide goal of a safe and drug free environment. In a case where a student self-discloses or seeks help with regard to an alcohol or other drug use problem which is not in current violation of school policy, no disciplinary action will be taken. However, because the use of alcohol and/or drugs by students at any time creates potential problems, a range of supportive services will be offered based on the best interest of the student and school community. In addition to the rules and regulations outlined above, student athletes will also be responsible for complying with the rules and regulations of the Massachusetts Interscholastic Athletic Association.

## **C. Responsibility Regarding Tobacco/Nicotine**

In accordance with G.L. c.71, §2A, it is the policy of the Melrose Public Schools to prohibit the use of all tobacco/nicotine products, including Vaporizers, E-Cigarettes and Hookah Pens, as well as all smoking

materials within all school facilities, on all school grounds, and on all school buses by any individual, including school personnel.

#### **D. Responsibility Regarding Weapons**

It is imperative to ensure a safe school environment, as per G.L. c.71, §37H, for all students and staff; therefore, any student in possession of a weapon or object which might be used as a weapon will be suspended from school awaiting the outcome of an expulsion hearing. Weapons used in a threatening manner may require that a student undergo a risk assessment evaluation prior to that hearing. In addition, school department personnel shall report in writing to their immediate supervisor any incident involving a student's possession or use of a dangerous weapon on school premises at any time. Supervisors who receive such a weapon report shall file it with the Superintendent, who shall file copies of said weapon report with the local chief of police, the Department of Children and Families, the District's office of student services, and/or the School Committee. M.G.L. c.71, §37L.

#### **E. Responsibility Regarding Fires**

It is required that the principal of any Melrose school submit a written report of any incident involving unauthorized ignition of a fire to the head of the Fire Department within twenty-four (24) hours under G.L. c.148, §2A. It is also required that the Melrose Police Department be notified.

#### **F. Bullying Prevention and Intervention Plan**

Bullying is defined by M.G.L. c. 71, § 37O. It can be direct or indirect and can have serious emotional and/or physical effects on its victims. Bullying is a continuum of behavior by one or more students or by a member of the school staff that involves the attempt to gain power and dominance over another. Typically, bullying is repeated over time. It may involve physical aggression such as fighting, shoving, kicking, and other such acts. It may also involve verbal and/or emotional aggression such as name-calling or more indirect acts such as spreading rumors, deliberate social isolation, and/or other such acts.

Aggressive behavior will not be tolerated at Melrose Public Schools. In order to prevent bullying or aggressive behavior in its earliest stages, there will be consequences for observable acts of aggressive behavior regardless of intent. Besides having the potential to cause harm, aggressive behavior is inappropriate in school.

Melrose Public Schools has a Bullying Prevention and Intervention Plan as required by law that prohibits bullying, cyberbullying, and retaliation. Provisions of the Bullying Prevention and Intervention Plan mandate that all school employees are required to report immediately any instance of bullying or retaliation that they witness or become aware of to the principal or assistant principal who shall promptly conduct an investigation. If the principal(s) determines bullying has occurred: 1) The Melrose Police Department and/or School Resource Officer will be notified if the principal believes criminal charges may be pursued against the perpetrator. 2) The principal(s) will take appropriate disciplinary action. 3) The principal(s) will notify parents or guardians of the victim. 4) The principal(s) will notify parents or guardians of the perpetrator and provide them with the action taken to prevent further acts of bullying. Parents or guardians who wish to file a claim/concern or seeking assistance outside of the district may do so with the Department of Elementary and Secondary Education Program Resolution System (PRS). That information can be found at: <http://www.doe.mass.edu/pqa>, emails can be sent to [compliance@doe.mass.edu](mailto:compliance@doe.mass.edu) or individuals can call 781-338-3700.

Bullying is prohibited on school grounds, property adjacent to school grounds, at school-sponsored events or school-related events. Bullying that does not take place on school grounds is also prohibited when such bullying creates a hostile environment at school for the victim, infringes on the victim's rights at school, or



materially and substantially disrupts the educational process or the orderly operations of the school. Retaliation against a person who reports bullying, provides information during an investigation of bullying, and/or witnesses or has reliable information is also prohibited.

Parents (both the victim's parents and the aggressor's parents) will be notified. Consequences for the infraction of aggressive behavior and/or bullying are listed in the “**Aggressive Behavior Consequences Rubric**” located in the rules for behavior and discipline of students section of this handbook. The Melrose Public School's Bullying Prevention and Intervention Plan can be found on the District's website at: [https://www.melroseschools.com/sites/melrosemaps/files/uploads/melrose\\_bullying\\_prevention\\_and\\_intervention\\_plan.pdf](https://www.melroseschools.com/sites/melrosemaps/files/uploads/melrose_bullying_prevention_and_intervention_plan.pdf).

#### **G. Responsibility for Preventing Hazing**

All students are welcome into every aspect of our school community. Therefore, it is imperative that each individual feel safe. The hazing of students as part of an initiation into any student organization or class conducted by any individual or group will not be tolerated.

As used in this handbook, “hazing” is defined as “any conduct or method of initiation into any student organization which willfully or recklessly endangers the physical or mental health of any student or other person.” See G.L. c 269, §§17-19.

Any such initiation, which happens during or after school hours, will be referred for disciplinary action, as will persons who, through intimidation, may try to prevent any person or persons from reporting such acts. All team captains and club officers will be required to sign a statement acknowledging this policy.

#### **H. Melrose Secondary Schools Chartwells Lunch Policy**

It is Melrose Public School District's intent that children not be hungry at school; however, it is the responsibility of students, parents or guardians to pay for meals provided by the school food service program at the time of purchase. The Lunch POS account is a debit, not a credit account, and we highly encourage prepayment to provide a faster point of service.

Information regarding the cost of breakfast and lunch, nutritional guidelines and family meals applications for the free or reduced meals program are available through the district website:

<https://www.melroseschools.com/district-home/students-families/files/free-reduced-meals-application>

Students buying lunch or breakfast are responsible for having funds available for their purchase. In the event that a student's account obtains a negative balance, we will only allow them to purchase a complete meal for up to two (2) days. Repayment is expected the next school day. The selection will then be limited to regular meal choices and a la carte items will not be available for purchase until payment is received and the negative balance is paid. Student negative account balances that remain unpaid will result in parental contact for payment.

Balances can be checked and prepayments can be made online at Melrose Public School/Chartwells website at: <https://www.melroseschools.com/district-home/pages/online-payments>

This site allows parents of students to prepay money directly into their child's account, monitor their child's food purchases, set up low-balance email reminders, and schedule recurring payment.

## **I. Responsibility for Preventing Teen Dating Abuse**

Teen dating abuse or violence is the use of abusive behaviors by a person to harm, threaten, intimidate or control a current or former dating partner. Dating abuse can include, but is not limited to, verbal, emotional, physical and sexual abuse, sexual violence, and stalking. It can also include using internet, social networking sites, phones or text messaging to harass, pressure, or victimize.

The Melrose Public Schools will not tolerate dating abuse or violence of any kind, and will take the steps necessary to prevent teen dating abuse, intervene when relationship violence occurs, and help promote healthy relationships among all students.

All Melrose Public School secondary students will receive education on the issue of teen dating abuse, including definitions, warning signs and resources for help through Health and Wellness classes and other special programs.

Students who observe an act of teen dating abuse, sexual violence, or stalking, or who have reasonable grounds to believe that these behaviors are taking place, are obligated to report incidents to school faculty and/or staff. The targeted student shall, however, not be held responsible for failing to report teen dating abuse, sexual violence, or stalking.

When teen dating abuse has occurred or is suspected, an Incident Report can be filed by a student, staff member, parent or other concerned party. The report can be verbal or in writing and should be filed with an administrator or the Guidance Department.

A prompt, fair and full investigation of the allegations will be conducted by an administrator. The investigation will include private interviews with the target and/or person filing the report to make a determination whether the reported behaviors constitute dating abuse or other forms of harassment. The alleged offender will also be interviewed separately. At no time shall the alleged offender and targeted student be brought together for a meeting.

If it is determined that inappropriate behaviors occurred, prompt action will be taken to eliminate the offending behavior(s) and apply appropriate disciplinary action. Consequences for infractions of teen dating abuse are listed in the “Aggressive Behavior Consequences Rubric” located in the rules for behavior and discipline of students section of this handbook.

It is the policy of the school that parents of the students involved will be contacted in situations involving dating abuse. School administrators, in collaboration with staff, will develop and implement an appropriate safety plan for the target of abuse. Community resources for additional services may be offered to both the offending and targeted student.

## **IX. RULES OF BEHAVIOR AND DISCIPLINE OF STUDENTS**

The Melrose Public Schools Code of Conduct serves to support our goals and our mission to provide a safe and educationally stimulating environment for all students. Students should come to school ready to learn with a clear understanding of what is acceptable behavior in a school setting. The common threads of our rules are respect of and civility toward all people (students, teachers, staff, visitors, guests, etc.) and responsibility for one’s actions. Adolescents sometimes make mistakes based on poor judgment, peer pressure, or distractions in their personal lives. Minor infractions are handled by classroom teachers. A teacher will often make a verbal

reprimand, contact parents, and/or assign a teacher detention. Teachers will refer more serious infractions or persistent infractions to an administrator.

