

Billerica Memorial High School
Student/Parent Handbook
2021-2022



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A Message from the Principal

Dear Parents & Students,

Welcome to the 2021-2022 school year! So much has transpired over the last 18 months, but we are optimistic that we will be able to return to many of our traditional and shared experiences as we begin the new school year. We have missed the traditional noise in our classrooms, cafeteria, and bleachers. We are looking forward to welcoming everyone back into the building, onto our stage, on our courts, and on our fields.

This togetherness should foster our connectedness and unity. The pride we feel as being members of our school and community will only be amplified by being together.

If nothing, the experiences of the last 18 months reminded us how important school is to our collective social and emotional well-being.

On behalf of the entire faculty and staff of BMHS, welcome back home!

Warmest Regards,

Thomas Murphy

Principal

Billerica Public School Committee

Chair	Mr. Mark Efstratiou
Vice Chair	Ms. Darlene Torre
Secretary	Ms. Annette Famolare
Member	Mr. Mike Domina
Member	Mr. James F. Gately II

Billerica Public Schools Administration

Superintendent	Mr. Timothy Piwowar
Assistant Superintendent	Dr. Jill Geiser
Director of Finance and Operations	Mrs. Robin Hulsoor
Director of Human Resources	Ms. Debra Vartanian
Director of Special Education Services	Ms. Amy Emory
Director of Technology	Mr. Mark Bishop

Billerica Public Schools Central Office

365 Boston Road

Billerica, MA 01821

(978) 528-7900 (phone) (978) 436-9595 (fax)

www.billericak12.com

<https://www.billericak12.com/district/school-committee>

Billerica Memorial High School Administration

Principal	Mr. Thomas Murphy
AP Grade 8-9 A-K	Mr. Steven Bottari
AP Grade 8-9 L-Z	Ms. Tinamarie Piscatelli
AP Grade 10-12 A-K	Mr. Matthew Flood
AP Grade 10-12 L-Z	Mr. Christopher Lordan
Athletic Director	Mr. John Magliozzi
Visual and Performing Arts & Family and Consumer Science Coordinator	Mr. Christopher Dearbeck
Director of School Counseling	Mrs. Melinda Cripps
Humanities Coordinator	Mrs. Marian Dyer
STEMB Coordinator	
Health Services Coordinator	Mr. Bernard McCann

Billerica Memorial High School
35 River St.
Billerica, MA 01821
(978) 528-8700 (phone) (978) 528-8719 (fax)

The Billerica Public School District does not discriminate in policies and practices on the basis of age, race, color, religion, national origin, gender, or marital status.

Policy of Nondiscrimination

State law provides the following:

Every child shall have a right to attend the public schools of the town where he/she actually resides. No child shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex, religion, national origin or sexual orientation. M.G.L. ch.76, section 5.

Federal law provides the following:

The Billerica Public Schools is committed to maintaining a work and educational environment free from all forms of harassing conduct. Harassment based on race, religion, national origin, gender, sexual orientation or disability will not be tolerated in the Billerica Public Schools (Title IX). The Billerica Public School District does not discriminate on the basis of disability with regards to admission, access to services, treatment, or employment in its programs or activities (Sect. 504).

Any person who believes that s/he has been discriminated against (grievant) because of his/her race, color, national origin, disability, sex, sexual orientation, or age in admission to, access to, treatment in, or employment in Billerica Memorial High School services, programs, or activities may file a complaint with:

Mr. Thomas R. Murphy
Principal
Billerica Memorial High School
(978) 528-8700

Inquiries concerning the application of Billerica Public Schools' nondiscrimination policies also may be referred to:

U.S. Department of Education
Office of Civil Rights (OCR)
33 Arch Street
Ninth Floor
Boston, Massachusetts 02110
Telephone: (617) 289-0111 Fax: (617) 289-0150

Mission and Expectations

BMHS Mission Statement:

Billerica Memorial High School is a community dedicated to preparing students for life in the 21st Century. We believe in the shared responsibility of students, parents, staff, and the Billerica community in developing lifelong learners. As such, we value individuality and recognize strength in unity to ensure an environment of respect and acceptance. Ultimately, we define success as maximizing the intellectual, emotional, physical, social, and civic development of each member of our school.

Together - We are BMHS!

21st Century Learning Expectations

Analyze and Interpret Data

Obtain, Evaluate, and Communicate Information

Planning and Carrying Out Investigation

Student Life





2021-2022 Academic Calendar Billerica Public Schools

September 2021						
Su	M	Tu	W	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

October 2021						
Su	M	Tu	W	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24/ 31	25	26	27	28	29	30

November 2021						
Su	M	Tu	W	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

December 2021						
Su	M	Tu	W	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

January 2022						
Su	M	Tu	W	Th	Fr	Sa
2	3	4	5	6	7	1/8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

February 2022						
Su	M	Tu	W	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28					

March 2022						
Su	M	Tu	W	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

April 2022						
Su	M	Tu	W	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

May 2022						
Su	M	Tu	W	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

June 2022						
Su	M	Tu	W	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

	Professional Development Days - No School for Students
	Holiday / School Vacation
	First/Last Day of School (no snow days used)
	First Day of Kindergarten
	Early Release - All schools
	Stomp Out Bullying - Regular School Day
	Half (1/2) Day for Students
	Early Release - High school
	Early Release - Elementary schools
	Last Day of School (five snow days used)
	New Kindergarten Orientation - No School for Current Kindergarten

BMHS Schedule 2021-2022

BMHS

Daily Schedule

Doors Open at 7:15 a.m.

A Day	B Day	A Day	B Day	A Day
1A 7:30-9:00	1B 7:30-9:00	1A 7:30-9:00	1B 7:30-9:00	1A 7:30-9:00
2A 9:05-10:30	2B 9:05-10:30	2A 9:05-10:30	2B 9:05-10:30	2A 9:05-10:30
3A 10:35-12:25	3B 10:35-12:25	3A 10:35-12:25	3B 10:35-12:25	3A 10:35-12:25
4A 12:25-2:02	4B 12:25-2:02	4A 12:25-2:02	4B 12:25-2:02	4A 12:25-2:02
Lunch Schedule	A 10:35-10:55	B 11:05-11:25	C 11:35-11:55	D 12:05-12:25

General Information

Much of what follows is based on Billerica Public School (BPS) policies. As appropriate, these are noted by section. Text below that is underlined is taken directly from district policy word-for-word. Other text is adapted based on BMHS procedures or for the purpose of brevity. District policies are available via the Billerica Public School District website: <https://sites.google.com/a/billericak12.com/bps/district/school-committee>

Blackboard Communication System

The Billerica Public School District utilizes Blackboard, an automated phone / e-mail system, to communicate emergencies, cancellations, events and, at times, information of general interest to parents and students. Students and parents are requested to ensure that contact information is continually up to date in order to ensure timely contact. If contact information changes, please contact the School Counseling Office at BMHS at 978-528-8760.

Delayed Opening / No School / Early Dismissal Announcements

School cancellation and delayed opening decisions are communicated via local broadcast media and via the Blackboard system. These decisions are generally not made until 5:45am. Delayed opening of school will be for 2 hours, with school starting at Billerica Memorial High School at 9:15am. The bell schedule for days with a 2 hour delay is above. In the event of an emergency or weather situation necessitating the early, unscheduled dismissal of students, decisions will be communicated in similar fashion. Billerica Memorial High School students will be released first, followed by those at Billerica Middle Schools and then the Elementary schools at approximately 40-minute intervals.

Broadcast stations receiving notification of Billerica School District delayed opening, no school and early dismissal:

WHDH-TV: CH.7 (www.whdh.com)	WCVB-TV: Ch. 5 (www.thebostonchannel.com)	WBZ-TV: Ch. 4 (www.cbs4boston.com)
WBZ: 1030 am	BATV: 10	

School Property

All computers, books, lockers, and other materials or equipment issued to students are the property of the Billerica Public School District. The student or parent/guardian must pay for any lost or damaged school property. Outstanding obligations from non-payment of goods, books, and official documents could result in the loss of certain student privileges and/or administrative holds on student records (i.e., diploma).

School Lockers

- **Only one student is allowed to occupy each assigned locker.**
- **Students should not swap lockers.**
- **No personal locks are allowed on lockers.**
- **Since all lockers are the property of the Billerica School Department, students must ensure that their lockers are kept clean and properly maintained.**
- **Lockers must be cleaned out at the end of the school year. Any items left behind will be discarded and will not be the responsibility of the school department.**
- **All lockers are subject to a search at any time by school officials.**

Leaving School Building or Grounds

Once students arrive on school property, they may not leave school property without a proper dismissal from a parent or guardian as processed through the main office. Specifically, students arriving at school before the beginning of school hours, by automobile, bus, or any other method may not leave school property. Once a student has arrived on campus, they are to remain on campus. Likewise, once a student is dismissed from campus, they are not to return to campus unless previously determined as part of the dismissal process; this would cause the student to sign-in with the Main Office.

A student who leaves the school building or campus without permission of the Administration is subject to search of their person, belongings, and/or vehicle. This serves the purpose of providing a safe learning environment. Students who are not able to comply with this issue of safety and liability may yield an administrative response of varying degrees as such scenarios may be both a non-compliance and a matter of unauthorized absence (s) from class.

Military / College Recruitment

The Every Student Succeeds Act requires that Billerica Memorial High School provide the names, addresses, and telephone numbers of all secondary school students to those military recruiters and institutions of higher learning who request this information. However, the law also allows the student or parent/guardian to request that this information not be released and requires BMHS to comply with such a request. Written requests to not release such information should be sent to the high school's school counseling office.

Student Identification Cards

Each year, you will be issued a student identification card which will be used for the following purposes:

1. Identification
2. Attendance/Tardy

3. Accessing Learning Commons Resources

4. School Sponsored Events

5. Cafe purchases

School Attendance

Attendance Policy

If you are going to be absent from school, parents must call the school prior to school starting or within 30 minutes after school starts. If a phone call is not received by 8:00 am, the school department will call the household, informing the parent of the student's absence. In order for absences to be considered excused, proper documentation must be provided.

If you have 5 or more unexcused absences, you will be notified by mail, the school principal or a designee will make a reasonable effort to meet with the parent or guardian of the student to develop action steps for student attendance. The action steps shall be developed jointly and agreed upon by the school principal or a designee, the student and the student's parent or guardian and with input from other relevant personnel and officials from relevant public safety, health and human service, housing and nonprofit agencies.

Attendance shall be required of all students enrolled in the District during the days and hours that school is in session. Absences from school may be necessary at times. District policy recognizes two types of absences from school: excused and unexcused. The following are **excused absences with documentation**:

1. Illness or injury as documented in writing by a physician
2. School sponsored or mandated absence
3. Required court attendance
4. Medical and dental appointments with appropriate documentation
5. Death in the immediate family
6. Observation or celebration of a religious holiday
7. Planned college visits maximum 3 per year with documentation during junior or senior year

Examples of **unexcused absences**:

1. Truancy
2. Tardy to class
3. Skipping class
4. Illness absence without documentation from a physician's office
5. Family vacations, trips, obligations, etc.

Communicating absences to school should be done using the High School Attendance Office number:

978-528-8710. Parents should call the high school attendance line before 7:00 AM on the morning of the absence and state their name, the student's name, date of absence, and the reason for the absence. (The reason for the school absence is important in that certain absences are excused absences and allow a student to make-up work for credit; see below.) Parents should contact the school within twenty-four hours of a student's absence if contact the morning of the absence is not possible. The telephone message will ensure that a student's absence is properly recorded. Absences due to illness, bereavement, family emergency, etc. shall be recorded as excused, and students may make up missed work. Absences without parental contact to the school shall be recorded as unexcused and may trigger administrative action. Notes or telephone calls after this date do not excuse absences.

Students must be present for one-half of the school day (10:30 AM) to be eligible for any athletic or extra-curricular activities that day, or any activities over the weekend if he/she is absent on Friday. For purposes of attendance, students must be present for one-half of a class to be considered present, as determined by the faculty member.

Post-secondary planning purposes (i.e., college visits and assessments, military recruitment interviews/assessments, etc.) are prime examples of excused absences. Verification through documentation is to be provided by the college or cooperating agency. Extended Learning Opportunities (ELO) in some cases will validate the exempt status for attendance purposes. Students are directed to the Assistant Principal for guidance regarding ELO matters pertaining to attendance.

Tardiness

Consistent and prompt attendance is a lifelong skill attributed to dependability and valued by our society. It is also a skill expected by employers. You are expected to be on time to school each day and for each class. Students late to class may be assigned teacher-level disciplinary consequences with possible referral for further administrative action. Students who arrive at their first block class after the start of school—normally at the 7:30 bell—will be recorded as “tardy-unexcused” by their first block teacher. Tardiness to school may be excused in instances where the reason is in line with those identified as excused or exempt above—these students must first stop in the main office for a pass.

If you are more than fifteen minutes late for a class, or are missing from class for more than fifteen minutes, you shall be considered by the teacher as absent from the class unless you have official school business with a teacher, counselor or Administrator substantiated with an official pass.

- Three incidents of tardiness to class shall be considered as one unexcused absence from the class.

Corridor Conduct

Students are always expected to exercise care when traveling in the corridors. Corridors should be clear by the start of class. Students are considered late to class if they are still in the corridor at the start of class.

Dismissals

To prevent interruption of classes and the disruption of learning, students are dismissed from school via parental notes and written passes. Dismissal notes should be submitted to the Main Office before the start of school. Notes must contain the reason for the dismissal, and the expected time of return, if applicable. Students/parents must sign out in the main office. Parents are requested to plan all student dismissals in this manner; emergencies are an exception. A parent or guardian must pick the student up at their Main Office. If a student drives to school and will be leaving by car, this information must be conveyed in the parental note, indicating that the parent gives the student permission to leave school grounds of his/her own accord. The student must check into the Main Office prior to leaving the school. Any deviation from the detailed procedure outlined above, can only be made in writing at the time of dismissal by the student's parent/guardian.