The principal or assistant principal assigns disciplinary consequences for infractions which occur outside the class setting, chronic problems in the classroom or misbehavior which is a serious breach of our code, especially student misbehavior involving safety issues or threats. Assigning office detention and/or suspension is the responsibility of the principal or the assistant principal. Expulsion procedures are the responsibility of the principal, superintendent, and/or School Committee in accordance with Massachusetts General Law.

## **A. Disciplinary Due Process**

### **1. Short Term Disciplinary Sanctions:**

a. Prior to the imposition of any disciplinary sanction that may result in a student's suspension from school for ten (10) consecutive school days or less, (other than those suspensions under M.G.L. c. §§ 37H and 37H 1/2) the student will be given oral notice of the offense with which he/she is charged and an opportunity to respond. In the event the principal determines that the student will be suspended from school, the student and parent/guardian will receive notification by telephone (or in person) and in writing (in English and the primary language spoken in the home of the student). The notice will include: the charges; the reasons for the suspension or exclusion; the opportunity to meet with the principal or designee to discuss the charges; and the reasons for the suspension or exclusion taking effect. The student will have the opportunity to make up assignments, tests, papers, and other school work as needed to make continued academic progress.

b. Emergency Removal: A student may be removed from school immediately, when charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school. This emergency removal may not exceed two (2) days following the day of the emergency removal. Within the two (2) days the Principal shall: (1) make immediate and reasonable efforts to orally notify the student and the student's parent of the emergency removal and the reason for the need for the emergency removal; (2) provide written notice to student and parent which shall include: the charges; the reasons for the suspension or exclusion; the opportunity to meet with the principal or designee to discuss the charges prior to the expiration of the two (2) days (unless an extension is agreed to by the student, parents and principal); and the reasons for the suspension or exclusion taking effect.

### **Expedited Evaluation Process:**

a. If prior to the disciplinary action, the district had knowledge that the student may be a student with a disability, then the district makes all protections available to the student until and unless the student is subsequently determined not to be eligible.

b. If the district has no reason to consider the student disabled, and the parent requests an evaluation subsequent to the disciplinary action, the district must have procedures consistent with federal requirements to conduct an expedited evaluation to determine eligibility.

c. If the student is found eligible, then he/she receives all procedural protections subsequent to the finding of eligibility.

### **2. Long Term Disciplinary Sanctions:**

a. Prior to the imposition of any disciplinary sanction that might result in the student's suspension for more than ten (10) consecutive school days or expulsion, the parent(s)/guardian(s) will be given written notice of a hearing at which they may be represented by an attorney at their expense and may examine and present witnesses and documentary evidence.

b. Following this hearing, the decision maker (principal) will issue a written decision. The written decision shall inform the parent(s)/guardian(s) and student of the student's right to receive education services, such as the opportunity to earn credits, make up assignments, tests, papers and other school work as needed to make academic progress during the period of his or her removal from the classroom or school. This notice shall be provided in English and the primary language spoken in the student's home if other than English, and the notice shall include the school's Education Service Plan, which provides a list of the specific education services that are available during the student's removal from school and contact information for school personnel who will be able to provide information about accessing such services.

c. The parent(s)/guardian(s) will have the right to appeal any decision imposing a long-term exclusion from school. Where the student is excluded in accordance with M.G.L. c. 71 §37H, the student shall have ten (10) days from the effective date of the exclusion to file a written appeal with the superintendent of schools. For exclusions imposed pursuant to M.G.L. c.71 §37H1/2 and M.G.L. c.71, §37H 3/4, the student shall have five (5) days from the effective date of the exclusion to file a written appeal with the superintendent. For exclusions imposed by the school committee in accordance with M.G.L. c.76 §17, the student shall have the right to file a written request for reconsideration by the committee within ten (10) days of the effective date of the exclusion. Pending the outcome of any such appeal, the disciplinary sanction imposed shall remain in effect. M.G.L. c. 76 §17, M.G.L. c. 71 §37H, M.G.L. c. 71 §37H1/2. M.G.L. c.71, §37H 3/4.

3. Students with Disabilities: Students who have been identified as students with disabilities in accordance with the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act or who the school has reason to believe might be eligible for special education services are entitled to additional procedural protections when a disciplinary exclusion is considered. Prior to the imposition of any disciplinary sanction that would result in a change in placement; the student's Team will meet to determine whether the student's conduct was a manifestation of the student's disability. If the Team determines that the conduct was a manifestation of the student's disability shall review any existing behavior plan or, if no such behavior plan exists, conduct a functional behavioral assessment. In many cases, a student with a disability will be entitled to services identified by the student's Team as necessary to provide the student with a free appropriate public education during periods of disciplinary exclusion exceeding ten (10) school days in a given year. For additional information regarding the rights of students with disabilities in the context of school discipline please contact the Melrose Public Schools Assistant Superintendent for PPS or the building principal.

<b>Offenses:</b>  On school premises or at school-sponsored events or activities: <ul style="list-style-type: none"> <li>• Possession of a dangerous weapon</li> <li>• Possession of a controlled substance</li> <li>• Assault on a member of the educational staff</li> </ul>	<b>Offenses:</b>  1. A felony charge or felony delinquency complaint against a student.  2. Conviction, adjudication, or admission of guilt with respect to such felony.	<b>Offenses:</b>  Any offense that is not addressed in 37H or 37H 1/2.
<b>Consequence:</b>  <ul style="list-style-type: none"> <li>• Exclusion for amount of time up to expulsion;</li> </ul>	<b>Consequence:</b>  1. Felony charge or felony delinquency complaint: suspension for a period of time	<b>Consequence:</b>  <ul style="list-style-type: none"> <li>• May not suspend a student from school long-term (i.e. more than 10 days) until</li> </ul>

<ul style="list-style-type: none"> <li>Principal may suspend and not expel as he or she deems appropriate</li> </ul>	<p>deemed appropriate by principal <i>if</i> the principal determines the student's continued presence would have a substantial detriment on the general welfare of the school.</p> <p>2. Felony or felony delinquency conviction or adjudication or admission of guilt with respect to such felony: removal for a period of time up to expulsion (i.e. permanent exclusion) <i>if</i> the principal determines that the student's continued presence would have a substantial detriment on the general welfare of the school.</p>	<p>other remedies and consequences have been considered; consider ways to re-engage the student in learning.</p> <ul style="list-style-type: none"> <li>Consequences other than suspension may draw from evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and behavioral interventions and supports.</li> <li>No student may be suspended for more than 90 schooldays in a school year.</li> </ul>
<p><b>Due Process:</b></p> <ul style="list-style-type: none"> <li>Constitutional due process;</li> <li>Prior notice to student of charge and written notice of right to hearing;</li> <li>Right to representation at hearing; and to present evidence and witnesses at hearing.</li> </ul>	<p><b>Due Process (for either suspension or expulsion):</b></p> <ul style="list-style-type: none"> <li>Constitutional due process;</li> <li>Written notice of the charges and of the reasons before the suspension takes effect;</li> <li>Principal may determine the appropriate amount of time for suspension;</li> <li>Written notice of the right to appeal to the superintendent;</li> <li>Suspension remains in effect pending appeal to the superintendent.</li> </ul>	<p><b>Due Process:</b></p> <ul style="list-style-type: none"> <li>Except for in-school suspension and emergency removals, prior oral and written notice of the charge to the student, and to the student's parent, and the opportunity for a meeting/hearing with the principal before suspension takes effect. Consult 603 CMR 53:08 for details on notices.</li> <li>Consult 603 CMR 53:07 for emergency removal process and 603 CMR 53:10 for in-school suspension process</li> <li>Explicit requirement to translate notice of the charges and the reasons in primary language of the home if other than English, or other means of communication where appropriate.</li> <li>Principal must make and document reasonable efforts to include the parent in meeting/hearing with the student.</li> </ul>

		<ul style="list-style-type: none"> <li>• Principal must audiotape the hearing if requested by the parent and all those attending the hearing must be informed of the taping.</li> <li>• Following hearing, principal must provide a written decision; and if a long-term suspension imposed, must inform student and parent in writing of the right to appeal to the superintendent and the process to be followed; translate notice of appeal rights in primary language of the home, or other means of communication where appropriate.</li> <li>• Before any out-of-school suspension of a student in preschool or grades K – 3, principal must notify superintendent in writing of the alleged misconduct and the reasons for suspending the student out-of-school.</li> </ul>
<b>Appeal from Principal’s Decision:</b> <ul style="list-style-type: none"> <li>• Right to appeal <b>expulsion</b> decision to superintendent</li> <li>• Timeline for requesting appeal: ten days from date of expulsion</li> <li>• Right to counsel at hearing</li> <li>• Superintendent can make factual determinations as well as determine consequence.</li> </ul>	<b>Appeal from Principal’s Decision to Suspend or to Expel:</b> <ul style="list-style-type: none"> <li>• Timeline for requesting appeal: no later than 5 calendar days following the effective date of the suspension/expulsion</li> <li>• Superintendent must hold hearing within 3 calendar days of receipt of request and issue a decision within 5 calendar days.</li> <li>• Superintendent may overturn or alter the decision.</li> </ul> <p><b>A student may appeal a suspension decision and the subsequent expulsion decision (following the conviction, adjudication or admission of</b></p>	<b>Appeal from Principal’s Decision:</b> <ul style="list-style-type: none"> <li>• Timeline for requesting appeal: written request not later than 5 calendar days following effective date of suspension; parent can request extension for up to 7 calendar days, which must be granted.</li> <li>• The superintendent must hold hearing within 3 calendar days of the parent’s request for a hearing. The student or parent may request up to 7 additional calendar days. If so, the superintendent must allow the extension. The superintendent may have the hearing without the</li> </ul>

	<p><b>guilt) regarding the same offense.</b></p>	<p>parent if the superintendent has made a good faith effort to include the parent.</p> <ul style="list-style-type: none"> <li>• The student has the right to present oral and written testimony, to cross-examine witnesses, and to counsel at his or her expense at the hearing.</li> <li>• The superintendent must audiotape the hearing and notify hearing participants that the hearing will be taped.</li> <li>• The superintendent determines the facts and consequences, if any, but cannot impose a consequence greater than the principal decided. A written decision is due within 5 calendar days of the hearing.</li> </ul>
<p><b>Provision of Education Services:</b></p> <p>Provide every student an opportunity to make <i>academic progress</i> during the period of suspension (whether in-school or out-of-school) or expulsion, to make up assignments, and earn credits missed. A district that suspends or expels a student for <i>more than 10 consecutive days</i> must provide the student and the parent with <i>a list</i> of alternative educational services.</p> <p><b>See G.L. c. 76, §21 and 603 CMR 53.13 for details, including required notice.</b></p>	<p><b>Provision of Education Services:</b></p> <p><b>Same</b></p>	<p><b>Provision of Education Services:</b></p> <p><b>Same</b></p>
<p><b>Discipline Collection and Reporting:</b></p> <ul style="list-style-type: none"> <li>• Collect and report to the Department data concerning the types and lengths of removals, suspensions, and</li> </ul>	<p><b>Discipline Collection and Reporting:</b></p> <p><b>Same</b></p>	<p><b>Discipline Collection and Reporting:</b></p> <p><b>Same</b></p>

<p>expulsions, and access to education services</p> <ul style="list-style-type: none"> <li>• Periodically review discipline data by selected student populations; determine extent of disciplinary removals and the impact on such populations; adjust practice as appropriate</li> <li>• Department will provide assistance to school(s) if Commissioner identifies school(s) in district that have the highest percentage of suspensions or expulsions in Massachusetts for more than 10 cumulative days in a school year.</li> <li>• Create a plan to address disparities if Commissioner determines that school or district discipline data reflect significant disparities by race and ethnicity, or disabilities.</li> </ul> <p><b>See 603 CMR 53.14 for details.</b></p>		
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## **B. Range of Consequences:**

Where appropriate, educators will use restorative practices in lieu of, or in addition to, the consequences listed below. Restorative practices may include, but are not limited to, restorative chats, restorative circles, apologies, community service, restitution, and educational programming.

**Verbal Warning:** Administrative or teacher conference with student.

**Written Warning:** Written report to be entered into student records.

**Teacher Detention:** A teacher detention is held after school by the teacher with or without an office referral.

**Office Detention:** An office detention is held after school for 45 minutes and is assigned by the principal and/or assistant principal.



**Alternative Learning:** Alternative learning places the student in a supervised work space within the school setting for the course of the school day. Students will continue to have access to the general education curriculum and special education services as stated in their IEP, if applicable.

**Diversion:** Diversion is designed to work with students as an alternative to formal discipline. The diversion program allows a student the opportunity to complete an individually tailored remedial program which may include a combination of conditions such as an educational program, counseling, community service, letter of apology, and restitution. Participation in the program is completely voluntary and requires the student to accept responsibility for his or her conduct and engage in the program with a positive attitude.

Input regarding whether to divert a particular student is always sought from teachers, administrators, the victims/and other parties involved, and the school resource officer. The assistant principal will monitor the student's compliance throughout the student's participation in the program. If the school administration determines that the student has satisfied all requirements of his or her diversion contract, there will be no further action taken by the school. If the student withdraws or does not successfully complete the diversion program, the school administration may impose more traditional disciplinary sanctions.

Diversion Goals:

- Acceptance of responsibility and consequences
- Reform and educate
- Individual and community accountability and restitution
- Prevent future discipline infractions

Eligibility:

- Any student that is referred for discipline
- No prior criminal involvement in the Commonwealth or any other jurisdiction
- The student must be willing to accept responsibility for his or her actions and conduct
- The student must be willing to participate and engage in the Diversion Program

Eligible Circumstances:

- Most discipline infractions as stated in the student handbook
- Infractions constituting harassment based on the victim's membership in a protected class if the victim consents

Ineligible circumstances:

- Infractions involving serious assaulting or threatening behavior
- Infractions involving possession of a weapon or felony charges
- Repeat offenders

Note: The final determination of a student's eligibility for the diversion program is within the sole discretion of the Melrose Public School system and may be based on additional factors not specifically included within these guidelines.

Process:

- Referral – After a student is referred to an administrator for discipline, the circumstance will be evaluated for diversion by the assistant principal.
- Evaluation – The assistant principal's evaluation will consist of a factual review of the information involved in the situation; consultation with the appropriate parties involved, teachers, students, and or victims. A student with a history of poor behavior or rules violations may not be considered for this program.

- **Diversion Meeting** – If the student is found to be eligible, the student and parent(s) will meet with the assistant principal to discuss a remedial behavioral plan. To be accepted into the Diversion Program, the student must accept full responsibility for their actions and display a positive attitude. Negative influences, problematic behaviors and decision-making skills are identified. The student and parent(s) will sign a written diversion contract which includes agreement to a remedial plan as identified in the agreement. The remedial plan may include, but is not limited to, educational programming, community service, letter of apology, restitution, essay writing, and/or other case specific conditions. The duration of a diversion agreement and the date by which conditions must be met is generally five (5) to ten (10) weeks.
- **Conclusion of Case** – Student successfully completes conditions in diversion contract and the case is closed without any further penalty. Student withdraws from the diversion program and formal traditional discipline will be imposed. Student violates conditions in the diversion contract and formal traditional discipline will be imposed.

**External Suspension:** External suspension involves the exclusion of the student from the school setting. Any student who is externally suspended is not to be on the campus or seen from the campus at any time during the suspension, unless authorized by the principal. This stay-away provision includes before school, during school, after school, and/or all school activities that occur during the suspension including all co-curricular activities.

**Academic Probation (Melrose High School):** A student on academic probation will be unable to attend any co-curricular activities during the probation period.

Upon issue of a report card, a student failing two or more subjects or has two or more incompletes or a combination of a failure and incomplete will be placed on Academic Probation. Academic Probation will begin on that date and extend until the next progress report is issued. At that time, if it is determined that the student is no longer failing two or more subjects (based on term grades in each subject, not final grades), eligibility to participate will be restored. Violation of Academic Probation will result in one day suspension and/or a personal growth project. (Restrictions include not being able to attend any co-curricular activities and events.) Any student who fails two or more subjects for the year will be on Academic Probation through progress reports of term one the following school year, or completion of summer school with passing grades.

**Expulsion:** See below.

**Public Service:** Service as a consequence for misconduct is imposed in two ways. When appropriate to the offense, a student may be required to perform school service during and/or after school hours as a consequence of his/her actions. Such service would be performed under the supervision of an administrator, appropriate school staff and/or designee. For a suspension of three or more days, a student may be required to perform service within the community under the supervision of local authorities. Assignments to school service are at the discretion of the administration.

**Saturday Detention:** Saturday Detention is a three hour service experience designed to provide students with an opportunity to restore a connection with the school community, while not missing school.

### **Disciplinary Procedures:**

1. “Due Process” shall be followed in all disciplinary cases. The student will be given the opportunity to hear the charges against him/her, an explanation of the basis for the accusation(s), and an opportunity to present his/her version or account of his/her actions. Short Term Disciplinary Sanctions: Except where circumstances require the student’s immediate removal from the school environment, prior to the imposition of any disciplinary sanction that might result in a student’s suspension from school for ten (10) consecutive schooldays or less, the student will be given oral notice of the offense with which

he/she is charged and an opportunity to respond. In the event that the principal determines that the student will be suspended from school, the student's parent(s)/guardian(s) will be notified by telephone and in writing.

2. **Long Term Disciplinary Sanctions:** Prior to the imposition of any disciplinary sanction that would result in the student's suspension for more than ten (10) consecutive school days or expulsion, the parent(s)/guardian(s) will be given written notice of a hearing at which they may be represented by an attorney (at private expense) and may examine and present witnesses and documentary evidence. Following this hearing, the hearing officer (principal/school committee) will issue a written decision. The parent(s)/guardian(s) will have the right to appeal any decision imposing a long-term exclusion from school. Where the student is excluded in accordance with M.G.L. c.71 §37H, the student shall have ten (10) days from the effective date of the exclusion to file a written appeal with the superintendent of schools. For exclusions imposed pursuant to M.G.L. c.71 §37H1/2, the student shall have five (5) days from the effective date of the exclusion to file a written appeal with the superintendent. For exclusions imposed by the school committee in accordance with M.G.L. c.76 §17, the student shall have the right to file a written request for reconsideration by the committee within ten (10) days of the effective date of the exclusion. Pending the outcome of any such appeal, the disciplinary sanction imposed shall remain in effect. M.G.L. c.76 §17, M.G.L. c.71 §37H, M.G.L. c.71 §37H1/2. Within five (5) schooldays of any disciplinary appeal hearing, the reviewing hearing officer (superintendent/school committee) will render a written decision on the student's appeal.