- All early dismissals shall be regarded as absences for each class that is missed. Students who are dismissed before 10:30 AM will be considered as absent for the day, and will be considered ineligible or unable to attend school sponsored events.
- All dismissals due to illness are to be arranged through the nurses' office. Students are not to call parents via their cell phones before seeing the nurse.

Senior & Junior Privilege

Members of the Senior and Junior Classes that are in good academic standing (academically eligible) and maintain BMHS' expectations for respect and responsibility (**PRIDE Points no lower than 6 at any time in a term**) may be eligible for late arrival to school provided they have a first block study hall. Parental permission is required and students must maintain all eligibility requirements: no detentions owed (including previous school year), no cut classes (per term), academic eligibility per Student Handbook. Students must enter through the Main Entrance and sign in at the Main Office upon arrival. Arrival time Monday - Friday (9:00 a.m.)

We believe Respect and Responsibility reflect the PRIDE we have for our school and community and will allow us to recognize all of you for the positive influence you demonstrate in school on a daily basis. We believe the importance of the Respect and Responsibility grade on the report card will accurately reflect your commitment to making our school the model for others to emulate.

The **Respect** grade will be determined by the specific "Action" you receive from your assistant principal for a specific conduct that violates our Code of Conduct. At the end of the term if you have no "actions" you would receive a 4 for the term. A student requiring a conference/parental conference would receive a 3, while a student that received an Office Detention would warrant a 2, a Saturday Detention would receive a 1 and a suspension would receive a 0.

The **Responsibility** grade will be determined based upon absences and tardies for each term. Each category will earn a point value, the two will be added together and divided by 2, which will represent the final grade on the Report Card.

<u>Tardies</u>		<u>Absences</u>	
Total	Points	Total	Points
0-2	4	0-2	4
3-5	3	3-5	3
6-8	2	6-8	2
9-10	1	9-10	1
11+	0	11+	0

Field Trips

All students going on a field trip/class trip must complete a field trip permission form. This form requires a parent/guardian's signature of permission, in addition to the teachers of classes to be missed. However, if a teacher denies permission for you to attend, you will be unable to attend the field trip. This form must be submitted to the teacher/advisor prior to departure. It is the student's responsibility to follow the rules established by the chaperone (s) and bus driver. All Billerica Memorial High School and Billerica School District policies and procedures are in effect during field trips. The principal or designee may deny a student the privilege of a field trip for violations of the Student/Parent handbook rules.

Washington D.C. Field Trip

Guidelines specific to Washington D.C. Field Trip may be accessed at:

[Washington D.C. Field Trip Guidelines 2021-2022](#)

Planned Extended Absences during Final Exams

The Assistant Principal, in consultation with the student/parents/guardians will review:

- The nature of the absence—academic or personal
- The length of the absence

Students beginning their extended absence prior to that time will be required to take their exams during the summer. Exams taken after the conclusion of the school year will be taken at a mutually agreeable time in the school counseling office or front office of the high school. Exams must be completed within two weeks of the student's return from their absence, and no later than one week prior to the first day of the following school year. If an exam is administered after a teacher's contracted term, grading may be delayed until the teacher returns to school.

A report card will be generated at the end of the regular school year with grades of 0 listed for final exams

and final course grades. Grades will be re-calculated and an adjusted/final report card issued when all exams have been taken and graded.

Extended Learning Opportunities (ELOs)

Opportunities for learning beyond the traditional classroom environment, driven by students' interests, talents, and development, are expressly permitted by Billerica School District *policy JCA*. ELO credits may be available for independent study, private instruction, team sports, performing groups, internships, community service not otherwise required by the school, and work study. Other learning experiences, not identified herein, will also be considered on an individual basis. Students should see their school counselor for more information on ELOs.

Visitors to the School

Source:BPS Policy KI

There are no visitors during school hours and are strictly prohibited, without an appointment. All visitors must sign in and out at the front desk in the main office and indicate the purpose of their visit. Adult visitors, including graduated students (Alumni), will be issued identification badges to be displayed at all times while in the school. When arriving at Billerica Memorial High School, all visitors must present the Front Office staff or security officer with a state issued ID for use with the district adopted Raptor system. This program creates a visitor badge and a recording of all visitors on campus. Student visitors are not permitted at Billerica Memorial High School during school hours unless an exception has been granted by an Administrator in a timely scenario so as to not disrupt the learning environment. Any guest who fails to comply with student regulations will be asked to leave the school building and grounds immediately.

Working Papers

Students under the age of 18 who wish to obtain working papers can obtain an application and all necessary information from the **Main Office or House Office**. The employer must complete the form and the student must bring the form to the office of the school with an original/copy of the student's birth certificate.

Learning Commons

The Learning Commons is a resource for the entire school and its effective functioning is the responsibility of each of us. Resources for students and staff include a knowledgeable and helpful library/media specialist, research materials, books for pleasure reading, and study space. Printers and a copier may also be available for responsible student use. Students have the responsibility to conduct themselves in a manner that is respectful to the needs of all library users.

To ensure fair use of the resources, students must check materials out of the library and reminder notices will be sent when materials are overdue. Students are expected to pay the cost of any material that is not returned for any reason or is damaged.

Teachers may use the Learning Commons space for their classes on occasion. Student access to the Learning Commons, depending on available space, is allowed before and after school when the Learning Commons is supervised and during the school day when students sign up from study hall periods or come with a pass from a teacher. Specific methods for this sign-up and detailed expectations will be communicated to students during the first days of school.

Printed Matter or Posters

Source: BPS Police JICE

Posters or other printed matter having the intention to be displayed within Billerica Memorial High School, must be approved by the school administration and be posted in the designated areas. It is the responsibility of the organization that posts material to remove it in a timely manner. All posters or other printed material must be hung so as to not damage the walls or other parts of the high school. Printed matter or posters must relate to Billerica High School events or activities. Similarly, such materials bound for publication or promotion outside of school grounds or through any media source will also require authorization by the Administration. Students, groups, or agents seeking authorization should allow for ample time so that proper review and authorization may be obtained.

Dances/Proms

Only Billerica Memorial High School students will be allowed to attend school dances held at the high school, with the exception of semi-formal. Students inappropriately dressed will not be admitted. Students will not be admitted more than one hour after the start of the dance, unless previously approved by the administration, and must not leave the dance until its conclusion, unless dismissed by a parent/guardian in person. Students are expected to enter the building as soon as they arrive and must leave school grounds immediately after the conclusion of the dance. Responsible behavior is expected from all students. All school rules regarding student discipline, decorum and behavior that are applicable to normal school days apply at dances.

Proms

The Proms are formal events at an off-site location. Students are required to follow the expected attire of such an event. Students must arrive within the first 30 minutes of the prom, and may not leave early except with pre-approval of BMHS administration or with a parent/guardian phone call. Guests are permitted to attend the prom, but must be under 22 years of age, and pre-approved by administration using the Prom Guest Approval form, which requires the signature of an administrator from the school the guest is currently attending, and the parent/guardian of the BMHS student who is bringing the guest. Guests are required to adhere to all rules and expectations of the BMHS student handbook. Students may be held accountable for the behavior of their guests.

Organizations and Activities

The *Program of Studies* contains a complete list of all curricular and co-curricular activities. Teachers or

students who desire to initiate additional activities are encouraged to contact the administration.

Billerica Memorial High School provides a wide variety of stimulating and worthwhile extra-curricular activities. These activities offer you opportunities to share interests with others, to acquire broader knowledge, to develop personal talents, to work cooperatively with others, to enrich the high school experience for you and for others, to find challenge and fulfillment, and to better prepare you for success after graduation. You are encouraged to take an active part in such activities. Pay close attention for announcements regarding available activities and their organizational plans. Please see the BMHS Club Catalog 2021-2022 for all offerings and contacts.

Fundraising

All fundraising at Billerica Memorial High School on behalf of its clubs, activities, teams, or organizations groups who seek to raise funds and considers the cumulative impact of fundraising on the Billerica community. Such fundraising shall adhere to established procedures and conditions as to purposes, records, and duration of the fundraising activity.

Student Government Description:

The student council shall provide structure for student organization and input into school matters. It shall meet regularly to organize its own activities and to communicate with the administration and faculty of Billerica Memorial High School.

The general responsibilities and duties of all BMHS Student Government Members are to:

- Act as a liaison between the student body and the faculty and administration.
- Seek better understanding of student ideas.
- Act as official representatives of the school for public functions and programs.
- Be responsible for special projects and programs for the school.
- Maintain positive relationships with class members and report progress to the student body.
- Be responsible for evaluating school programs and progress.

The Student Council will consist of five (5) elected officers per class:

- Class President
- Vice President
- Secretary
- Treasurer
- Class Historian
- A faculty advisor (appointed by administration)

Cafeteria

The cafeteria should be a place where students may enjoy lunch and conversation with friends. The lunchroom management and your fellow students will appreciate your cooperation in:

- Depositing all lunch litter in waste receptacles.
- Leaving the tables clean.
- *Keeping all food and beverages in the cafeteria.*
- Recycling when possible.

Please be respectful of the cafeteria space and your peers. Students who cannot abide by such standards may have an alternative and supervised dining area arranged.

Electronic Devices

Students may use cell phones in the hallways, at lunch and in the common spaces; however, these devices must be turned off during the academic class periods to ensure that disruption of the instructional and academic climate of the school does not occur. Classroom use of cell phones, iPods or other personal music players is at the sole discretion of the classroom teacher.

The recording of either audio or video of another person, without their consent is a direct violation of Massachusetts State Law, the policies of the Billerica Public School system and BMHS. Massachusetts is a dual consent state requiring permission of both parties to mutually agree upon the use of their image or likeness. Violation of this policy will result in a minimum of a Saturday detention.

Parents are requested to refrain from calling or texting their students during the school day. If necessary, please contact your child during approved times for cell phone use. The Main Office is also available to deliver messages to students at opportune times during the school day (i.e., during passing times).

Passes

Students will not be allowed to leave any classroom or study period without an electronic pass from the teacher in charge. Students are to report as quickly as possible to the destination specified on the pass. Failure to adhere to these rules, altering, forgery or possession of passes, will result in the temporary or permanent loss of a privilege. Teachers and students have a mutual responsibility to make sure that students have a completed pass when leaving their classrooms.

Constant requests by the same student for a pass to the bathroom should be brought to the attention of the student's parent, advisor, or school nurse for consultation.

Academics



Assessments/Grading

Report Cards

The main purpose of a report card is to communicate to parents and others regarding student achievement and responsibility. Report cards also serve to provide incentives and feedback to enhance student learning, to identify or select students for certain educational courses or programs, and may be used to evaluate the effectiveness of instructional programs.

Report cards are issued quarterly and are considered educational records under the Family Educational Rights and Privacy Act (FERPA). Report Cards will be available through ASPEN the Student and Parent Portal. Parents and students can monitor on-going progress through their Aspen X2 accounts. Parents who do not receive a report card are urged to contact their student's school counselor.

Assessments

Students and parents will encounter the terms "formative" and "summative" at times during the school year. These terms refer to the two distinct types of assessments used in contemporary education. Formative assessments are smaller, more frequent activities and tasks given to students to measure effective instruction – how well it is being received and how well it is being delivered. Formative assessments are ideal to help teachers make adjustments in their delivery of course content. Homework, quizzes, small projects, and short writing exercises are only a few examples of formative assessments.

At the end of a unit or course, students are provided with assessments to measure all that they were exposed to in that unit or course. Summative assessments are these larger and less frequent efforts, such as exams, term papers, major projects, and even state assessments. Many courses use common summative assessments, which are prepared and given by multiple teachers and may be implemented multiple times allowing teachers to assess student performance in order to inform instruction practices or aid in curriculum development. These assessments are not retained by students following the in-class review. Parents wishing to view these assessment tools at the high school must receive permission from the Principal.

Grading Policy

P = Passing

W = Withdrawal during the first 15 calendar days of the start of the school year and 5 calendar days for the second semester

WP = Withdrawal from a course with a passing average

WF = Withdrawal from a course with a failing average due to grades

No notation of withdrawal will be made for withdrawals that occur within the first fifteen calendar

days of a course.

Loss of Credit

All unexcused absences will count towards the unexcused absence limit per term. Any time a student is not physically present in class, the student will be considered absent unexcused per the school attendance policy. When a student has exceeded the unexcused absence limit during any quarter, the assistant principal will send written notice to the parents as notification of **loss of credit and an opportunity to appeal** for that course for the quarter. At this time the parent will be informed of the appeal process noted below.

Unexcused Absences Per Quarter Loss of Credit (per quarter)

5-6	0.0313 (1/3)
7-8	0.0625
9-10	0.125
11+	0.25 (maximum per quarter)

Loss of Credit Appeal Process

1. Once the student exceeds the unexcused absence limit in a particular class, the student/parent will receive a notice of opportunity to recover loss of credit and will have 7 days from the receipt of the letter to start the appeal process.
2. If you wish to appeal erroneous absences you will have 3 school days from the date of receipt of the letter to start the appeal process. Failure to do so within the 3 school days will deem closed the matter. All appeals must be made in writing.
3. Students and/or parents may appeal an unexcused absence to the Assistant Principal.
4. After hearing the appeal and reviewing attendance records, the students and/or parents may appeal the decision of the Assistant Principal to the Principal.
5. After hearing the appeal and reviewing attendance records, the Principal may extend the absence limit if he/she is satisfied that an unusual circumstance existed with an absence (s), tardy (s), or dismissal (s).
6. If the appeal is denied, the Principal will send an official Loss of Credit Notification to those students who exceeded the absence limit without documentation and/or approved justification.
7. The Loss of Credit letter will include information about Credit Recovery.

Credit Recovery

When a student exceeds an absence limit in a class and loses credit for a term, he or she will be directed to make an appointment to see his or her school counselor. The school counselor will discuss the three options to recover the credit. Students will declare their intentions on a Credit Recovery Form and submit the form to their school counselor.