### **C. Expulsion Policy**

The authority to expel a student from a public school is given to the principal of the school under the provisions of M.G.L. c.71, §37H and 37H1/2. Expulsion proceedings will be considered for severe disciplinary problems. The specific applicable provisions of the Education Reform Law are as follows:

- 1.) Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or a knife; or a controlled substance as defined in chapter ninety-four C, including, but not limited to, marijuana, cocaine, and heroin; may be subject to expulsion from school by the principal.
- 2.) Any student who assaults a principal, assistant principal, teacher, paraprofessional, or other educational staff on the premises or at school-sponsored or at school-related events, including athletic games, may be subject to expulsion from the school by the principal.
- 3.) Any student who is charged with a violation of paragraphs (1) or (2) 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 witnesses at said hearing before the principal. After said hearing, a principal may, in his/her discretion, decide to suspend rather than to expel a student who has been determined by the principal to have violated either (1) or (2).
- 4.) Any student who is expelled from a school pursuant to these provisions shall have the right to appeal to the superintendent. The expelled student shall have ten days from the date of the expulsion in which to notify the superintendent of his/her appeal. The student has the right to counsel at a hearing and shall not be limited solely to a factual determination of whether the student has violated any provisions of this section.
- 5.) When a student is expelled under the provisions of this section and applies for admission to another school for acceptance, the superintendent of the sending school shall notify the superintendent of the receiving school of the reasons for the pupil's expulsion.

### **D. Guidelines for Responses to Breach of School Rules**

In response to infractions of the Code of Conduct, Melrose High School and Melrose Veterans Memorial Middle School Administration will use the practices of restorative justice that include: acceptance of responsibility, education, prevention, counseling, and a range of consequences including diversion.

The infraction consequences listed are not exhaustive nor are they meant to be; rather these are guidelines for addressing inappropriate conduct and suggested disciplinary consequences at both the Melrose Veterans Memorial Middle School and Melrose High School. It should be noted that a range of discipline is possible within these guidelines, and school administrators have the discretion to impose more severe consequences including, but not limited to, suspension or expulsion from school, depending on the individual circumstances presented. In some instances, consequences may carry over from one year to the next. For example, MIAA consequences, long term suspensions and exclusion. Please be aware that some behavior warrants police investigation as the breach of conduct may also be a criminal offense.

### **Restorative Practices at MVMMS (with credit to Community Matters)**

Description: Restorative Practices is a social science that studies how to build social capital and achieve recognizes the importance of prioritizing the relationships and connections between all people within a school community and provides a framework for creating positive school culture and climate.

Much of Restorative Practices occurs in the classrooms and as entire school community to build positive relationships with one another. This represents 80% of the actions for restorative practices.

However, about 15-20% of the practices occur when there has been damage done to those relationships. Some of this can be done less formally through impromptu work by staff and students. However, some, which focus on restoring community, require a more formal process. Beyond building the foundation for building community, The Melrose Public Schools are committed to providing a fair and balanced system for students when they have caused harm by breaking those social expectations to take responsibility for their actions, acknowledge the harm and impact it has created and take steps to make it right.

A formalized process for Restorative Justice will be developed to engage students in this restorative process when they have demonstrated a willingness to participate in this. Not all code of conduct. However, both will be considered by school administration when reviewing corrective actions and investigating reported incidents.

### **Traditional vs. Restorative**

<b>Punitive - Traditional Discipline</b>	<b>Restorative - Possibility for relationship repair</b>
What rule has been broken?	Who has been harmed and how?
Establish guilt or innocence	Identify needs and obligations
Accountability = Punishment	Accountability = Understand impact, take responsibility, make amends
Suppress misbehavior and conflict	Recognize misbehavior and conflict as a learning opportunity
Authority driven disciplinary actions	Those impacted determine resolution collectively with guidance
Uses fear of punishment and exclusion as motive for positive behavior	Positive behavior results from opportunity to make amends and honorably reintegrate

## BEHAVIOR CONSEQUENCES

Observable or Determined Behavior, in person, or electronically	<b>Range of Consequences</b> - school administrators have the discretion to impose more severe consequences including, but not limited to, suspension or expulsion from school, depending on the individual circumstances presented. Discipline may progress toward maximum consequences when behaviors become repetitive. Community Service or Saturday Detention may be assigned in lieu of School Suspension when appropriate.	
	Minimum	Maximum
<b><u>Verbal/Emotional:</u></b> Teasing Making fun of others Putting others down or “Dissing” Name-calling Mocking and other such acts	Parental Contact  Written Warning	5 day suspension Police Referral
<b><u>Severe Verbal/Emotional:</u></b> Excluding others from a group activity which the person has the right to be part of Shunning Inciting or cheering on aggression Ganging up on others Starting/spreading rumors Written harassment Threatening and other such acts, including verbal and/or emotional acts of retaliation against those who speak up or stand up to such behaviors	Parental Contact  1 Office Detention  Counseling	5 day suspension Police Referral Expulsion
<b><u>Physical:</u></b> Poking Shoving Blocking Pinching Chasing and other such acts	Parental Contact  Written Warning	10 day suspension Police referral
<b><u>Severe Physical:</u></b> Hitting Punching Kicking Tripping	Parental Contact  Counseling	10 day suspension Police Referral

Spitting and other such acts, including physical acts of retaliation against those who speak up or stand up to such behaviors	3 Office Detentions	
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Observable or Determined Behavior in person, or electronically	Range of Consequences	
	Minimum	Maximum
CUTTING CLASS: Cutting class is not attending a scheduled class without permission.	Parental contact, Counseling, Detention,	3 Day Suspension
FAILURE TO REPORT AFTER SCHOOL: Failure to report after school is not reporting after school for a teacher detention.	Parental Contact, Detention	5 detentions
FIGHTING: Fighting is harming and/or attempting to inflict physical injury on a person.	2 days suspension	10 day suspension
FORGING A STAFF MEMBER'S or PARENT/GUARDIAN'S SIGNATURE	Parental Contact and 2 detentions	5 day suspension
GAMBLING or PLAYING CARDS: This refers to betting money on the outcome of a game, contest or event, playing cards, poker, etc.	Parental Contact and 1 detention	3 day suspension
HARASSMENT OF A TEACHER AND/OR STAFF MEMBER: This refers to repeated and/or deliberate and/or consistent emotional harassment of a teacher or staff by performing unkind or mean acts.	Parental Contact Suspension for 1 day	10 day suspension
HAZING : Hazing includes any conduct or method of initiation into any student organization which willfully or recklessly endangers the physical or mental health of any student or other person. (Under M.G.L., c 269, sec. 17 - Crime of Hazing, such conduct, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or person shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or both such fine and imprisonment.)	Parental Contact 10 day suspension plus police referral and suspension from the student organization for one year when applicable.	
INCITING VIOLENCE or BREACH OF SCHOOL RULES: Inciting violence refers to actions by any student(s) who knowingly and willingly incite or instigate an action or event that is a breach of the Code of Conduct. For example, students that go out of their normal routine to stand around two or more students who have a disagreement and yell "fight - fight - fight!" and/or encourage such crimes by their presence, deeds, and/or actions. Other examples and/or actions include,	Parental contact Suspension for 1 day	10 day Suspension and police referral

but are not limited to, writing incendiary notes, making incendiary gestures, offering negative peer pressure, “cheering on” and/or stating incendiary words that encourage two or more students to fight or commit another breach of conduct. One of the intents of this rule is to discourage and prohibit young people from attending, encouraging, and/or watching crimes such as altercations (fights), acts of bullying, acts of hatred, vandalism, strife, unhealthy behavior, and other such breaches of the Code of Conduct. If you hear that there is going to be a crime committed (fight, assault, etc.), do not go to watch and/or participate in it. Seek help from an adult.		
INFRINGEMENT OF CIVIL RIGHTS or HATE CRIME: This refers to complaints of civil rights violations which may take the form of references or gestures related to race, color, sex, religion, national origin, disability, gender identity, and/or sexual orientation. These actions constitute a hate crime when they are motivated in whole or part, by hatred, bias, or prejudice based on a student’s or group’s protected status (G.L. c.265 s. 39)	Parental Contact Suspension for 1 day	10 day Suspension and police referral
INSUBORDINATION or DEFIANCE: This refers to a student who refuses to follow reasonable directions by a teacher and/or a staff member; being uncooperative to the point of creating a disruptive environment that will not be tolerated.	Parental Contact Three Office Detentions;	5 day Suspension
OUT OF SUPERVISED AREA (CLASS, CAFETERIA, ECT.) WITHOUT PERMISSION.	Parental Contact Office Detention	5 day Suspension
POSSESSION OF LASER POINTERS: Laser pointers may be very distracting, may cause eye damage, and in some cases may be very threatening. Students may not bring laser pointers to school.	Parental Contact Laser pointers will be confiscated Detention Suspension	
POSSESSION or SELLING OF FIRECRACKERS, LIGHTERS, MATCHES, STINK BOMBS, PARTY SNAPPERS OR OTHER SUCH DEVICES:	Parental Contact Confiscation of illegal materials Suspension Police referral	
PROFANE, DEROGATORY, OBSCENE, VULGAR LANGUAGE and/or GESTURES AND/OR PRINTED MATERIALS:	Parental Contact Office Detention	10 day suspension
PULLING FALSE FIRE ALARM or FALSE 911 Call: Existing M.G. Laws criminalizes false fire alarms (G.L. c.266 sec. 13) and false reports of an explosive or other dangerous substances (M.G.L. c. 266, sec. 14). The same penalty will apply to false 911 police calls.	Parental Contact Counseling 3 day minimum suspension Police referral	
SEXUAL HARASSMENT: Sexual harassment is unwelcome sexual advances, de-panting (pulling one’s clothes down), creating an intimidating, hostile, or	Parental Conference Counseling 3 day minimum suspension	10 day suspension

humiliating environment due to sexual remarks and/or other physical or verbal conduct of a sexual nature.		
SMOKING/VAPING: This refers to the use or possession of all tobacco/nicotine products, including E-Cigarettes and Hookah Pens, as well as all smoking/vaping materials within the school building, on school grounds, on school buses, during field trips or during school activities which is a violation of M.G.L., c71, sec. 2A, and Melrose City Ordinance #11-27, (1997).	Parental Contact Confiscation of smoking related materials \$50.00 fine Counseling 1 day suspension	5 day suspension
STEALING: This refers to the intentional, willful, and malicious act of taking without permission property that belongs to someone else.	Parental Contact Detention Restitution Police referral	10 day suspension Possible expulsion
TECHNOLOGY MISUSE: This refers to the unauthorized use of cell phones, iPod, cameras, recorders, computers, and other such technology devices. The use of camera phones or other such picture taking or recording devices are strictly prohibited without the consent of principal or his/her designee. Students who repeatedly make cell phone calls are subject to this rule. Students who send text messages or make cell phone calls without permission violate this rule. Cell phones and/or other such devices will be confiscated and given to a principal when used without permission.	Parental Contact Detention	10 day suspension
THREAT OF PERSONAL INJURY or HARASSMENT: This refers to taunting, teasing, tormenting and/or agitating of an individual to the point of interfering with his/her rights. These are threats of verbal and/or physical abuse.	Parental Contact 1 day suspension	10 day suspension Possible expulsion
TRUANCY: Truancy is not reporting to school, leaving school without permission, or cutting several and/or all classes.	Parental Contact Counseling 5 Office detentions	3 day suspension
UNEXCUSED TARDINESS TO SCHOOL: This refers to not reporting to school on time.	Parental Contact Counseling Detention	Parental conference and/or court referral.
VIOLATION OF PARKING POLICY	Parental Contact Melrose Police Citation issued Detention	Vehicle may be towed Loss of parking privileges Suspension
VANDALISM: Vandalism is the intentional, willful, and malicious or wanton destruction of private or public property in which a person paints, marks, scratches, etches, places stickers on or otherwise defaces, removes or destroys property.	Parental Contact Restitution and/or 1 day suspension Police referral.	10 day suspension
POSSESSION OF A DANGEROUS WEAPON: This refers to any dangerous weapon, including, but not limited to, a gun or knife (see Education Reform Law).	Parental contact Counseling Police referral.	



	Possible expulsion from school
POSSESSION, DISTRIBUTING, AND/OR BEING UNDER THE INFLUENCE OF A CONTROLLED SUBSTANCE (Drugs and/or Alcohol): This includes, but is not limited to alcoholic beverages, marijuana, THC, cocaine, unprescribed medication, and/or controlled substances (see Education Reform Law).	Parental Contact Counseling Police referral. Possible expulsion from school. Student will be removed from any leadership position they hold in a sport, club or organization.
POLICE REPORT OF USE, POSSESSION, DISTRIBUTION OF A CONTROLLED SUBSTANCE (Drugs and/or Alcohol): This includes, but is not limited to alcoholic beverages, marijuana, cocaine, and/or controlled substances (see Education Reform Law).	<p>Immediate suspension from two (2) consecutive contests in athletics and/or suspension for four weeks as a member of any MPS club or organization that they belong to. In addition, the student will be removed from any leadership position they hold in a sport, club, or organization.</p> <p>Second and subsequent violations will result in immediate suspension from four consecutive games.</p> <p>In addition, the student will be suspended from the club or organization that he/she belongs to for the remainder of the school year or for a minimum of 8 months. This could carry over into the next school year.</p> <p>Students who participate in an approved chemical dependency program or treatment program may be certified for reinstatement into activities after a minimum of two games has been served. The director or a counselor of a chemical dependency treatment center must issue such certification.</p> <p>Athletes will be held to the MIAA standards of the Drug and Alcohol Policy.</p>
ASSAULT ON SCHOOL PERSONNEL: This refers to an assault on a principal, assistant principal, teacher, teacher's aide or other educational staff (see Educational Reform Law).	Parental Contact Counseling 10 day suspension Police referral Expulsion from school.
FAKE BOMBS OR HOAX DEVICES: Effective April 12, 2001, under M.G.L., c 266, sec. 102A 1/2, "It is a felony for any person to possess, transport, use or place, or cause another person to possess, transport, use or place a fake bomb or 'hoax device' with the intent to cause anxiety, unrest, fear, or personal discomfort to any person or group of persons. A 'hoax device' is any device that would cause a person to reasonably believe that it places in danger life or property by fire or explosion." Written threats may be treated as hoax devices.	Parental Contact Counseling 10 day suspension Police referral Expulsion from school

## **E. Other Discipline Guidelines**

All cases of student misbehavior at Melrose Public Schools will be treated individually. We will make every attempt to make each disciplinary case a learning situation. If a student makes a mistake, our main goal is to educate and to help the student to learn not to make the same or similar mistakes again. Students who continuously act inappropriately will be referred to the administration. Student athletes should refer to [www.miaa.net](http://www.miaa.net) for a complete list of rules and regulations.

## **F. Discipline of Special Education Students**

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

- 1) Students with disabilities may be excluded from their programs for up to ten (10) schools days to the extent that such sanctions would be applied to all students. Before a student with a disability can be excluded from his/her program for more than ten (10) consecutive school days in a given school year or subjected to a pattern of removal consisting of a "change in placement," building administrators, the parent(s)/guardian(s), and relevant members of the student's IEP or 504 Team will meet to determine the relationship between the student's disability and behavior (Manifestation Determination). In most instances, for disciplinary exclusions exceeding ten (10) school days in a single school year, a student receiving services under an IEP shall have a right to the services to provide him/her with a free appropriate public education during the period of exclusion.
- 2) If the building administrators, the parent(s)/guardian(s), and relevant members of the student's IEP or 504 Team determine that the student's conduct was not a manifestation of the student's disability, the school may discipline the student in accordance with the procedures and penalties applicable to all students, but will continue to provide a free, appropriate public education to those students with IEPs. If the relevant members of the student's 504 Team, however, determine that the student's conduct was not a manifestation of the student's disability, unlike students with IEPs, the student is not entitled to services during the period of disciplinary exclusion. The student's IEP will identify the services necessary to provide a free, appropriate public education during the period of exclusion, review any existing behavior intervention plan or, where appropriate, conduct a functional behavioral assessment.
- 3) If the building administrators, the parent(s)/guardians(s), and relevant members of the student's IEP or 504 Team determine that the conduct giving rise to disciplinary action was a manifestation of the student's disability, the student will not be subjected to further removal or exclusion from the student's current educational program based on that conduct (except for conduct involving weapons, drugs, or resulting in serious bodily injury to others) until the IEP or 504 Team develops, and the parent(s)/guardian(s) consent to, a new placement or unless the District obtains an order from a court or from the Bureau of Special Education Appeals (BSEA) authorizing a change in the student's placement.

The student's Team shall also review, and modify as appropriate, any existing behavior intervention plan or arrange for a functional behavioral assessment.

- 4) If a student with a disability possess or uses illegal drugs, sells or solicits a controlled substance, possess a weapon, or causes serious bodily injury to another on school grounds or at a school function, the District may place the student in an interim alternative educational setting (IAES) for up to forty-five (45) school days. A court or BSEA Hearing Officer may also order the placement of a student who presents a substantial likelihood of injury to self or others in an appropriate interim setting for up to forty-five (45) school days.

## **G. Graffiti**

An Act prohibiting graffiti, M.G.L. c266, sec. 126 A, states "whoever intentionally, willfully and maliciously or wantonly, paints, marks, scratches, etches or otherwise marks, mars, injures, defaces or destroys the real or personal property of another including but not limited to a wall, fence, building, sign, rock, monument, gravestone, or tablet, shall be punished by imprisonment in a state prison for a term of not more than three years or by imprisonment in the house of correction for not more than two years".