The following credit recovery options will be offered to students:

1. During the school year: Students are required to attend Testing/Credit Recovery Center, during the next academic quarter, for a designated number of sessions. This is based on the number of unexcused absences over the limit. Students with eleven or more unexcused absences will be required to complete additional coursework to ensure competency in the academic standards of the course. Students must complete this course work during the next academic quarter and must achieve a score of 65 or better to receive credit.
(If a student receives unexcused absences in the fourth quarter, they must complete the work in summer school).
2. During the summer: Enroll in BHMS online, a web-based instructional program that aligns with our curriculum. Students must complete this on-line work during summer school and must achieve a score of 65 or better to receive credit for his or her work.
3. Retake the course, or take an equivalent course: Complete the course again next school year, or if applicable, take an equivalent course.

If a student fails a course (55-64 average) and exceeds the absence limit in two quarters or more (without completing credit recovery) in the course, Summer School coursework will not be an option.

Course Change Procedure

Once the master schedule is completed, course changes are very limited. If a change is warranted, students must follow the procedure below. If all of the steps are not completed, the change will not be allowed.

1. Course changes can be requested for full year courses within ten calendar days of the beginning of the school year, or for semester courses, within five calendar days of the start of the semester. These changes can often be done directly through the student's school counselor.
2. Course changes (including level changes) beyond these time frames will be considered when there are special circumstances and students must complete the Course Change Form.
3. Students must obtain ALL necessary signatures and provide all requested information (including the reason for the request and comment from a parent/guardian) and return the completed form to their counselor, who will seek Coordinator approval for the course change.
4. Students must remain in the original course until they receive notification that the course change has been approved. Most course changes will take effect at the start of a term rather than in the middle of a term.
5. For courses that are dropped after the first quarter (for a semester 1 or full year course) or dropped after the third quarter (for a semester 2 course), a W (P) or W (F) will appear on the student's transcript. If a student is changing levels of the same course, a W will appear on the student's transcript. Additionally, when a student changes levels, all transcript grades from the sending course will be applied to the receiving course at the same GPA value as the sending

course. The highest numerical score in the range of numerical grade values for the corresponding transcript grades will be transferred to the new course. By doing this, the integrity of the GPA is maintained.

For example, a student in the Class of 2021 moves from an Honors course (where she earned a term 1 grade of 86%/B) to a Level 1 course. When her sending course's transcript grades are applied to the Level 1 class, the grade will be recorded as an 89%/B+. Through this adjustment, the GPA of 3.0 is preserved. Conversely, if a student moves up a level, the letter grade and corresponding numerical score will be adjusted to preserve the integrity of the GPA.

The Incomplete Grade

This grade is issued to students if they have not made up their work prior to the completion of the marking term. If the "incomplete" is still not made up by the midpoint of the next marking term, an "F" will result for the missing work. An incomplete grade at the end of the 4th quarter without advance make-up arrangements will result in a grade of "F" for the missing work.

Graduation

Source: BPS Policy IKF

In order to obtain a diploma from Billerica Memorial High School, the following subjects must be successfully completed through a passing grade and through acceptable attendance in accordance with the school's Attendance Policy.

Students who have not met the 24 credits or who have not successfully completed the courses listed above will be ineligible to participate in the Graduation Exercises. Graduation requirements will be aligned with those of the Massachusetts High School Core Program of Studies.

Extra Help

Students may always seek extra help from their teachers. Arrange a conference with your teachers before or after school, or at a time convenient to both of you during the day. A teacher will sometimes ask you to stay after school if it is apparent that you are having difficulty with your work. Whenever you need to stay for extra help, your coaches or advisors will not penalize you as long as you inform her/him of your intention to remain for help prior to the event or practice and bring a signed pass from the teacher.

Rank In Class And Explanation Of Course Level

The formula used to determine your rank in class is: $\text{GPA} / \text{Number of Credits} = \text{Rank-in-Class}$

Academic Performance and Recognition Grade Point Average (GPA)

Letter Grade	Range	College & Career Prep	Honors	AP
A+	97-100	4.00	4.33	4.67
A	94-96	3.67	4.00	4.33
A-	90-93	3.33	3.67	4.00
B+	87-89	3.00	3.33	3.67
B	84-86	2.67	3.00	3.33
B-	80-83	2.33	2.67	3.00
C+	77-79	2.00	2.33	2.67
C	74-76	1.67	2.00	2.33
C-	70-73	1.33	1.67	2.00
D+	68-69	1.00	1.33	1.67
D	65-67	0.67	1.00	1.33
F	0-64	0.00	0.00	0.00

Grade Point Average (GPA) is calculated by converting numerical grades to points based on the table. These points are added and then divided by the total number of credits attempted during a marking period. Billerica Memorial High School calculates GPA on a 4.0 weighted scale. Please see the section titled Course Change Procedure to learn how the integrity of the GPA is upheld when students change class levels during the academic year.

Valedictorian and Salutatorian

The Valedictorian and Salutatorian of the graduating class will be determined by calculating the cumulative GPA of all seniors at the conclusion of the **3rd quarter** of senior year. The senior with the highest cumulative GPA in the graduating class will be named valedictorian. The senior with the second

highest cumulative GPA in the graduating class will be named salutatorian. **Calculation will be done to the ten-thousandth place.**

To be eligible for the distinction of valedictorian or salutatorian, a student must be enrolled at Billerica Memorial High School for the four consecutive semesters immediately preceding graduation. Alternative credit opportunities are not factored into a student's GPA.

Learning Competencies

In all classes, student achievement is assessed on progress toward the core competencies necessary for the BMHS graduate. Teacher Gradebooks in Aspen for each course will have an assignment category labeled for each competency and each will be assessed at least once each quarter. While the particular activities for each competency are different in the content areas, the basic skills are described below.

Planning and Carrying Out Investigations (PCOI)

Students become skilled at developing research questions and conducting research to answer those questions. Students refine questions to ensure they are following an effective line of inquiry and then engage in investigations to answer those questions. Such investigations might take the form of formal or informal research, experimentation, or observation.

Analyze and Interpret Data (AID)

Students become skilled at reading data presented in various formats. Data may include tables, charts, lists, descriptive evidence, or observations. Students make inferences and draw conclusions based on this data.

Obtain, Evaluate, and Communicate Information (OEI)

Students become skilled at accessing the vast amount of information at their fingertips each day. Students learn to locate resources for information and decide whether that information is valid, reliable, and useful. Students practice communicating that information in their writing and speaking.

Please note that individual teachers may use grading categories in addition to these competencies to assess student achievement in particular courses.

High Honors

Students earning the distinction of High Honors will have a GPA of **3.75** or above and must be enrolled in a minimum of 6 courses at Billerica Memorial High School, not receive a grade below a C, nor receive an Incomplete (I) in any course. Grade 8 students must maintain a 90% average or above in all subjects

listed on the report card, this shall include core courses and elective classes.

Honors

Students earning the distinction of Honors will have a GPA **3.20 – 3.74** and must be enrolled in a minimum of 6 courses at Billerica Memorial High School, not receive a grade below a C, nor receive an Incomplete (I) in any course. Grade 8 students must maintain a 80% average or above in all subjects listed on the report card, this shall include core courses and elective classes.

National Honor Society

Students who have a cumulative grade point average of a 3.75 or higher meet the scholarship requirement for the Billerica Memorial High School Chapter of the National Honor Society. These students are then eligible to apply for consideration of membership on the basis of service, leadership, and character.

Advanced Placement (AP) Program

The Advanced Placement (AP) Program is a cooperative, educational endeavor of secondary schools and colleges. The College Board Advanced Placement courses give students the opportunity to take college level courses while still enrolled in high school. The rigorous course material, classroom discussions, and demanding assignments allow students to develop the content mastery and critical thinking skills expected of college students. Many students report that they enjoy the challenge of advanced placement study, high school faculty find that AP courses greatly enhance students' confidence and academic interest, and college faculty find that these students are far better prepared for serious academic work. Advanced Placement exams are an essential part of the AP experience and provide students and colleges with a standardized measure of mastery and achievement. Administered nationally in May, the exams are recognized by nearly 2,900 United States and foreign colleges and universities, which may grant credit, advanced placement, or both to students who have performed satisfactorily on AP examinations. Additionally, students may earn advanced standing depending upon the number of AP exams taken, performance on AP exam testing, and in accordance with the policies of each individual college. Students who choose to enroll in an AP course at Billerica Memorial High School are required to take the AP exam, and students and their families are responsible for the cost of the exam. If this is a financial hardship, please see your teacher or school counselor at the start of the course. For additional information, please see the College Board website: apstudent.collegeboard.org

Honors Courses

Honors courses are more rigorous, in depth courses designed for students who want a challenge. Students are expected to be self-directed learners and comprehend complex material. Honors courses require students to complete considerable work outside the classroom.

College and Career Preparatory Courses

Aligned with descriptions accepted by the Massachusetts Department of Higher Education, these courses at Billerica Memorial High School "require well-developed reading, writing, verbal, conceptual, mathematical, and study abilities, as well as substantial outside preparation" to prepare students for future success in college or a career.

Parent/Teacher Communications

If you would like to schedule a conference with a teacher at any time during the year, please write a note, send an email, or call the school ahead of time to request a conference and one will be arranged at the earliest convenience for everyone.

Homework

Source: BPS Policy IKB

Every study of successful students reveals that homework plays a critical role. Please think of homework as more than just written assignments. Homework also involves reading and reflecting upon what you are learning. With this in mind, you should plan your day so that at least two hours of homework time is available every night. It is the responsibility of the student to be aware of homework assigned and to request missed homework assignments in the event of any absences.

Make-up Work:

Students will be allowed two school days to make-up missing formative homework/classwork for each day of excused absence. Students should consult online resources to learn of their assignments, when possible. Students who may be out for longer periods (more than three days of school) should contact their teachers for additional information about their missing work.

Academic Integrity

Academic integrity is a responsibility for students to perform honestly through the production of their own work. Absent this, our academic, civic, and/or social Expectations for Student Learning are not being met.

Each high school course presents specific responsibilities for students to act honestly. Teachers will review with students their policies on homework, student group projects, acceptable sources, formats for crediting sources, and issues of academic honesty including plagiarism, cheating, and improper use of technology.

Plagiarism

Plagiarism is significant on two distinct levels within an academic environment. First, it is broadly applied to a myriad of violations of honesty; and second, the consequences of such behavior are severe. It is important to understand that plagiarism can be intentional or unintentional. "When a writer presents an argument, a definition, an interpretation of events, or...a text as his or her own, when in fact that

argument or definition or interpretation came from someone else's text, the writer is plagiarizing. The solution is to frame the idea by introducing it as the original author's and by citing the source from which the idea came" (Bridgewater, 2010).

Four common infractions are:

1. A deliberate act of putting one's name on a paper written by someone else or putting one's name on text copied from a website and pasted into a document.
2. A presentation of factual information without citing the source from which the information was obtained.
3. The use of someone else's words to present ideas, information, or analysis without use of quotation marks and citation.
4. The use of someone else's ideas, positions, or arguments without attribution.

Technology, including translators, graphing calculators, and the internet, should be used as a resource, not as a substitute for original work. Misuse of these resources will be considered cheating, as will the use of unauthorized notes, copying the work of other students (with or without their consent), and duplication of work on storage devices.

The penalty for cheating will be a "zero" on the assignment for all parties involved and communication of the reason(s) for the zero by the teacher to the student's parents/guardians. This is particularly serious if a student(s) is involved with cheating on an assignment that holds significant weight in determining the final grade for the course. It is possible that a student receiving "zero credit" on a major assignment could jeopardize the awarding of course credit. An alternative, or combination thereof, determined at the faculty member's prerogative, with the approval of a Coordinator or Administrator, may also be assigned. In any instance, an incident referral is to be submitted to the Assistant Principal. Subsequent incidents may result in additional administrative action.

Students are advised that membership in any honor society can be denied or revoked if a student commits plagiarism or cheating on any assignment.

Minimal Passing Grade Requirement

Students must earn a minimum of a 65% in a course to earn credit in the course.

Promotion Credit Requirements

In order to attain the necessary credits to progress toward graduation, students must earn a minimum number of credits by the end of each academic year:

At the completion of 8th grade and to be considered a freshman:	Pass core subjects (Math, English, Science, Civics)
At the completion of 9th grade and to be considered a sophomore:	6 credits

At the completion of 10th grade and considered to be a junior:	12 credits
At the completion of 11th grade and to be considered a senior:	18 credits
At the completion of 12th grade and to be considered a BMHS Graduate:	24 credits

Student Records

The Family Educational Rights and Privacy Act (FERPA), state law and Billerica School District Policy JRA guide the maintenance, custody, and access of educational records. Requests for inspection of records should be made in writing to the principal, and the principal shall arrange such inspection in a timely manner and under conditions that are reasonable as to time and place for both the requesting party and the school in accordance with Billerica School District Policy JRA.

Single copies of student records will be made available free of charge. Duplicate copies, or second copies of original materials shall be made available at nominal cost. Requests for copies of records must be made in writing to the Principal and the school shall be accorded reasonable time to produce the requested copies. The Principal reserves the right to withhold the distribution of student records, including a diploma or certificate of attendance, until all fiduciary responsibilities are met. School district personnel with legitimate educational interests, as determined by the Principal, may be permitted access to such records without parental consent. The name and address of the administrator in charge of any particular student record may be obtained from the office of the Superintendent of Schools, 365 Boston Rd., Billerica, MA 01821

Summer School and Tutoring

A student must meet the following requirements to repeat a subject in an approved Summer School or with an approved tutor: The student must have taken the subject to be repeated for an entire year. The student must earn a minimal final average of 55% to be eligible for Summer School.

Students may make up the failed course only during the summer of the year in which the course was failed, unless prior approval is obtained from the Director of School Counseling and the subject's Coordinator. Students attending summer school must obtain a grade of 65% or better in order to receive credit and a passing grade.

Billerica Memorial High School currently offers summer school opportunities through the Summer Learning Program, in conjunction with Educere, a state-of-the-art web based platform. A certified teacher in the content area is available to students to assist with their instructional needs and questions that they may have, and courses can be taken for credit recovery or enrichment. Students seeking summer school opportunities are required to take courses through the Billerica Memorial High School Summer Learning Program. Students may take summer school courses through other institutions, if the Summer Learning Program is full or the course is not offered through this program, and with prior approval of the subject's Coordinator.