M.G.L. c266, sec. 126 B, states "whoever sprays or applies paint or places a sticker upon a building, wall, fence, sign, tablet, gravestone, monument or other thing on a public way or adjoining to it, or in public view, or on private property, such person known or commonly known as "taggers" and such conduct or activity known or commonly known as "tagging", or other words or phrases associated to such persons, conduct or activity, and either as an individual or in a group, joins together with said group, with the intent to deface, mar, damage, mark or destroy such property, shall be punished by imprisonment in a house of correction for not more than two years. A police officer may arrest any person for the commission of the offenses prohibited by this section without warrant if said police officer has probable cause to believe that said person has committed the offense prohibited by this section."

**GRAFFITI COMMITTED BY ANYONE UNDER THE AGE OF 16 YEARS OLD:** Upon conviction of either 126 A or 126 B, if the individual convicted is under the age of 16, then one year shall be added to the minimum age eligibility for driving. These statutes also require those convicted for violating either of them to pay for the removal of the damage.

## **H. Felony or Felony Delinquency**

If a student is charged with a felony or felony delinquency, the principal may determine, after a school-based hearing, that a student's continued presence in the school would have a substantial detrimental effect on the general welfare of the school. The result may be external suspension. M.G.L. c.71, §37H1/2. The principal must explain his/her rationale in writing to the superintendent, including a description of the anticipated detrimental effect on the school.

If a student is convicted of (or, in court, admits guilt to) a felony or a felony delinquency and the principal determines, after a school-based hearing, that the student's continued presence in the school would have a substantial detrimental effect on the general welfare of the school, then the result may be an expulsion. The principal must explain his/her rationale in writing to the superintendent, including a description of the anticipated detrimental effect on the school.

## **I. Search and Seizure Policy**

The Fourth Amendment of the United States Constitution protects students from unreasonable searches and seizures by public school officials and teachers. Where a student has a legitimate expectation of privacy, a search of the student's person or personal belongings brought onto school property, including a vehicle driven by a student, will be lawful if it meets two criteria:

1. School officials must have reasonable suspicion at the time of the search to believe that it will disclose evidence of a violation of a school rule or a violation of the law. A determination as to whether reasonable suspicion exists necessarily requires the exercise of common sense and good judgment. The suspicion that will justify a student search must be more than a generalized suspicion, unsubstantiated rumor or hunch; it must be based on the observation or credible report of specific behavior or physical evidence that reasonably would lead someone to believe that a particular student has violated or is violating a school rule or the law.
2. The scope of the search must be reasonable in relation to the intrusion upon the student's privacy. In other words, there must be a reasonable likelihood that the contraband being sought will be found in the area or object being searched. Additionally, the search must not be excessively intrusive in light of the age and gender of the student and the nature of the suspected infraction.

When reasonable suspicion exists, the Principal or the Principal's designee may authorize the search of a student or the student's property. Ordinarily, the search of a student should be conducted by an individual of the same gender as the student. All searches will be conducted in the presence of at least (1) school administrator.

If a Principal believes that a student may possess a dangerous weapon or object or otherwise has reason to believe that the search may jeopardize the Principal's safety, the Principal should notify the School Resource Officer or the Melrose Police Department to arrange for an officer to be present and, if appropriate, to conduct the physical search. Except in circumstances where a police officer conducts a physical search at the request of a Principal or Principal's designee to ensure the school administrators' safety, a police officer must obtain a valid search warrant, based on probable cause, before searching a student or the student's property.

Lockers, desks and other equipment provided by the Melrose Public Schools for the use and convenience of students while in school remain the property of the School Department and students do not have a legitimate expectation of privacy in those lockers, desks and other equipment. School officials retain the right to search student lockers, desks and equipment, as well as any personal effects found therein, based on reasonable suspicion to believe that they contain evidence of a violation of a school rule or the law. A search of property assigned to a student will be conducted, when practicable, in the presence of the student, and the student will be informed of the reason for the search at that time.

Students are not allowed to place in their lockers, desks or other equipment provided by the School Department any weapons, illegal drugs or drug-related paraphernalia, alcoholic beverages, stolen property or any other contraband or items of no reasonable use to students while at school. School officials also may conduct periodic inspections of lockers, desks and other equipment to ensure compliance with this rule.

In the event that any search yields evidence of a violation of law, such evidence will be seized by school authorities and turned over to the appropriate law enforcement officials. Items that may be used to disrupt or interfere with the educational process may be removed from the student's possession.

#### **J. Selected State Statutes Pertaining to Student Conduct:**

**M.G.L. c.71, § 37H:**

The superintendent of every school district shall publish the district's policies pertaining to the conduct of teachers and students. Said policies shall prohibit the use of any tobacco products within the school buildings, the school facilities or on the school grounds or on school buses by any individual, including school personnel. Said policies shall further restrict operators of school buses and personal motor vehicles, including students, faculty, staff and visitors, from idling such vehicles on school grounds, consistent with section 16B of chapter 90 and regulations adopted pursuant thereto and by the department. The policies shall also prohibit bullying as defined in section 37O and shall include the student-related sections of the bullying prevention and intervention plan required by said section 37O. Copies of these policies shall be provided to any person upon request and without cost by the principal of every school within the district.

Each school district's policies pertaining to the conduct of students shall include the following: disciplinary proceedings, including procedures assuring due process; standards and procedures for suspension and expulsion of students; procedures pertaining to discipline of students with special needs; standards and procedures to assure school building security and safety of students and school personnel; and the disciplinary measures to be taken in cases involving the possession or use of illegal substances or weapons, the use of force, vandalism, or violation of a student's civil rights. Codes of discipline, as well as procedures used to develop such codes shall be filed with the department of education for informational purposes only.

In each school building containing the grades nine to twelve, inclusive, the principal, in consultation with the school council, shall prepare and distribute to each student a student handbook setting forth the rules pertaining to the conduct of students. The student handbook shall include an age-appropriate summary of the student-related sections of the bullying prevention and intervention plan required by section 37O. The school council shall review the student handbook each spring to consider changes in disciplinary policy to take effect in September of the following school year, but may consider policy changes at any time. The annual review shall cover all areas of student conduct, including but not limited to those outlined in this section.

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

(a) Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or a knife; or a controlled substance as defined in chapter ninety-four C, including, but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from the school or school district by the principal.

(b) Any student who assaults a principal, assistant principal, teacher, teacher's aide or other educational staff on school premises or at school-sponsored or school-related events, including athletic games, may be subject to expulsion from the school or school district by the principal.

(c) Any student who is charged with a violation of either paragraph (a) or (b) shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the principal. After said hearing, a principal may, in his discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraph (a) or (b).

(d) Any student who has been expelled from a school district pursuant to these provisions shall have the right to appeal to the superintendent. The expelled student shall have ten days from the date of the expulsion in which to notify the superintendent of his appeal. The student has the right to counsel at a hearing before the

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

**M.G.L. c.71, §37H1/2:**

Notwithstanding the provisions of section eighty-four and sections sixteen and seventeen of chapter seventy-six:

(1) Upon the issuance of a criminal complaint charging a student with a felony or upon the issuance of a felony delinquency complaint against a student, the principal or headmaster of a school in which the student is enrolled may suspend such student for a period of time determined appropriate by said principal or headmaster if said principal or headmaster determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and the reasons for such suspension prior to such suspension taking effect. The student shall also receive written notification of his right to appeal and the process for appealing such suspension; provided, however, that such suspension shall remain in effect prior to any appeal hearing conducted by the superintendent.

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

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

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

Upon expulsion of such student, no school or school district shall be required to provide educational services to such student.

**M.G.L. c.269:**

Section 17: Whoever is a principal organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or both such fine and imprisonment.

The term “hazing” as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action.

Section 18: Whoever knows that another person is the victim of hazing as defined in section seventeen and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars.

Section 19: Each institution of secondary education and each public and private institution of post secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections seventeen and eighteen; provided, however, that an institution’s compliance with this section’s requirements that an institution issue copies of this section and sections seventeen and eighteen to unaffiliated student groups, teams or organizations shall not constitute evidence of the institution’s recognition or endorsement of said unaffiliated student groups, teams or organizations.

Each such group, team or organization shall distribute a copy of this section and sections seventeen and eighteen to each of its members, plebes, pledges or applicants for membership. It shall be the duty of each such group, team or organization, acting through its designated officer, to deliver annually, to the institution an attested acknowledgement stating that such group, team or organization has received a copy of this section and said sections seventeen and eighteen, that each of its members, plebes, pledges, or applicants has received a copy of sections seventeen and eighteen, and that such group, team or organization understands and agrees to comply with the provisions of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of postsecondary education shall, at least annually, before or at the start of enrollment, deliver to each person who enrolls as a full time student in such institution a copy of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of postsecondary education shall file, at least annually, a report with the board of higher education and in the case of secondary institutions, the board of education, certifying that such institution has complied with its responsibility to inform student groups, teams or organizations and to notify each full time student enrolled by it of the provisions of this section and sections seventeen and eighteen and also certifying that said institution has adopted a disciplinary policy with regard to the organizers and participants of hazing, and that such policy has been set forth with appropriate

emphasis in the student handbook or similar means of communicating the institution's policies to its students. The board of higher education and, in the case of secondary institutions, the board of education shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general any such institution which fails to make such report.

## **Melrose Public Schools**

### **Discrimination and Harassment Grievance Procedures**

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

#### Definitions

For the purposes of this procedure:

- A. "Discrimination" means discrimination or harassment on the basis of race, age, color, national origin, sex, sexual orientation, gender identity, disability or religion by which an individual is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any program or activity of the school district.
- B. "Harassment" means unwelcome conduct on the basis of race, age, color, national origin, sex, sexual orientation, gender identity, disability or religion that is sufficiently severe, persistent or pervasive to create 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.
- C. "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. 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.

When determining whether an environment is hostile as referenced in paragraphs B and C, the school district examines the context, nature, frequency, and location of the 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.



## Discrimination, Harassment and Retaliation Prohibited

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

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

For the purpose of this Procedure, the term “Principal” shall mean “Principal or designee.”

### How to make a complaint

The individual who experienced alleged discrimination or harassment will be referred to as the “alleged victim.” The individual who is alleged to have engaged in harassment or discrimination will be referred to as the “alleged offender.” When the alleged victim and the alleged offender are discussed collectively, they will be referred to as “the parties” and may be referred to as a “party.” There may be instances where another person, who has not experienced but is aware of the occurrence of prohibited conduct, may bring a complaint under this Procedure, and that person is referred to as the “reporter.” In those limited circumstances, the District will determine which of the protections provided to the alleged victim under the Procedure are also applicable to the reporter.

Any student or employee who believes that he/she has been discriminated against or harassed should report their concern promptly to the Principal. Students may also report incidents of harassing conduct to a teacher, administrator or other District official. Any complaint received by a school personnel should be promptly reported to the Principal or Civil Rights Coordinator. If the Principal receives the report, he or she will notify the Civil Rights Coordinator of the Complaint. Students or employees who are unsure whether discrimination or harassment has occurred are encouraged to discuss the situation with the Principal.

- A. Any District employee who observes discrimination or harassment must report the incident to the Principal or Civil Rights Coordinator, identified below. A failure to do so may result in remedial or corrective action. Any District employee who observes a discrimination or harassment against a student should intervene to stop the harassment. Upon receipt of a report of discrimination or harassment, the Principal shall promptly inform the relevant Civil Rights Coordinator of the report. If the report involves and accusation against the Principal or Civil Rights Coordinator, the employee shall report the incident to the Superintendent or designee.
- B. Anonymous Reports: Alleged victims and reporters should be aware that although the District will often be able to maintain confidentiality of reporting persons, the District may sometimes be required to take actions to protect the safety of the school community that may result in the identity of the reporting person being disclosed (to the police, for example). When reporters or alleged victims seek to remain anonymous or have their identities kept confidential, they will be informed that honoring such a request may limit the ability of the District to respond fully to any reported event, including discipline against an alleged offender, that the retaliation against individuals who report discrimination or harassment is prohibited.

- C. **Informal Reports:** Individuals may wish to file a formal complaint of discrimination or harassment, or to report informally (i.e., without initiating a formal complaint). Such informal reports may be made to the Principal or Civil Rights Coordinator. The District shall inform anyone making an informal report that he or she may initiate a formal complaint at any time, regardless of what steps are being or have been taken in response to an informal report.
- D. **Informal Process:** If the District concludes that it is possible to resolve a matter, whether after formal complaint or an informal report, in a prompt, fair and adequate manner through an informal process involving and with the consent of the alleged victim and alleged offender, the District may seek to do so. The informal process is voluntary and the alleged victim and/or alleged offender may terminate or decline any informal process at any time, without penalty. No person reporting that he or she has been sexually assaulted will be asked to work out the problem directly with the individual alleged to be harassing him or her.
- E. **Formal Process:** A formal complaint shall state (if known to the reporter or alleged victim) the name(s) of the persons involved and witnesses to the conduct, describe the conduct, identify, to the extent possible, the dates and locations of the conduct. The complaint shall be signed and dated by the reporter and/or alleged victim. Complaints will be investigated promptly and equitably by the Civil Rights Coordinator or Principal. Investigations may be initiated whenever warranted, in the absence of a formal complaint, or after a formal complaint has been withdrawn. Where an alleged victim specifically requests that a complaint not be investigated, an investigation may be initiated if the Civil Rights Coordinator or Principal determines that the facts warrant an investigation. The Civil Rights Coordinator or Principal will take into account concerns articulated by the parties, the best interests of the community, fairness to all concerned, and the District's legal obligations under applicable state and federal laws.
- F. **Initial Assessments:** The Civil Rights Coordinator or Principal will make an initial assessment following a complaint. Based on that assessment, the Civil Rights Coordinator or Principal may act as follows: (a) if the conduct, even if substantiated, would not constitute harassment or discrimination, the Civil Rights Coordinator or Principal may dismiss the complaint; (b) if the alleged conduct (or complaint) is could not, even if true, constitute discrimination or harassment, but is within the scope of another procedure, the Civil Rights Coordinator or Principal may refer the matter to the appropriate personnel; (c) if the Civil Rights Coordinator or Principal concludes that it is possible to resolve the complaint in a prompt, fair and adequate manner through an informal process involving and with the consent of both parties, the Civil Rights Coordinator or Principal may seek to do so in accordance with Section D, above; or (d) if the alleged conduct, if substantiated, would constitute discrimination or harassment, the Civil Rights Coordinator or Principal will initiate an investigation. The Civil Rights Coordinator or Principal may also identify and initiate any interim measures (see Section G, below).
- G. **Interim Measures:** The District will provide prompt and reasonable interim measures, if appropriate, to support and protect the safety of the parties, the educational environment, and the District and/or school community; to deter retaliation; and to preserve the integrity of the investigation and resolution process. Upon receipt of a complaint, the Civil Rights Coordinator or Principal will identify whether reasonable interim measures are appropriate. Interim measures may be provided regardless of whether a formal complaint is filed. Interim measures may include: (1) access to counseling services; (2) changes to class schedules; (3) no contact orders (administrative remedy designed to curtail or bar contact or communications among individuals); and (4) any measures consistent with law and the District's

educational mission that can be used to achieve the goals of this Procedure. Interim measures should be designed in a fair manner to meet the goal stated in this section and so as to minimize the impact on all affected, including the alleged victim and alleged offender. Requests for interim measures should be directed to the Principal or Civil Rights Coordinator. As stated above, the Civil Rights Coordinator or Principal will identify whether reasonable interim measures are appropriate regardless of whether or not such measures are requested. Violations of the restrictions imposed by interim measures could be considered a violation of school rules and may be considered in determining whether discrimination or harassment has occurred.

- H. Leniency on Other Procedure or Rule Violations: To encourage reports of discrimination or harassment, the District may at any point in an investigation offer leniency with respect to violations of other District or school policies that may come to light as a result of such reports, depending on the circumstances.
- I. Timeframes: The District will seek to complete any investigation within twenty (20) school days after receipt of a complaint. The investigator may impose reasonable timeframes on all parties to allow the timely completion of the investigation. The investigator may extend the investigation period beyond the time period identified above 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 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 alleged victim of the extension. Although cooperation with law enforcement may require temporary suspensions of an investigation, the District will promptly resume its investigation upon being advised that law enforcement's evidence gathering is completed. If appropriate, the District will continue to provide appropriate interim measures throughout the investigation, including during any suspension or extension of the investigation.
- J. Under the formal resolution procedure, the complaint will be investigated by the Principal, Civil Rights Coordinator or other individual designated by the Principal or Civil Rights Coordinator. Any formal complaint about an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. During the formal resolution procedure:
  - 1. The alleged victim shall be provided with an opportunity to be heard and have the opportunity to identify witnesses and other relevant evidence to the investigator.
  - 2. The alleged offender will be provided with an opportunity to be heard as part of the investigation including the opportunity to provide relevant information and identify witnesses for the investigator's consideration.
  - 3. The privacy rights of the parties shall be maintained in accordance with applicable state and federal laws.
  - 4. The investigator will keep a written record of the investigation process.
  - 5. The investigation will be completed within twenty (20) school days of the date of receipt of the complaint.

6. The notification of the outcome of the investigation, including a description of the remedies taken, will be provided to the parties within twenty-five (25) school days of the receipt of the complaint.
  7. Nothing in this Procedure will preclude the investigator, in his or her discretion, from completing the investigation sooner than the time period described above.
- K. Standard of Proof: The investigation shall made factual findings based on a preponderance of the evidence standard.
- L. If the investigator determines that discrimination or harassment has occurred, the school district administration shall take steps to eliminate the discriminatory or harassing environment, which shall include but is not limited to:
1. Identifying 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
  2. Informing the alleged victim and alleged offender of the results of the investigation (in accordance with applicable state and federal privacy laws) in accordance with the above timelines.

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

- M. Appeal: If the alleged victim or the accused is dissatisfied with the results of the investigation, an appeal may be made to the Superintendent or designee within seven (7) calendar days after receiving notice of the outcome of the investigation, except for the accused in cases in which the accused is subject to long-term suspension as a result of a finding of discrimination or harassment. In such an instance, the appeal rights of the accused will be provided in a manner consistent with the relevant disciplinary due process requirements applicable to the circumstances (e.g., M.G.L. c. 71, 37H, 37H ½ or 37H ¾). Appeals must be made in writing to the Superintendent, Melrose Public Schools, 360 Lynn Fells Parkway, Melrose, Massachusetts 02176. The Superintendent will decide the appeal within thirty (30) calendar days of the date of receipt of the written appeal.