The School Counseling Department will maintain supervision of school arranged or district paid tutoring.

This would include bedside instruction for students judged by a doctor, to be too ill to attend the regular day school.

Teachers may not tutor students on school time. Teachers may not tutor students from their own classes without the approval of the School Counseling Director.

Student Achievement & Recognition



Honor Societies

National Honor Society

The National Honor Society is an organization whose purpose is “to create enthusiasm for scholarship, stimulate a desire to render service, to promote leadership, and to develop character in secondary level students.” (NHS Const.) NHS membership is an honor bestowed by a faculty council and is based on established criteria in scholarship, character, leadership, and service. Students should confer with their Advisor, School Counselor, or National Honor Society Advisor regarding application procedures.

Subject Area Honor Societies

Some subject areas have established national honor societies. These include Tri-M, the national Music Honor Society, Mu Alpha Theta, the Math Honor Society, Spanish, French, and Italian National Honor Societies. Students eligible for membership in these societies will be notified by the advisors or membership of their eligibility, and given the opportunity to apply. Membership decisions will be made based on the criteria as determined by each individual honor society. Students should confer with their Advisor, School Counselor or the society’s advisor for more information and application procedures.

The Zadock Howe Award

The Zadock Howe Award at Billerica Memorial High School is the highest award bestowed upon members of the graduating class. At the conclusion of each school year the faculty recognizes 2 Senior students that have contributed at the highest level in promoting the school’s mission and beliefs.

Student of the Term

Student of the Term (SOTT) is based on a student’s outstanding performance in any of the following criteria:

Honor: They should take an active role in classrooms, are willing to include everybody, and set a positive example for others.

Respectful: They acknowledge everyone’s ideas, opinions, and beliefs, they model positive behavior, and are mindful of their surroundings.

Responsible: They adhere to the rules of the school, clean up after themselves, and alert staff of any concerns or problems that arise.

The Pride Award

Attitude: Attitude describes the student's preparedness, punctuality and their ability to foster a respectful climate both in and outside the class.

Achievement: Achievement is based on the capability of the student and the effort exhibited.

Academics: Academics is defined as study in the many varied subject areas in the school's curriculum. Academics are measured by looking at the quality of work on tests, papers, homework, projects, and class participation.



	B HONORABLE	B RESPECTFUL	B RESPONSIBLE
Classroom	<u>Take an active, positive role in classroom activities.</u> <ul style="list-style-type: none"> Participate at least once a class. 	<u>Acknowledge everyone's ideas, opinions, and beliefs.</u> <ul style="list-style-type: none"> Speak politely with adults and peers. 	<u>Adhere to the rules of the specific classroom you are in.</u> <ul style="list-style-type: none"> Honor people's space and belongings. Come to class on time and prepared with assignments and materials.
Cafeteria	<u>Be willing to include everyone at your table.</u> <ul style="list-style-type: none"> Invite anyone sitting alone to eat with you. 	<u>Model positive behavior.</u> <ul style="list-style-type: none"> Say "Please" and "Thank you." Use respectful language and volume. Be in designated areas. 	<u>Clean up after yourself.</u> <ul style="list-style-type: none"> Throw away trash.
Bathroom	<u>Make staff aware of bathroom issues.</u> <ul style="list-style-type: none"> Supplies Safety Property 	<u>Leave the bathroom better than you found it.</u> <ul style="list-style-type: none"> Keep area clean. Put waste in proper receptacles. Flush the toilet. 	<u>In the bathroom.</u> <ul style="list-style-type: none"> Wash your hands. Follow the "No Smoking" Policy. Return to class promptly.
Common Spaces	<u>Set a positive example for others.</u> <ul style="list-style-type: none"> Be friendly! Make eye contact Say "Hello!" with a smile 	<u>Be mindful of your surroundings.</u> <ul style="list-style-type: none"> Hold doors for others. Use school appropriate language. Comply with adult directions. 	<u>See something, say something!</u> <ul style="list-style-type: none"> Avoid being a distraction to classrooms and peers. Be where you are supposed to be. Clean up after yourself and others.

Health & School Safety



Emergency Evacuations and Drills

Fire drills at regular intervals are required by law and are an important safety precaution. It is essential that when the first signal is given, everyone follows all instructions as quickly as possible. The teacher in your classroom will give you instructions and show you the evacuation route.

Lockdown drills will be conducted periodically during the school year. Similarly, as in the case of fire drills, upon the designated signal, students are to follow the established protocol for lockdowns. The teacher in your classroom will inform/remind you of the protocol.

Health Services

The school nurse is responsible for the administration of health services for Billerica Memorial High School. Emergency forms are sent home the first day of school and should be completed and returned promptly. Please update this information throughout the school year. Students and parents are requested to inform the nurse of any particular health problems that should be a matter of record. Students are encouraged to discuss health matters with the school nurse. Except in emergencies, students must obtain passes from their teachers prior to reporting to the nurse's office.

Any injury occurring in school must be reported to the nurse. First aid treatment will be administered and parents notified. Students may not excuse themselves from school due to illness or injury nor may they phone a parent to do so on their own volition. This type of dismissal is considered an unexcused absence from school and class. A student who is injured or feeling ill will be referred to the nurse's office for treatment, and continuation of the school day will then be determined. If a student is deemed unable to complete the school day, the nurse will contact a parent and arrange for dismissal. If you have driven yourself to school and become ill during school hours, you will not be permitted to drive home; a parent must report to the Nurse's Office to provide transportation.

Administering Medication

Source: BPS Policy JLCD

All medication brought to school by a student must be secured with the school nurse. Students in possession of medication, including medications that are properly prescribed by the student's physician, will be subject to disciplinary action. Students may carry inhalers and EpiPens for emergency use with proper documentation from a healthcare provider, provided the school nurse has knowledge of these devices. No internal medication may be dispensed or administered to any child or member of the school staff except by the school nurse. Parents are requested to contact the school nurse to communicate any medical information necessary to ensure the wellbeing of their child.

Elevator Access/Usage

The Billerica High School elevator is reserved for the use of students who have the approval of the school nurse or an administrator. Elevator use under such circumstances is limited to the approved student and one

other individual who carries books and belongings of the approved student.

Students using slings, casts, and/or crutches must report to the Nurse's Office with written documentation from the physician and parent/guardian in order for arrangements to be made for elevator use (as needed).

Nutrition Services

Billerica School Lunch is a vital part of your school day. A variety of nutritious meals are offered to encourage a healthy lifestyle for all students. A selection of hot entrees, Paninis, subs, salads, burgers and homemade pizza are offered complete with a variety of milk, juice, fruits and vegetables. The Cafe is open, prior to the first bell, daily for breakfast.

Students will be required to use their assigned PIN # for all purchases in the café whether using cash or charging to the prepaid account www.sendmoneytoschool.com. If your family's income is at or below federal income levels, you may be eligible for free or reduced priced lunches. Information and applications are available from the website, Main Office or the Food Service Director.

Breathalyzer Policy

Source: BPS Policy JICHA

Use of Alcohol Detection Devices

A. Introduction

Billerica Memorial High School is committed to promoting an environment that is safe, supports a substance-free environment and focuses on healthy behaviors, during all school sponsored activities/events on and off school grounds. This policy will be adopted for the students at Billerica Memorial High School and for their guests who attend the school-sponsored event (s).

1. No alcoholic or intoxicating beverages of any kind are permitted in the building or at any activity/event authorized by Billerica Memorial High School at any time.
2. The possession or consumption of alcoholic or intoxicating beverages is strictly prohibited.

In order to promote a safe environment for our students and their guests at school sponsored activities/events, the school administration will be authorized to employ the use of alcohol detection devices. Administrators will be trained in the use of these devices. The school administration maintains the discretion to use or not use the Breathalyzer as its sole determining factor when assessing whether a student has consumed alcohol.

B. Prior Notification

It is the responsibility of the school administration to provide prior notice of the use of alcohol detection devices to the attendees of these school sponsored activities/events. The means of notification may include, but is not limited to, notification in the student/parent-guardian handbook, through school assemblies, on event specific advertisements and/or tickets, and on guest permission forms. The school administration maintains the discretion to use or not to use the Breathalyzer test even when prior notice has been made.

C. Refusal to Submit to a Breathalyzer Test

Students and/or their guest(s) who refuse to submit to the alcohol detection test at events, where prior notice has been given, will not be permitted to attend the authorized activity. Parents will be notified and students may be subject to the consequences consistent with the Billerica Memorial High School Code of Conduct set forth in the Student Handbook.

D. Applying the Breathalyzer

A passive Breathalyzer test will be administered to students. If a student tests positive an opportunity for a second test will be given. The second test will be administered after a minimum of two minutes has elapsed. The administration of Billerica Memorial High School is not held to a criminal standard of proof and therefore; the results of the Breathalyzer are final and are not subject to further review. A second positive test will result in following the procedures outlined below.

E. Students Testing Positive

Students who test positive for consumption of alcoholic and/or intoxicating beverages will be subject to disciplinary action consistent with the Billerica Memorial High School Code of Conduct. Administrators will seek the assistance of the police if necessary, and release the students to parents or police.

F. Breathalyzers during the School Day

A school administrator may ask that a student submit to a Breathalyzer test during the school day if, after careful evaluation, there is a reasonable belief that a student may be under the influence of alcohol while in attendance at school.

G. Equipment

The Breathalyzer will be maintained according to the manufacturer's specifications.

Allergens

The following guidelines are designed to reduce the risk of exposure to potentially life-threatening food allergens for our growing number of students with severe allergies. It is our goal to provide a school setting that minimizes the risk of accidental exposure while maintaining a safe, positive educational environment for

all students. For more information, including a list of resources for parents and students, see BPS Policy JLCA-R.

What is Food Allergy?

Food allergies affect 8% of children under age three, 6%-8% of school-age children and 2.5% of adults. Eight foods (peanut, tree nut, milk, egg, soy, wheat, fish and shellfish) account for 90% of total food allergies, although any food has the potential to cause an allergic reaction. Those affected may be allergic to more than one food. Peanut and tree nuts account for 92% of severe and fatal reactions, and along with fish and shellfish, are often considered to be lifelong allergies. Food Allergy prevalence has increased 55% in the last five years. 40%-50% of those diagnosed with food allergy are judged to have a high risk of anaphylaxis (a life-threatening reaction). Every food allergy reaction has the possibility of developing into a life-threatening and potentially fatal anaphylactic reaction. This can occur within minutes of exposure to an allergen. Reactions can occur simply by touching or inhaling an allergen. In some cases, consumption of as little as one five-thousandth of a teaspoon of an allergenic food can cause death.

Impact on the School

Every school should expect at some point to have students with food allergies. Schools must be prepared to deal with food allergies and the potential for anaphylaxis. Accidental ingestion of the offending allergen occurs most often at school. As many as one in five children with food allergies will have a reaction in school. The student with an undiagnosed food allergy may experience their first allergy reaction while at school. When a physician assesses that a child's food allergy will result in anaphylaxis the child's condition meets the definition of "disability" and is covered under the Federal Americans with Disability Act (ADA), Section 504 of the Rehabilitation Act of 1973, and may be covered under Individuals with Disabilities Education Act (IDEA) if the allergy management affects the student's ability to make educational progress. Adequate plans and staff, who are knowledgeable regarding preventive measures and well prepared to handle severe allergic reactions, can save the life of a child. Notify the school of a child's allergies. Provide updates as necessary. Help to establish a core team of, but not limited to, physician, principal, school nurse, teacher, school counselor and food service manager to develop and implement a plan that addresses the child's needs, including the school bus, classroom, cafeteria, assemblies, etc. A detailed Food Allergy Action Plan shall also be included. Provide written medical documentation, instructions, and prescribed medications, using the Food Allergy Action Plan as a guide. Photos of the child must also be included. Provide a child with a medic-alert bracelet identifying the life-threatening allergy. Bracelets should be worn at all times while at school. Replace expired and/ or used medications as per Food Allergy Action Plan. Educate the child in the self-management of their food allergy including: safe and unsafe foods, strategies for avoiding exposure to unsafe foods, symptoms of allergic reactions, how to communicate an allergy-related problem, how to read food labels (age appropriate). Children should not accept food from other students. Review guidelines/ procedures with core team members as soon as possible following a reaction.

Student's Responsibility

Take a proactive role in the care and management of your food allergies (age appropriate). Do not accept food items from or trade food items with other students. Avoid food items with unknown ingredients or known allergens. Immediately notify any teacher, administrator, assistant or school nurse of possible exposure to food allergen. Wear a medic-alert bracelet at all times.

School's Responsibility

Keep informed of and follow all applicable federal laws including ADA, IDEA, Section 504 and FERPA, as well as all state laws and district policies/ guidelines that may apply. Include food-allergic students in school activities. Students shall not be excluded from school activities solely based on their food allergies. Inform and update all families registered in the district about known allergens in order to minimize the risk of life-threatening exposure. Extra-curricular groups using school facilities will also be notified, and shall be excluded from using any area designated as "allergen-free". Provide all families with a copy of Food Allergy Guidelines as well as a listing of resources regarding food allergies, such as Food Allergy and Anaphylaxis Network (FAAN). Identify a core team of, but not limited to, physician, principal, school nurse, teacher, school counselor, and food service manager to work with parents and students (age appropriate) to establish a Food Allergy Action Plan specific to that child. Changes will be made as necessary with team participation. Consult with local emergency management personnel to establish and/ or update emergency protocols and drill procedures as needed. Educate staff who interact with students with food allergies, on a regular basis so they understand food allergy, can recognize symptoms, can take emergency action, and will work with other school staff to eliminate the use of food allergens in lunch programs, educational tools, arts and crafts projects, or incentives. Identify school personnel who are properly trained to administer medications in accordance with State Nursing and Good Samaritan Laws governing the administration of emergency medications. Coordinate with school nurses to assure that medications are stored appropriately (easily accessible, secure locations such as the main office) and that an emergency kit is readily available and contains a physician's standing order for epinephrine. Practice the Food Allergy Action Plan as a drill to assure the efficiency/ effectiveness of the plan. Emergency protocols shall be updated as needed with team participation. Review Food Allergy Action Plan with core team members and physician as soon as possible following a reaction. Work with bus companies to determine appropriate management of transportation needs. Discuss planned field trips as a team to decide appropriate strategies for managing a child's food allergy. Encourage parents of children to participate as a chaperone. Take threats or harassment against an allergic child seriously.

Everyone's Responsibility

Read all information made available by the school regarding food allergies. Any questions regarding the Food Allergy Guidelines should be directed to the principal or school nurse. Understand the seriousness of food allergies and consider how food choices may impact the lives of severely allergic students. Promote understanding, acceptance and compassion.

Student Use of Vehicles

It must be clearly understood that driving and parking a motor vehicle, including a motorcycle, on the school grounds is a PRIVILEGE granted to eligible seniors/juniors that can be lost if abused. Permission must be specifically granted to you, subject to the procedures, regulations, and penalties specified below. A driving and parking privilege will immediately be revoked if you abuse the conditions of this agreement.

1. Priority Ranking for Parking: Parking spaces will be issued through a lottery system. Seniors and Juniors will have the opportunity to apply for parking spaces. Seniors will have the first option for any parking spaces. The lottery will be extended to juniors to apply for the remaining open slots (excluding a fixed # of slots reserved for late applying seniors).

2. Getting a Sticker: Students parking on the school grounds must have authorized parking stickers for the current school year. These are obtained from Mr. Flood's office. Only one sticker will be issued to a student, unless you are registering a second vehicle. The cost of each sticker is \$5.00. Stickers must be placed in the bottom right-hand corner of the driver's side passenger window. If you change vehicles during the school year, you must register the new car with the assistant principal's office. The number of stickers in circulation will not exceed the number of available spaces, so if you stop parking during the year, you are asked to inform the assistant principal's office so another sticker can be issued to a different applicant. Lost stickers may be replaced, once only for \$5.00.

3. Where to Park: Student parking is limited to one area. Student parking is divided into two locations behind the building. The first location will be directly behind the building and the other will be in the main student parking lot. You are not permitted to go to the parking lot or into an automobile while school is in session without the permission of an administrator

4. Unauthorized Parking: Students may not park without a sticker in the student lot, and may not park in the Teachers' parking areas, Town Hall, Police Station, Fire Station lots, or the Elderly Housing lot. As indicated in the Code of Conduct, illegal parking in the student lot will result in at least three office detentions. Where parking is strictly prohibited and creates a hazard (in front of a dumpster, fire hydrant, or access lane) immediate towing may be necessary. Illegal parking stickers may be placed on side windows of an illegally parked car that cannot be identified and/or the car may be towed.

5. Misuse of a vehicle: Owners of cars in which students leave the school grounds without permission will lose parking privileges for a period determined as appropriate by your assistant principal. Students who use cars in other ways to violate school rules will also be subject to loss of parking privileges. Appropriate driving for a well-populated parking lot is expected. Any driving deemed inappropriate by the Assistant Principal may cause the loss of parking privileges.

6. Mandatory Use of Seat Belts: Chapter 90: Section 13A of the Massachusetts General Laws state that "no person shall operate a private passenger motor vehicle or ride in a private passenger motor vehicle, a vanpool vehicle or truck under eighteen thousand pounds on any way unless such person is

wearing a safety belt which is properly adjusted and fastened..." As such, all students driving to school, and any passengers accompanying a student driver are required to use seat belts."

7. Search of Student Vehicles: Any student operated vehicle parked on school property may be subject to search by administration if there is a reasonable suspicion of a violation of the Student Code of Conduct. *BPS JIH (p. 79 of Student Handbook)*

Co-Curricular Opportunities



Athletics—Attendance and Eligibility

Program Offerings (27 Sports & 62 Teams)

<u>FALL</u>	<u>Varsity</u>	<u>JV</u>	<u>Freshman</u>
Football	x	x	x
Boys Cross Country	x	x	
Girls Cross Country	x	x	
Boys Soccer	x	x	x
Girls Soccer	x	x	x
Girls Volleyball	x	x	x
Swimming and Diving	x	x	
Cheerleading	x	x	
Golf	x	x	
<u>WINTER</u>			
Boys Basketball	x	x	x
Girls Basketball	x	x	x
Boys Indoor Track	x	x	
Girls Indoor Track	x	x	
Cheerleading	x	x	
Gymnastics	x	x	
Wrestling	x	x	
Boys Hockey	x	x	
Girls Hockey	x		
<u>SPRING</u>			
Softball	x	x	x
Baseball	x	x	x
Girls Lacrosse	x	x	
Boys Lacrosse	x	x	x
Girls Outdoor Track	x	x	
Boys Outdoor Track	x	x	
Boys Volleyball	x	x	
Boys Tennis	x	x	
Girls Tennis	x	x	

School/Family Vacations, Extended Absences

Every team member is expected to be present for all team practices and games. Because of scheduling parameters, many of our teams practice and/or play during scheduled vacations. Students who plan to be

absent for an extended period of time due to vacation or planned extended absence should discuss this situation with the coach prior to trying out for the team. The coach's discretion will be used in determining the consequences for such extended absences.

School Attendance and Tardiness

Billerica Memorial High School students are reminded at the beginning of each year of several requirements for good school and team citizenship. They are as follows:

- Come to school every day
- Be on time for school and class
- Do your homework
- Attend all classes
- Seek academic assistance when necessary

Students are expected to attend all scheduled periods during the school day in order to practice or play. Students must be in attendance prior to 10:30 am and may not be dismissed in advance of this time, in order to be eligible to participate in any athletic event of the day. Under extenuating circumstances, student-athletes may receive permission from the Athletic Director or Principal to participate.

Academic Eligibility

Incoming 8th graders are automatically eligible.

Incoming Freshman must have passed 8th grade English, Math, Science, and Social Studies

Student-athletes must be passing a minimum of 6 credits (at least 6 courses) at the end of each marking quarter, also known as term grades.

Fall sports participation is based upon earning 6 credits based upon final grades from the previous year.

Athletic Fees

The student-athlete is obligated to pay a \$150.00 athletic fee. There is a maximum of \$600.00 per family for each school year. A waiver can be permitted for financial hardship if the student-athlete qualifies for free/reduced lunch.

To enroll on a team, a hard copy of the student's current physical must be submitted to the Athletic Trainer before the registration deadline for the season. Any student-athlete whose physical expires during the season will not be allowed to participate until a new physical is on file with the Athletic Trainer. Per the Commonwealth of Massachusetts law, physicals are valid for 13 months from the date of exam. Free physicals are provided by the nurse's office in the months of March, June and November.

Pay Athletic Fee (\$150)

- a. Submit your check for \$150 per student to the BMHS Athletics Office. Please make checks payable to: Town of Billerica - Athletics. Mail your check to: Billerica Memorial High School, Department of Athletics, 35 River Street, Billerica, MA 01821.
- b. Checks are required for participation **UNLESS** your child receives Free/Reduced lunch **OR** you have reached the Family Maximum of \$600 for the school year 2020-2021.

Fitness Center

The Billerica Memorial Fitness Center is available to all students whenever it is supervised by a staff member. There is supervision for most of the year.

Security of Personal Belongings

All personal belongings should be locked in a locker while the student athlete is trying out, practicing, or competing. All students should have a lock for the athletic lockers and never leave their locker unlocked or open while in the shower. In the event a student athlete does not have a lock he/she should leave his/her valuables with the coach. Students should purchase their own lock.

School Discipline Obligations

Student athletes at Billerica Memorial High School are representing themselves, their family, team, school, and community at all times. Therefore, athletes will be held accountable for their actions on and off the field of play.

A student athlete with a school disciplinary obligation must fulfill the disciplinary obligation before reporting to a practice and/or game. Student-athletes cannot expect, and should not request disciplinary action to be postponed or cancelled for any athletic reason. The athletic department reserves the right to remove a student athlete from a team for excessive disciplinary problems. The student-athlete may be reinstated upon sufficient evidence of improvement.

MIAA Health Rule Regarding Alcohol, Tobacco and Drugs

From the earliest fall practice date, to the conclusion of the academic year or final athletic event (whichever is latest), a student shall not, regardless of the quantity, use, consume, possess, buy/sell, or give away any beverage containing alcohol; any tobacco product (including e-cigarettes, VAPE pens and all similar devices); marijuana (including synthetic); steroids; drug paraphernalia; or any controlled substance. This policy includes products such as "NA or near beer," inhalants (defined as any substance that produces a mind-altering effect when inhaled), and misuse of over-the-counter medications and substances used for the purposes of altering one's mental state. It is not a violation for a student to be in possession of a legally defined drug specifically prescribed for the student's own use by their doctor. This MIAA statewide minimum standard is not intended to render "guilt by association", e.g. many student-athletes might be present at a party where only a few

violate this standard. This rule represents only a minimum standard upon which schools may develop more stringent requirements.

If a student in violation of this rule is unable to participate in interscholastic sports due to injury or academics, the penalty will not take effect until that student is able to participate again.

The Minimum Penalties

First violation: When the Principal confirms, following an opportunity for the student to be heard, that a violation occurred, the student shall lose eligibility for the next consecutive interscholastic contests (regular season and tournament) totaling 25% of all interscholastic contests in that sport. No exception is permitted for a student who becomes a participant in a treatment program. It is recommended that the student be allowed to remain at practice for the purpose of rehabilitation. During the suspension the disqualified student may not be in uniform and attendance at the competition site is determined by the high school principal. All decimal part of an event will be truncated i.e. All fractional parts of an event will be dropped when calculating the 25% of the season.

Second and subsequent violations: When the Principal confirms, following an opportunity for the student to be heard, that a violation occurred, the student shall lose eligibility for the next consecutive interscholastic contests (regular season and tournament) totaling 60% of all interscholastic contests in that sport. All decimal part of an event will be truncated i.e. All fractional parts of an event will be dropped when calculating the 60% of the season.

Penalties shall be cumulative each academic year, but serving the penalty could carry over for one year. Or, if the penalty period is not completed during the season of violation, the penalty shall carry over to the student's next season of actual participation, which may affect the eligibility status of the student during the next academic year (e.g. A student plays only football: he violates the rule in winter and/or the spring of the same academic year: he would serve the penalty [ies] during the fall season of the next academic year).

If a student is not an athletic participant for one full year after affirmation of a violation, then the penalty period would close and the student would face no consequence.

Prior to any chemical health violation a student's request for and enrollment in a substance abuse treatment shall not in and of itself constitute a violation of the chemical health/alcohol/drugs/tobacco Rule 62.

1st Offense - 25% # of Events

2nd Offense - 60% (and every subsequent offense)

2nd Offense w/Dependency Program - 40% if in the program throughout the penalty period.

After a second offense

If after the second or subsequent violations the student of own volition becomes a participant in an approved chemical dependency program or treatment program, the student may be certified for reinstatement in MIAA activities after a minimum of 40% of events provided the student was fully engaged in the program throughout that penalty period. The high school principal in collaboration with a Chemical Dependency Program or Treatment Program must certify that the student is attending or issue a certificate of completion. If a student does not complete the program, the penalty reverts back to 60% of the season. All decimal part of an event will be truncated i.e. All fractional parts of an event will be dropped when calculating the 40% of the season.

Clubs

- Please See BMHS Clubs Catalog (HyperLink) [BMHS Clubs Catalog](#)

Respect & Responsibility



Code of Conduct (BPS Policy JIC)

Students are expected to conduct themselves in a way that contributes to a productive learning climate. Individual rights are to be honored and protected in all instances; however, the rights of one individual shall not take precedence over those of another individual or of the group itself, and all students shall have equal rights and equal responsibilities in the classroom or at any school-sponsored activity.

Students who fail to abide by Billerica School District policies and procedures may be disciplined. Disciplinary measures include, but are not limited to, removal from the classroom, detention, suspension, probation, and expulsion. Due process shall be afforded to any student involved in a proceeding that may result in suspension or expulsion. Pupils expelled under the provisions of the Gun-Free Schools Act of 1994 shall not be eligible to enroll in the District for the period of their expulsion.

Certain incidents are required to be reported to the Billerica Police Department based on the requirements of the Memorandum of Understanding. Examples of incidents that must be reported include: Homicide, assault, possession of firearm or other dangerous weapon, arson, theft, possession/sale of drugs/alcohol, threatening, bullying and solicitation, dissemination, and possession of child pornography.

More information on the above may be found in *BPS Policies JJ, JIC*

Students who do not abide by the expectations outlined below will experience administrative action that is intended to alter and/or dissuade similar behaviors. To this end, all available resources, including a series of progressive administrative responses may be utilized, as outlined below in descriptive and matrix form. When not dictated specifically by Billerica School District policy, consequences or combinations thereof are assigned at the Administration's discretion. The absence of a particular infraction described in this handbook does not preclude the Administration from using professional judgment when matters develop that disrupt the educational process.

Progressive Discipline:

Teacher Detention (BPS Policy JK)

Teachers may require that a student serve time after school as a result of disciplinary infractions, repeated tardiness to class, or repeatedly failing to complete homework. The length of the session will be determined by the teacher. Students are given at least twenty-four hours' notice of an after school session. If mutually agreeable, the student may serve the teacher detention prior to the scheduled date. Should a student fail to report for the teacher session, after prior notice has been given, the teacher will notify the administration for appropriate action that may involve additional consequences.

Office Detention

After school office detention is 55 minutes in duration. Students are expected to arrive at the designated time and location, as assigned by the Assistant Principal. Students will be given a 24-hour notice to make appropriate arrangements. If possible, the student may serve the office detention prior to the scheduled date.

Students are required to make productive use of the time in Office Detention and should arrive prepared to do so. Students failing to serve office detentions may receive up to 3 additional Office Detentions. Those unable or unwilling to comply with the rules posted and/or directives of the staff member, should expect additional administrative action including, but not limited to, additional assignments to Office Detention, Saturday Detention, and/or loss of privileges.