- N. Identification of Civil Rights Coordinator:

Amy Lindquist  
 Assistant City Solicitor for School and Labor  
 360 Lynn Fells Parkway  
 Melrose, Massachusetts 02176

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

## **X. HEALTH INFORMATION**

### **A. Immunizations and Physical Examination Requirements**

All students must have a record of immunizations on file with the school nurse. According to Massachusetts General Laws, c.76, §15, “No child shall, except as hereinafter provided, be admitted to school except under presentation of a physician’s certificate that the child has been successfully immunized against diphtheria, pertussis (whooping cough), tetanus, measles and poliomyelitis and such other communicable diseases as may be specified from time to time by the Department of Health.” An Addendum (105 CMR 220.000) was added that requires successful immunizations against mumps, rubella, and hepatitis B. Melrose Public Schools follow the Massachusetts State guidelines and may have other requirements that are subject to change. All students in grade 6 are offered the hepatitis B and measles immunizations free of charge during the school year. The school nurse, in conjunction with the Melrose Health Department, will send out notification of the free immunizations. Students transferring into Melrose Schools must present an immunization record and recent (within six months) physical examination form to the school nurse. Records may be transferred from the previous school district. All students entering grade 7, in compliance with Massachusetts General Laws, , shall have a physical examination by December 30, 2013. All students are encouraged to have the physical examinations performed by their private physician during the summer vacation. If a student does not have a private physician or health insurance, please contact the school nurse for assistance. The Children’s Medical Security Plan is available to all children up to and including age nineteen. The Melrose School Physician is available on a very limited basis. Notices will be sent to all grade 6 students explaining the physical examination requirement for grade 7. If the school nurse does not receive the completed physical examination form from a grade 7 students by the last day in December, the student’s name will be forwarded to the principal. The current immunizations requirements (subject to change by M.G.L. and D.P.H ) for grade 7 students are as follows: 3 doses of Hepatitis B, 1 Td booster, >4 doses Polio, 2 doses MMR, 2 doses Varicella (if >13 years, 1 dose if <13 years) or documented history of the disease from a physician. It is also recommended that prior to the beginning of their sophomore year all students receive a physical examination. Any students wishing to play school sports must also have a physical examination each year before the start of the practice sessions for that sport, or one during the year if the student plays more than one sport. Tenth graders are required to receive a TD booster if none has been administered within five years. If you have any questions about the Immunization and Physical Examination Policy, call your school nurse.

### **B. Nurse**

Students who feel ill during class should obtain a pass from their classroom teacher to report to the Nurse’s Office. The Nurse’s Office is usually open, but in the event it is closed, students should report to the Main Office. All medicines must be kept in the Nurse’s Office. Prescription medications must be brought to the nurse in the pharmacy-labeled container. A consent form signed by the parent or guardian is required. Non-prescription medication should be properly labeled with the student’s full name, name of the medication, dosage interval, indications, contraindications, and special instructions. Prescription medication, non-prescription medication, and/or pills must be brought to the nurse in the original container from the

pharmacy and/or place of purchase along with a permission slip signed by the parent. No medication will be accepted in plastic bags or envelopes. For short-term medications such as antibiotics, the prescription must be sent to the nurse in the original pharmacy-labeled container with the doctor's name, the date, the name of medication, and the dosage clearly labeled. A parent permission form must be signed, but a physician's signature is not needed for short-term use. For daily prescription medications, a signed permission form from both the parent and physician is required. All medicines are kept in the locked medicine cabinet. For students using inhalers, an asthma action card must be filled out by the parent in addition to the consent forms. Students must have a pass from a staff member to be admitted to the Nurse's Office. No one will be admitted to the Nurse's Office between periods except for emergencies such as bleeding, fainting, or vomiting.

### **C. Human Sexuality Education - Health Education**

Information from M.G.L., c.71, § 32, pertains to sex education curriculum in our public schools. Melrose Public Schools affords parents/guardians the flexibility, as required by law, to exempt their son/daughter from any portion of any course that teaches or involves human sexuality education or human sexuality issues. In order to exempt your son/daughter from any portion of a course that pertains to these issues, the parent/guardian must provide written notification to the school principal. Students who are exempted from such units in a course will not be penalized by reason of such exemption. Every reasonable effort will be made, to the extent practicable, to make program instructional materials reasonably accessible to parents/guardians for inspection and review. There are three health courses offered at Melrose Middle School. The sixth grade students may be enrolled in Course #056 – Health 6. The seventh grade students may be enrolled in Course #057 – Health 7, and the eighth grade students may be enrolled in Course #058 – Health 8. For more information, contact the principal and/or the health teachers at 781-979-2100. High school students enrolled in wellness classes who are looking for an exemption due to content should contact the classroom teacher or the Wellness Curriculum Coordinator.

### **D. Concussion Procedures**

The Melrose School Committee adopted a policy (JJIF) to address the identification and proper handling of suspected head injury in students participating in school-based athletics and marching band in accordance with Mass. Gen. L. c. 111, Section 222 ("Section 222") and accompanying regulations (105 CMR 201. et seq.) ("Regulations"). These procedures serve to define the roles and responsibilities of staff, as well as inform parents and community members of the role they play and their responsibilities in addressing the reality of concussions in sports related head injuries.

#### **Roles and Responsibilities**

The Athletic Director, under the Supervision of the Superintendent, shall be responsible for the general implementation of these procedures as it relates to students in grades 6 through 12 who participate in extracurricular athletic activities and/or marching band. Coaches are required to instruct students in form, technique and skills that minimize sports-related head injury and are directed to discourage and prohibit students from engaging in any unreasonably dangerous athletic technique that endangers the health and safety of a student, including using a helmet or any other sports equipment as a weapon. Students who engage in unreasonably dangerous behavior while participating in extracurricular athletic activities may be excluded from the privilege of participating in extracurricular athletic activities and, further, may be subject to disciplinary consequences in accordance with the code of conduct.

#### **Prerequisites to Participate in Student Athletics or Marching Band**

At or before the start of each sport or band season, students/parents shall provide the following to the Athletic Director or his/her designee:

1. Documentation of the student's annual physical examination;

2. A completed form for Pre-Participation Head Injury/Concussion Reporting for Extra-curricular Activities (“Pre-Participation Form”) which shall include:
  - a. A comprehensive history with up-to-date information relative to concussion history, any history regarding head, face or cervical spine injury and/or any history of co-existent concussion injuries; and
  - b. Signatures of both the parent and the student.
3. A certification of completion for any Department approved course or a signed acknowledgment as to their receipt and review of Department approved written materials. The certification is valid for one school year. If the student/parent has not provided the above documentation, the student will not be permitted to participate in the activity, including but not limited to try-outs or practices.
4. Fulfillment of User Fee.

### **Removal due to Head Injury and Procedures for Returning to the Activity**

Any student, who during a practice or competition, sustains a head injury or suspected concussion, or exhibits signs and symptoms of a concussion, or loses consciousness, even briefly, shall be removed from the practice or competition immediately and may not return to practice or competition that day. The student must provide a completed Department Post Sports-Related Head Injury Medical Clearance and Authorization Form to the Athletic Director prior to any resumption of participation in an extracurricular athletic activity.

If a student is diagnosed with a concussion, school personnel, including but not limited to teachers, school nurse, and certified athletic trainer, along with parents shall develop a written graduated entry plan for return to full academics and extracurricular activities. Accommodations, may include, as appropriate: provision for physical or cognitive rest; graduated return to classroom studies; estimated time intervals for resuming activities; assessments by the school nurse; periodic medical assessment by a physician until the student is authorized to participate fully in classroom and extracurricular activities. The school physician and/or student’s physician may be consulted as appropriate in devising the graduated entry plan.

### **Reporting Requirements**

The Athletic Director shall disseminate to coaches and band directors copies of the Pre-participation Form for all of that coach’s team or band director’s band members. The Athletic Director shall ensure that the nurse receives a copy and reviews any forms that indicate a history of head injury, with review by the school physician and certified athletic trainer if appropriate. The Athletic Director shall also ensure proper dissemination and review of reports relating to head injury during the sports season. All coaches are required to report any circumstances in which the student was removed from play for suspected head injury, suspected concussion, or loss of consciousness and the nature of the suspected injury to the student’s parent in person or by telephone immediately after the competition or practice, with written confirmation to the parent by paper or electronic format no later than the end of the next business day. The coach must also notify the Athletic Director and school nurse of the removal from play and the nature of the suspected injury no later than the end of the next business day. The coach must also complete a Department Report of Head Injury during Sports Season Form and provide it to the Athletic Director, parent, certified athletic trainer and school nurse. All parents are required to complete and submit Department Report of Head Injury during Sports Season Form to the Athletic Director if a student sustains a head injury outside of the extracurricular activity.

### **E. Pregnancy**

Pregnant students will be permitted to continue in school. While not required for attendance, it is recommended that said student be under the supervision of a physician. The student, parent/guardian and her physician, in cooperation with the school staff, will develop an appropriate educational plan if it is agreed she should no longer attend school regularly.

Every effort will be made to see that the educational program of the student is disrupted as little as possible; that health counseling services, as well as instruction are offered; that return to school after delivery is encouraged; and that every opportunity to complete high school is provided.

Legal Ref.: M.G.L. Ch. 71, Sec. 84