Detention Rules for Students

- ◆ Office Detention is held in Room B223.
- ◆ Students should be present and seated in the classroom by 2:10. You must be on time.
- ◆ Dismissal is at 3:05.
- ◆ Cell Phone use is strictly prohibited. Students arriving for detention will be required to leave their device with the staff at the beginning of the session.
- ◆ Students who refuse to turn over their device or are caught using it during detention will be required to leave and a Saturday Detention will be assigned.
- ◆ Cell Phones will be returned at the conclusion of detention. Students must pre-arrange their transportation home as cell phone use will not be allowed at any point during the detention.
- ◆ No food or drink allowed (with the exception of water).
- ◆ Students must bring work to do and be working throughout the detention period.
- ◆ No Sleeping.
- ◆ Office detention is silent.
- ◆ Students do not go to lockers after detention; they exit the building with an escort. Please use the lavatories and lockers before detention begins - Don't ask to go during detention.
- ◆ Be sure to sign in on the correct grade sheet.

Saturday Detention

This administrative assignment is four (4) hours in duration; typically scheduled from 8:00 am until 12:00 pm. Students will be given a 24-hour notice to make appropriate arrangements. Students are expected to arrive at the designated time and location, and be prepared to accomplish academic assignments. Students either unwilling or unable to comply with the rules or directives of the proctoring staff should expect additional administrative action including, but not limited to, additional Saturday Detention, suspension and/or loss of privileges.

BMHS SATURDAY DETENTION GUIDELINES

Saturday detention at BMHS is held from 8:00am to 12:00pm on Saturday in room B223. This consequence is issued to students who have violated one or more of the BMHS Student Handbook rules and is specifically

given in lieu of suspension. Therefore, if a student fails to appear for a scheduled Saturday Detention, the student will be automatically suspended from school the following Monday or regularly scheduled school day. If a student refuses to comply with the rules set forth below, he or she will be asked to leave the detention and will also be suspended the following Monday or regularly scheduled school day.

1. Students will report promptly at 8am. If a student arrives between 8:00am and 8:15am, one additional office detention will be issued. If a student arrives after 8:15am, admittance will not be granted. Requests to leave early will be denied.
2. Cell Phone use is strictly prohibited. Students arriving for detention will be required to leave their device with the staff at the beginning of the session. Students who refuse to turn over their device or are caught using it during detention will be asked to leave. Cell Phones will be returned at the conclusion of detention (12:00pm). Students must pre-arrange their transportation home as cell phone use will not be allowed at any point during the four hour duration.
3. School Issued Computer Use:
 - a) Students may access websites only for the specific purpose of assisting with academic work related to a scheduled course. Computer usage cannot be for playing video games, social media, listening to music, watching videos/movies, or any other entertainment purpose. Violations will result in loss of computer use and possible removal from Saturday detention.
4. Seating is to be determined by staff and not student choice.
5. Detention time is to be quiet; conversations between students are not permitted.
6. No hats or hoods are to be worn while in the building.
7. Sleeping is prohibited.
8. One food break will take place. Food and drink are permitted only during time designated by the detention staff. Food is not provided by the school although it may be brought from home. No food deliveries will be allowed, whether ordered or brought by someone else.
9. A brief second break will be given for the purpose of using the lavatories. Students will be escorted to the bathrooms at all times.
10. The rules listed here are not meant to be exhaustive; all rules and regulations of the BMHS Student Handbook apply throughout the detention period as they would during a normal academic day.

Suspension

An administrator may issue a suspension for a period of up to ten (10) days. Prior to any decision or disciplinary action, due process will apply and take the form of the following: an opportunity for the student to present his or her interpretation of the incident/situation to an administrator; every effort will be made to contact and inform the parent/guardian; and students and their parents/guardians will be notified of the reason for suspension, duration, and any associated plan for re-entry, if applicable.

While suspensions are administrative actions, students will be responsible for class work missed during suspension (s) and can communicate with teachers and access online material. Moreover, suspensions

temporarily preclude a student from access to their normal academic, co-curricular, and social privileges. To this end, a suspended student is not permitted to attend any activities and events associated with such privileges, including academics and Billerica Memorial High School sponsored or associated events (i.e., athletics, performances, dances) either on or off-campus, even as a spectator. In circumstances where a student may have procured access, acquired tickets, obtained authorization, or otherwise incurred either nominal or considerable expense in the process, such scenarios may result in a financial loss to the student and/or parent/guardian. To this end, the school and district are not responsible for financial loss due to its administrative procedures and protocols.

Co-Curricular Activity Participation During Suspension

Participation in co-curricular activities is a privilege ; to this end, a student may not represent the school as a participant, member, player, assistant, guest, or spectator if s/he has not been in attendance for a half (10:30 am) school day. A student not in good standing, either academically or socially, will not be permitted to participate in cocurricular activities until such good standing has been restored. In the case of a suspension from school or a suspension of privilege to participate, which is typically assigned due to an issue with a student's conduct, the Athletic Director or appropriate Curriculum Coordinator will also be notified. Specific eligibility requirements for athletic participation is described in the Athlete/Parent Handbook. Questions or concerns regarding eligibility should be directed to the Athletic Director. With regard to other co-curricular activities, including clubs, organizations, and theatrical practices and performances, the general principles and practices afforded to athletic participants will be used in determining eligibility. Questions or concerns regarding eligibility should be directed to the appropriate curriculum coordinator and/or Assistant Principal.

Students who are suspended are not eligible to participate in school related events from the time they are notified of the suspension through the last full day of the suspension, inclusive of weekends, holidays, etc. Additional delay may develop, and further preclude a student's participation, if a re-entry meeting with an administrator is required.

Solicitation, Dissemination, and Possession of Child Pornography

Solicitation, dissemination, and possession of child pornography are not permitted.

Offenders can be prosecuted under state child pornography laws in addition to, or instead of, federal law. Under federal law, images of child pornography are not protected under First Amendment rights, and are illegal contraband. [Section 2256 of Title 18, United States Code](#), defines child pornography as any visual depiction of sexually explicit conduct involving a minor (someone under 18 years of age). Visual depictions include photographs, videos, digital or computer generated images indistinguishable from an actual minor, and images created, adapted, or modified, but appear to depict an identifiable, actual minor. Undeveloped film, undeveloped videotape, and electronically stored data that can be converted into a visual image of child pornography are also deemed illegal visual depictions under federal law.

- *Solicitation* is defined as the act of asking for or trying to obtain something from someone.
- *Possession* is defined as the state of having, owning, or controlling something.
- *Dissemination* is defined as “to import, publish, produce, print, manufacture, distribute, sell, lease, exhibit or display,” per [MGL c272, s31](#).

Students suspected to be soliciting, in possession of, or disseminating child pornography (i.e. photos, videos, screenshots containing nudity of a minor) will be reported to the Billerica Police Department and parents/guardians will be contacted to come to the school immediately. As mandated reporters, school staff are required to file a 51A per [MGL c272, s29B](#): Dissemination of visual material of a child in a state of nudity or sexual conduct and [MGL c272, s29C](#): Knowing purchase or possession of visual material of child depicted in sexual conduct.

Public Displays of Affection (PDA)

Students must refrain from public displays of affection such as kissing or other physical contact of a similar nature. Students will be advised to refrain from such behavior in the first instance. Subsequent violations will result in parental notification and/or other consequences, depending on the circumstance.

Fighting/Assault

Students and school personnel are entitled to a school environment free from threat and the physical aggression of others. Behaviors that violate this standard include, but are not limited to, incitement or instigation; physical abuse or uninvited personal physical contact, including sexual assault; threatening gestures, notes, comments, or electronic messages; fighting; extortion; and conduct which endangers oneself or others. Such behaviors are intolerable and incongruent with the BMHS Mission Statement and substantially disrupt the learning environment. Students involved or associated with such behaviors will be subject to administrative action including, but not limited to, suspension, police intervention, and possible criminal and civil charges. Any student who engages in a physical altercation towards another student is subject to suspension regardless of who initiates the altercation. Mitigating factors will be considered prior to implementation of consequences.

Threatening

Any student who, in person or through the use of mail, telephone, internet, written note, posting or other instrument, willfully makes any threat or conveys false information, knowing the information to be false, concerning an attempt or alleged attempt being made, or to be made, to kill, injure, harass, malign, or intimidate any individual while at school or school events or in-route to school or school events while traveling on a school bus, or; unlawfully damage or destroy a building, vehicle, or other real or personal property owned, leased, or occupied by the school by means of a weapon, fire or explosive or other device or method shall be considered to have threatened the safety of the school community and is therefore in violation. Said individual (s) shall be addressed by the Administration inclusive of a report to the Principal,

who will decide if an expulsion hearing is warranted. Appropriate law enforcement agencies may also be notified.

In circumstances where words or deeds, inferences or ideations, indicate, allude, or threaten harm to self or others, the Principal or designee may determine those responsible for such actions remain out of school pending an assessment to determine whether the individual (s) poses imminent risk to self or others. Such assessments will be conducted by a licensed clinical professional outside of the school system.

Vandalism (BPS Policy ECAC)

Vandalism is the willful marring, defacing, or destruction of property. Defacing or otherwise damaging school property or personal property of members of the school community will result in administrative action deemed appropriate by the Administration. Criminal and/or civil liabilities may apply to which the Administration may defer to the proper agency for restitution.

Textbooks and Chromebooks are furnished free of charge for student use. Students are responsible for returning the textbook/chromebook to the school in the same condition in which it was issued, less normal “wear and tear”. Students who do not return books or materials, or who return books and materials that are damaged shall be required to pay for the cost of the books or materials. Students are expected to properly and safely lock all valuables in a Billerica Memorial High School locker, to include both personal and school property.

Insubordination

In order to maintain an atmosphere of mutual trust and respect, students are expected to respond truthfully and promptly to directions or reasonable requests of staff members. Failure to do so is a serious violation of school regulations and will result in disciplinary action up to, and including suspension from school.

Instances of lying or deliberate misrepresentation of the truth may also result in disciplinary action up to, and including, suspension from school.

Profanity

The use of profane, obscene, or vulgar language, gestures, inferences, or innuendo is prohibited during school, at all school events, or on any of the school’s property or buses. Profanity directed to, or at a staff member will result in a suspension from school. Behavior that may not be profane or obscene but is derogatory or disruptive in nature is not permitted. Depending upon circumstances presented to a teacher, staff, or administrator, administrative action to discourage repeat behavior will be assigned

Theft

In instances of theft, disciplinary action, restitution, and a conference with the student, parent/guardian, school counselor, and administration will be required and a referral to law enforcement may be made.

Billerica Memorial High School and the District are not responsible for personal losses, such as thefts and damages in school, on school grounds, or during school-sponsored activities either on or off-campus. Students are strongly encouraged to secure and lock personal belongings and valuables. Whenever possible, such items of value should remain at the student's home.

False Fire Alarms

Pulling a fire alarm without just cause is a most serious violation of school rules. State law states: Whoever, without reasonable cause, by outcry or the ringing of bells, or otherwise, makes or circulates or causes to be made or circulated a false alarm of fire shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in a jail or house of correction for not more than one year (Chap. 269 sec. 13). Students violating this state law will be suspended from school.

Incendiary Devices

Matches, fireworks, and lighters are strictly prohibited from school property. These are unsafe and volatile items that present imminent risk of injury to members of the school community. Possession of such articles will result in administrative action deemed appropriate by the Administration.

Trespassing

Students, school personnel, parents, and visitors are normally welcomed to school property during regular hours of operation or special events. In instances when a person has been notified that he or she is not permitted on school property, then continued entry shall constitute trespass into a public school and law enforcement officials will be notified. A no trespass order may be issued by the school district.

Forgery

Forgery is a serious offense and is contrary to our mission statement. Consequences for students who forge documents and/or signatures will be assigned a Saturday detention.

Gambling

Gambling, related materials, acts of gaming or the enabling and/or promotion thereof, is not allowed on school property, or through the use of school resources – electronic or otherwise – regardless of age.

Smoking/Vaping

According to MGL Ch71 Section 2A and the Billerica Board of Health Regulations BHR Ch. 4.2.001(6)(8) it is illegal to smoke in school buildings, on school buses and on school grounds. BMHS prohibits smoking and use of any smokeless tobacco products at all times in the school building, on school buses and on school grounds, and at all school activities. This shall include—but is not limited to—electronic smoking devices, misting devices, and inhalers.

Cell Phone / Electron Devices

Students may use cell phones in the hallways, at lunch and in the common spaces; however, these devices

must be turned off during the academic class periods to ensure that disruption of the instructional and academic climate of the school does not occur. Classroom use of cell phones, iPods or other personal music players is at the sole discretion of the classroom teacher.

The recording of either audio or video of another person, without their consent is a direct violation of Massachusetts State Law, the policies of the Billerica Public School system and BMHS. Massachusetts is a dual consent state requiring permission of both parties to mutually agree upon the use of their image or likeness. Violation of this policy will result in a minimum of a Saturday detention.

Parents are requested to refrain from calling or texting their students during the school day. If necessary, please contact your child during approved times for cell phone use. The Main Office is also available to deliver messages to students at opportune times during the school day (i.e., during passing times).

Unexcused Absences from Class

Leaving School grounds

Once students arrive on school property, they may not leave school property without a proper dismissal from a parent or guardian as processed through the main office. Specifically, students arriving at school before the beginning of school hours, by automobile, bus, or any other method may not leave school property. Once a student has arrived on campus, they are to remain on campus. Likewise, once a student is dismissed from campus, they are not to return to campus unless previously determined as part of the dismissal process; this would cause the student to sign-in with the Main Office.

A student who leaves the school building or campus without permission of the Administration is subject to search of their person, belongings, and/or vehicle. This serves the purpose of providing a safe learning environment. Students who are not able to comply with this issue of safety and liability may yield an administrative response of varying degrees as such scenarios may be both a non-compliance and a matter of unauthorized absence (s) from class.

Hazing

Massachusetts General Laws- Chapter 269

C. 269, S.17, Crime of Hazing: Definition: Penalty

Whoever is the 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 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 students 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. Added by St. 1985, c.536; amended by St. 1987, c.665.

C.269, S.18. Duty to Report Hazing

Whoever knows that another person is the victim of hazing as defined in section seventeen and is at the scene of such crime, shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars. Added by St. 1985; amended by St. 1987, c.665

C.269, S.19. Hazing Statutes to Be Provided: Statement of Compliance and Discipline Policy Required

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 issues 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 post-secondary education shall, at least annually, before or at the state 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 post-secondary education

shall file, at least annually, a report with the regents 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 regents 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 in any such institution, which fails to make such report. Added by St. 1985, c.536; amended by St. 1987, c.665

Administrative Response Matrix

Consequences for all infractions rest with the BMHS Administration. The matrix below is only a guideline of typical – not exclusive – responses to disciplinary referrals. Repeat offenders may incur additional penalties and/or other supports as a method to dissuade certain behaviors and/or enable accountability. School Administrators shall have the latitude to determine who is at fault and prescribe penalties accordingly.

Infraction	Conference of Behavior	Teacher Detention	Office Detention	Saturday/ Suspension
Accessory to/ Inciting a Physical Conflict				X
Building Security Violations				X
Bullying/ Hazing/ Harassment*				X
Cheating/Plagiarism	X			X
Class Cut(s)			X Up to 3 Days	X
Conduct Unbecoming			X	X
Cut Office Detention			X Up to 3 Days	X
Disruptive Behavior/ Removal from class	X	X	X	X

Infraction	Conference of Behavior	Teacher Detention	Office Detention	Saturday/ Suspension
Dress code	X			
Drugs/Alcohol/ Weapons*				X
Electronic Devices	X	X	X	X
Failure to comply/Insubordination	X	X	X	X
Fighting/Assault*				X Up to 5 Days
Forgery				X
Gambling			X	X
Leaving building without permission				X
Loitering in Halls/Common spaces/Unauthorized Areas			X	X
Misconduct on Bus			X	X
Pornography* (Dissemination, Possession, Solicitation)	X		X	X

Infraction	Conference of Behavior	Teacher Detention	Office Detention	Saturday/Suspension
Profanity/ Obscene gesture directed @ Staff				X
Profanity/ Obscene gestures			X	X
Public display of affection	X			
Smoking/Vaping				X
Tardiness	X	X	X	
Theft*				X
Threats*				X
Truancy				X
Unauthorized Video/Photography			X	X
Vandalism*				X

*Certain offenses require notification of the Billerica Police Department per the requirements of our Memorandum of Understanding.

Billerica Memorial High School Anti-Harassment Policy

General Statement of Policy

Billerica Memorial High School is committed to providing all students with a safe and supportive school environment. Members of the school community are expected to treat each other with mutual respect and to

accept the rich diversity which makes up the community. Disrespect among members of the school community is unacceptable behavior which threatens to disrupt the learning environment and decrease self-esteem.

Harassment is a form of unlawful discrimination and constitutes disrespectful behavior which will not be tolerated.

It is hereby the policy of Billerica Memorial High School to oppose and prohibit, without qualification, unlawful harassment based on race, color, religion (creed), national origin, marital status, sex, sexual orientation, age or disability.

Any unlawful harassment of a student by a member of the school community is a violation of this policy. Billerica Memorial High School shall act to investigate all complaints of harassment, formal or informal, verbal or written, and to discipline or take other appropriate action against any member of the school community who is found to have violated this policy.

Definitions:

School Community includes but is not limited to all students, school employees, contractors, unpaid volunteers and other visitors.

School Employee includes but is not limited to all teachers, support staff, administrators, bus drivers, custodians, cafeteria workers, coaches, School Committee members and agents of the school.

Unlawful Harassment means verbal or physical conduct based on a student's actual or perceived race, color, religion (creed), national origin, marital status, sex, sexual orientation, age or disability and which has the purpose or effect of substantially interfering with a student's educational performance or creating an intimidating, hostile or offensive environment.

Harassment can include but is not limited to any unwelcome verbal, written or physical conduct which offends, denigrates, or belittles any individual because of any of the characteristics described above. Such conduct includes, but is not limited to unsolicited derogatory remarks, jokes, demeaning comments or behavior, slurs, mimicking, name calling, graffiti, innuendo, gestures, physical contact, stalking, threatening, bullying, extorting or the display or circulation of written materials or pictures. These apply to all of the characteristics listed above, several of which are described in more detail below.

Sexual Harassment means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- The conduct has the purpose or effect of substantially interfering with a student's educational performance or creating an intimidating, hostile or offensive educational environment.
- Submission to that conduct is made either explicitly or implicitly a term or condition of a student's education.

- Submission to or rejection of such conduct by a student is used as a component of the basis for decisions affecting that student.

This applies whether the harassment is between people of the same or different gender. Sexual harassment can include but is not limited to unwelcome verbal, written or physical conduct, directed at or related to a person's gender, such as sexual gossip or personal comments of a sexual nature, sexually suggestive or foul language, sexual jokes, whistling, spreading rumors or lies of a sexual nature about someone, demanding sexual favors, forcing sexual activity by threat of punishment or offer of educational reward, obscene graffiti, display or sending of pornographic pictures or objects, offensive touching, pinching, grabbing, kissing, hugging or restraining someone's movement in a sexual way.

Racial Harassment

Racial harassment can include but is not limited to unwelcome verbal, written or physical conduct, directed at the characteristics of a person's race, such as nicknames emphasizing stereotypes, racial slurs, comments on manner of speaking, and negative references to racial customs.

Religious (Creed) Harassment

Harassment on the basis of religion or creed is unwelcome verbal, written or physical conduct directed at the characteristics of a person's religion or creed, such as derogatory comments regarding surnames, religious tradition, or religious clothing, or religious slurs, or graffiti.

National Origin Harassment

Harassment on the basis of national origin is unwelcome verbal, written or physical conduct directed at the characteristics of a person's national origin, such as negative comments regarding surnames, manner of speaking, customs, language, or ethnic slurs.

Marital Status Harassment

Harassment on the basis of marital status is unwelcome verbal, written or physical conduct directed at the characteristics of a person's marital status, such as comments regarding pregnancy or being an unwed mother or father.

Sexual Orientation Harassment

Harassment on the basis of sexual orientation is unwelcome verbal, written or physical conduct directed at the characteristics of a person's sexual orientation, such as negative name calling and imitating mannerisms.

Disability Harassment

Disability harassment includes harassment based on a person's disabling mental or physical condition and includes any unwelcome verbal, written or physical conduct, directed at the characteristics of a person's disabling condition, such as imitating manner of speech or movement, or interference with necessary equipment.

Retaliation

It is a separate and distinct violation of this policy for any member of the school community to retaliate

against any person who reports alleged harassment or against any person who testifies, assists or participates in an investigation, proceeding or hearing relating to such harassment. It is possible that an alleged harasser may be found to have violated this anti-retaliation provision even if the underlying complaint of harassment is not found to be a violation of this policy. Retaliation includes, but is not limited to any form of intimidation, reprisal or harassment, and may be redressed through application of the same reporting, investigation, and enforcement procedures as for harassment. In addition, a person who knowingly makes a false report may be subject to the same action that the high school may take against any other individual who violates this policy. The term “false report” refers only to those made in bad faith and does not include a complaint that could not be corroborated or which did not rise to the level of unlawful harassment.

Consequences

Any student or school employee that is found to have violated this policy may be subject to action including, but not limited to, warning, remedial training, education or counseling, suspension, exclusion, expulsion, transfer, termination or discharge.

PROCEDURES FOR IMPLEMENTATION OF THE ANTI-HARASSMENT POLICY

Reporting

Any student or other person who believes that unlawful harassment of a student has occurred may inform any school employee or one of the harassment complaint officials.

Any student who believes that s/he has been the target of unlawful harassment as defined in this policy may bring their complaint to the attention of any school employee or the harassment complaint official. Any student who believes that any corrective action taken by a school employee was ineffective may bring their complaint to the attention of the harassment complaint official. The complaint may be made either orally or in writing. Harassment complaints may be filed with the Director of School Counseling (978-528-8760) and/or School Psychologist (978-528-8731).

Any school employee who observes, overhears or otherwise witness’s harassment, which may be unlawful, or to whom such harassment is reported, must take prompt and appropriate action to stop the harassment and to prevent its recurrence. A written report of the incident and the action taken by the school employee in response to it must also be given to the appropriate harassment complaint official designated to oversee the handling of harassment complaints.

In the event that the school employee is unable to personally take prompt and appropriate action, the employee must report the incident or complaint in writing to the appropriate harassment complaint official (s) designated by this policy.

If one of the harassment complaint officials is the person alleged to be engaged in the harassment, the complaint shall be filed with one of the alternative officials or any other school employee the student chooses.

PROCESS

Informal Procedure

It may be possible to resolve a complaint through a voluntary conversation between the complaining party and the alleged harasser which is facilitated by a school employee or by a designated harassment complaint official. If the complaining party or alleged harasser is a student under the age of 18, the harassment complaint official should notify the student's parent(s)/guardian(s) if, after initial consultation with the student, it is determined to be in the best interests of the student. Both the complaining party and the alleged harasser may be accompanied by a person of their choice for support and guidance. If the complaining party and the alleged harasser feel that a resolution has been achieved, then the conversation may remain confidential and no further action needs to be taken. The results of an informal resolution shall be reported by the facilitator, in writing, to the school principal. If the complaining party, the alleged harasser, or the school employee/harassment complaint official, chooses not to utilize the informal procedure, or feels that the informal procedure is inadequate or has been unsuccessful, s/he may proceed to the formal procedure. Any complaint against a school employee shall be handled through the formal procedure.

Formal Procedure

Step 1

The harassment complaint official shall fill out a harassment complaint form based on the written or verbal allegations of the complaining party. This complaint form shall be kept in a centralized and secure location.

- The complaint form shall detail the facts and circumstances of the incident or pattern of behavior.
- If a student under 18 years of age is involved, his/her parents shall be notified immediately unless, after consultation with the student, it is determined not to be in the best interests of the student.
- An investigation shall be completed by the harassment complaint official within 15 school days from the date of the complaint or report.

Step 2

The investigation may consist of personal interviews with the complaining party, the alleged harasser and any other individuals who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. In determining whether alleged conduct constitutes a violation of this policy, the harassment complaint official should consider the surrounding circumstances, any relevant documents, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.

In addition, Billerica Memorial High School may take immediate steps, at its discretion, to protect the complaining party, alleged harasser, witnesses, and school employees pending completion of an investigation of alleged harassment and may make any appropriate referrals for assistance, including but not limited to

counseling, rape crisis intervention, etc.

The investigation will be completed as soon as practicable, but no later than fifteen (15) school days from the complaint or report. The harassment complaint official shall make a written report to the school principal upon completion of the investigation. The report shall include a determination as to whether the allegations have been substantiated as factual and whether they appear to be a violation of this policy. If the school principal is the person alleged to be engaged in the harassment, the harassment complaint official shall make the written report to Mr. Timothy Piwovar, Superintendent of Schools, Billerica School System, 365 Boston Rd. Billerica, MA 01821 (978-528-7908).

Step 3

Following the investigation, the harassment complaint official shall recommend to the school principal or alternate what action, if any, is required. As soon as practicable, but no later than 5 school days from receiving the harassment complaint officer's recommendation, the high school shall take appropriate action in all cases where the harassment complaint official concludes that this policy has been violated. Any person who is determined to have violated this policy shall be subject to action, including but not limited to, warning, exclusion, suspension, expulsion, transfer, termination, discharge or any other remedial action, including but not limited to, training, education, or counseling. Action taken for violation of this policy shall be consistent with the requirements of any applicable collective bargaining agreement, or school district policy, state and federal law, including but not limited to the due process protections for students with disabilities.

Step 4

The principal or alternate shall maintain the written report of the investigation and results in his/her office. If the harassment complaint official concludes that the policy has been violated by a professional educator or administrator, a report of the findings shall be filed with the Licensing Office of the Massachusetts Department of Education.

The complaining party and the alleged harasser shall be informed of the results of the investigation, including whether the allegations were found to be factual, whether there was a violation of the policy, and whether disciplinary action was or will be taken within 10 school days.

Appeals

If either the complaining party or the individual against whom the complaint was made is dissatisfied with the decision of the harassment complaint official, that person may request, in writing, a reopening of the investigation. The written request shall state the reasons for requesting a reopening and shall be delivered to the superintendent, Mr. Timothy Piwovar, Billerica School System, 365 Boston Rd. Billerica, MA 01821 (978-528-7908) within seven business days of receiving the results of the investigation. The superintendent shall decide whether or not to reopen the investigation and, within ten business days of receiving the request to reopen the investigation, shall provide written notification of the determination to reopen or not to reopen to the complaining party, and to the individual against whom the complaint was made. If the investigation is

reopened, the superintendent shall require the repetition, as appropriate, of steps 2, 3, and 4 of the formal procedure. The timeline prescribed by step 3 will apply to any reopening under the appeal process was made. If the investigation is reopened, the superintendent shall require the repetition, as appropriate, of steps 2, 3, and 4 of the formal procedure. The timeline prescribed by step 3 will apply to any reopening under the appeal process. If the superintendent investigated the initial complaint, or if the initial complaint was filed against the superintendent, a person other than the superintendent or the harassment complaint official will implement, as appropriate, steps 3 and 4 of the formal procedure.

Confidentiality

Billerica Memorial High School recognizes that both the complaining party and the alleged harasser have strong interests in maintaining the confidentiality of the allegation and related information. The privacy of the complaining party, the individual (s) against whom the complaint is filed, and the witnesses will be respected as much as possible, consistent with legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.

Alternative Complaint Procedures

In addition to filing a harassment complaint through this policy, or in place of utilizing this policy, a person may choose to exercise other options, including but not limited to filing a complaint with outside agencies or filing a private lawsuit.

Outside Agencies

A charge of harassment may be filed with the United States Department of Education, which may be contacted as follows. It may be filed in place of filing a complaint under the school's procedures or in addition to filing a complaint under the school's procedures.

U.S. Department of Education
Office of Civil Rights
33 Arch St. Ninth Floor Boston, MA 02110
617-289-0111 fax 617-289-0150

Litigation

An alleged victim of harassment may file a lawsuit under a number of Federal or State statutes, such as Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973. The alleged victim or his/her parent /guardian should consult with a private attorney about this option.

References:

Titles VI and VII of the Civil Rights Act of 1964
Title IX of the Education Amendments of 1972
Age Discrimination Act Of 1975

Section 504 of the Rehabilitation Act of 1973

Title II of the Americans with Disabilities Act of 1990

BMHS Anti-Bullying Policy

A safe learning environment is one in which every student develops emotionally, academically, and physically in a caring and supportive atmosphere free of intimidation and abuse. Bullying of any type has no place in a school setting. This commitment is an integral part of our comprehensive efforts to promote learning, and to prevent and eliminate all forms of bullying and other harmful and disruptive behavior that can impede the learning process. The Billerica School Committee and all of the Billerica Public Schools shall not tolerate bullying.

We understand that members of certain student groups, such as students with disabilities, students with a different sexual orientation, and homeless students may be more vulnerable to becoming targets of bullying, harassment, or teasing. The school district will address the important task of creating a safe, supportive environment for vulnerable populations in the school community, and address the provision to all students of the skills, knowledge, and strategies to prevent or respond to bullying, harassment, or teasing.

The Billerica Public Schools will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyberbullying, or retaliation, in our school buildings, on school grounds, or in school-related activities. We will promptly investigate all reports and complaints of bullying, cyberbullying, and retaliation, and take prompt action with a purpose to ending such behavior and restoring the target's sense of safety. We will support this commitment in all aspects of our school community, including curricula, instructional programs, staff development, extracurricular activities, and parent or guardian involvement.

The Billerica Public Schools Bullying Prevention and Intervention Plan is a comprehensive approach to addressing bullying and cyberbullying. The school district is committed to working with students, staff, families, law enforcement agencies, and the community to prevent issues of violence. In consultation with these constituencies, we have established a plan aimed at preventing, intervening, and responding to incidents of bullying, cyberbullying, and retaliation. The principal is responsible for the implementation and oversight of the plan and may assign certain tasks in the implementation and oversight of such tasks as necessary and reasonable.

The intervention plan contains the required elements for bullying prevention and intervention as described in M.G.I. Ch. 71, Section 370, which include the following:

- Definitions of bullying, cyberbullying, and retaliation;
- Clear procedures for students, staff, parents, guardians, and others to report bullying or retaliation;
- A provision for the anonymous reporting of bullying;
- Clear procedures for promptly responding to and investigating reports of bullying or retaliation;

- The definition of a range of disciplinary actions that may be taken against an aggressor found to be in violation of the bullying policy (these disciplinary actions are intended to balance the need for accountability with the need to teach appropriate behavior);
- Procedures for restoring a sense of safety for a target;
- Strategies for protecting from bullying or retaliation a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about an act of bullying;
- Procedures consistent with state and federal law for promptly notifying the parents or guardians of a target and an aggressor, including action to prevent further acts of bullying or retaliation;
- Procedures for immediate notification by the principal to local law enforcement when criminal charges may be pursued against an aggressor;
- A provision that a student who knowingly makes a false accusation of bullying or retaliation shall be subject to disciplinary action;
- A strategy for providing counseling or referral to appropriate services for perpetrators and targets and for appropriate family members of said students;
- A statement indicating that the plan will afford all students the same protection regardless of their status under the law. Adopt 11/22/2010

Billerica Memorial High School Staff/Faculty

To reach a BMHS staff or faculty go to website:

https://docs.google.com/spreadsheets/d/e/2PACX-1vQKoPM0LMfahtqIIUT7ieOdnIQyR7rKaECPGUZIGovsi_vOmnKaEnulq6KIIxh4kHiQIGm-U2RrD50f_/pubhtml?gid=839903093&single=true

For additional BMHS information go to website:

<https://www.billericak12.com/schools/billerica-memorial-high-school>

Billerica Public Schools—Policies

To see all policies go to website:

<https://z2policy.ctspublish.com/masc/browse/billericaset/welcome/root>

District Policies



Residency

Source: BPS Policy JF

All children of school age who reside in the town will be entitled to attend the public schools, as will certain children who do not reside in the town but who are admitted under School Committee policies relating to nonresident students or by specific action of the School Committee.

Student Rights and Responsibilities

Source: BPS Policy JI

The School Committee has the responsibility to afford students the rights that are theirs by virtue of guarantees offered under the federal and state constitutions and statutes. In connection with rights, there are responsibilities that must be assumed by students.

Among these rights and responsibilities are the following:

1. Civil rights--including the rights to equal educational opportunity and freedom from discrimination; the responsibility not to discriminate against others.
2. The right to attend free public schools; the responsibility to attend school regularly and to observe school rules essential for permitting others to learn at school.
3. The right to due process of law with respect to suspension, expulsion, and decisions the student believes injure his rights.
4. The right to free inquiry and expression; responsibility to observe reasonable rules regarding these rights.
5. The right to privacy, which includes privacy with respect to the student's school records.

It is the School Committee's belief that as part of the educational process students should be made aware of their legal rights, and of the legal authority of the School Committee to make and delegate authority to its staff to make rules regarding the orderly operation of the schools.

Students have the right to know the standards of behavior that are expected of them, and the consequences of misbehavior.

The rights and responsibilities of students, including standards of conduct, will be made available to students and their parents through handbooks distributed annually.

Absences

Source: BPS Policy JH

Statement of Purpose

According to Chapter [76, Section 1](#), of Massachusetts General Law, students are expected to attend class every day that school is in session. Billerica Public Schools believes that regular and punctual school attendance provides an essential foundation for educational progress and assists students in developing habits necessary for success in college and career. Students who are absent miss critical classroom instruction, opportunities

for social interaction with teachers and peers, and clarification of assignments. Extended absences impair academic progress and undermine student grades. The goal of the Attendance Policy is to ensure that each student keeps his/her absences to a minimum so that he/she can take full advantage of the educational program and actively participate in the school community.

Homeless Students - Enrollment Rights & Services

Source: BPS Policy JFABD

To the extent practical and as required by law, the District will work with homeless students and their families to provide stability in school attendance and other services. Special attention will be given to ensuring the enrollment and attendance of homeless students not currently attending school. Homeless students will be provided District services for which they are eligible, including pre-school programs, Title I, similar state programs, special education, ELL programs, vocational and technical education programs, RTI programs and school nutrition programs.

Homeless students are defined as lacking a fixed, regular and adequate nighttime residence, including:

1. Sharing the housing of other persons due to loss of housing or economic hardship;
2. Living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations;
3. Living in emergency or transitional shelters;
4. Being abandoned in hospitals;
5. Awaiting foster care placement;
6. Living in public or private places not designed for or ordinarily used as regular sleeping accommodations for human beings;
7. Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations or similar settings;
8. Migratory children living in conditions described in the previous examples.

The Superintendent shall designate an appropriate staff person to be the District's liaison for homeless students and their families.

To the extent feasible, homeless students will continue to be enrolled in their school of origin while they remain homeless or until the end of the academic year in which they obtain permanent housing. Instead of remaining in the school of origin, parents or guardians of homeless students may request enrollment in the school in the attendance area in which the student is actually living, or other schools. Attendance rights by living in attendance areas, other student assignment policies, or intra and inter-district choice options are

available to homeless families on the same terms as families resident in the District.

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

Once the enrollment decision is made, the school shall immediately enroll the student, pursuant to District policies. If the student does not have immediate access to immunization records, the student shall be admitted under a personal exception. Students and families should be encouraged to obtain current immunization records or immunizations as soon as possible, and the District liaison is directed to assist. Records from the student's previous school shall be requested from the previous school pursuant to

District policies. Emergency contact information is required at the time of enrollment consistent with District policies, including compliance with the state's address confidentiality program when necessary.

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

The District's liaison for homeless students and their families shall coordinate with local social service agencies that provide services to homeless children and youths and their families; other school districts on issues of transportation and records transfers; and state and local housing agencies responsible for comprehensive housing affordability strategies. This coordination includes providing public notice of the educational rights of homeless students in schools, family shelters and soup kitchens. The District's liaison will also review and recommend amendments to District policies that may act as barriers to the enrollment of homeless students.

Disability Access

The policy of Billerica Memorial High School is to provide access to facilities and programs for physically disabled students, parents, and guests.

Section 504 of the Rehabilitation Act of 1973

To become eligible for services and protection against discrimination on the basis of disability under Section 504, a student must be determined, as a result of an evaluation, to have a "physical or mental impairment" that "substantially limits one or more major life activities". Questions regarding 504 plans at BMHS can be addressed through the Special Education Administrator at Billerica Memorial High School.

The Billerica School District does not discriminate on the basis of physical or mental disability in its policies or practices. A grievance because of alleged violation of the act shall be filed with the building administrator or

Superintendent of Schools, 365 Boston Rd, Billerica MA 01821.

Truancy

Source: BPS Policy JH

If you are absent from school without just cause, it includes being deliberately late to school so that it constitutes an absence from class. The first offense will result in a Saturday Detention. Notification to your parents will be made by the assistant principal. The second and subsequent offenses will result in administrative prerogative including and up to suspension from school. Repeated offenses will be dealt with on an individual basis and may include court involvement. If you are truant, you forfeit the right to make up work missed for that day. Students are responsible for reporting directly to school once they have left home.

Non-Custodial Parents

Source: BPS Policy KBBA

As required by Massachusetts General Law Chapter 71, Section 34H, a non-custodial parent may have access to the student record in accordance with law and Dept. of Elementary and Secondary Education Regulations. The school district will follow the law and the regulations developed by the Massachusetts Dept. of Elementary and Secondary Education to standardize the process by which public schools provide student records to parents who do not have physical custody of their children ("non-custodial parents").

As required by M.G.L. c. 71, § 34H, a non-custodial parent may have access to the student record in accordance with the following provisions.

- (a) A non-custodial parent is eligible to obtain access to the student record unless the school or district has been given documentation that:
 - 1. The parent has been denied legal custody or has been ordered to supervised visitation, based on a threat to the safety of the student and the threat is specifically noted in the order pertaining to custody or supervised visitation, or
 - 2. The parent has been denied visitation, or
 - 3. The parent's access to the student has been restricted by a temporary or permanent protective order, unless the protective order (or any subsequent order modifying the protective order) specifically allows access to the information contained in the student record, or
 - 4. There is an order of a probate and family court judge which prohibits the distribution of student records to the parent.
- (b) The school shall place in the student's record documents indicating that a non-custodial parent's access to the student's record is limited or restricted pursuant to 603 CMR 23.07(5)(a).
- (c) In order to obtain access, the non-custodial parent must submit a written request for the student

record to the school principal.

(d) Upon receipt of the request the school must immediately notify the custodial parent by certified and first class mail, in English and the primary language of the custodial parent, that it will provide the non-custodial parent with access after 21 days, unless the custodial parent provides the principal with documentation that the non-custodial parent is not eligible to obtain access as set forth in 603 CMR 23.07 (5)(a).

(e) The school must delete all electronic and postal address and telephone number information relating to either work or home locations of the custodial parent from student records provided to non-custodial parents. In addition, such records must be marked to indicate that they shall not be used to enroll the student in another school.

(f) Upon receipt of a court order which prohibits the distribution of information pursuant to G.L. c. 71, §34H, the school shall notify the non-custodial parent that it shall cease to provide access to the student record to the non-custodial parent.

Student Conduct

Source: BPS Policy JIC

Good citizenship in schools is based on respect and consideration for the rights of others.

Students will be expected to conduct themselves in a way that the rights and privileges of others are not violated. They will be required to respect constituted authority, to conform to school rules and to those provisions of law that apply to their conduct.

Any of the following actions may subject a student to expulsion by the Principal under the terms of M.G.L. 71:37H and/or M.G.L. 71:37H ½:

1. Found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon or a controlled substance.
2. Who assaults a Principal, Assistant Principal, teacher, teacher's aide or other educational staff member on school premises or at school-sponsored or school-related events including athletic games.

Students will be subject to suspension, expulsion (subject to School Committee action), or other disciplinary measures included in the District code of conduct which shall include, but not be limited to, the following actions:

1. Intentionally causing or attempting to cause damage to school property; or stealing or attempting to steal school property.

2. Intentionally causing or attempting to cause damage to private property; stealing or attempting to steal private property.
3. Intentionally causing or attempting to cause physical injury to another person except in self-defense.
4. Using or copying the academic work of another and presenting it as his own without proper attribution.
5. Repeatedly and intentionally defying the valid authority of supervisors, teachers, or administrators.

The above prohibited actions will be printed in the student handbook or other publication and made available to students and parents.

School building administrators will not suspend a student, or recommend a student for suspension or expulsion, unless the student has engaged in one of the prohibited actions mentioned above or included in the student code of conduct

Student Publications

Source: BPS Policy JICE

Within the school setting, students enjoy the constitutional right of freedom of expression, including the right to express their views in student publications, provided such expression does not cause, or threaten to cause by reasonable forecast by school officials, any disruption or disorder in the school. Additionally, such constitutional right of freedom of expression does not include expression which is obscene, defamatory, or advocates violence or illegality where such advocacy is imminently likely to incite the commission of such acts to the detriment of school security, or which can reasonably be forecast to cause substantial disruption or material interference with school activities.

The School Committee will at least annually review their support of student publications, and encourage student publications not only because they offer an educational activity through which students gain experience in reporting, writing, editing, and understanding responsible journalism, but also because they provide an opportunity for students to express their views subject to the limitations as contained in this policy.

Student publications will be encouraged to comply with the rules for responsible journalism. Students shall affix their names to all articles or editorials written by or contributed to by them. The Superintendent will establish guidelines that are in keeping with this policy and provide for review of student publications prior to their distribution, to address matters that are not protected forms of expression.

Each student publication shall contain the following: "Pursuant to state law, no expression made by students in the exercise of such rights shall be deemed to be an expression of school policy and no school officials shall be held responsible in any civil or criminal action for any expression made or published by the students."

Distribution of Literature

The time, place and manner of distribution of literature will be reasonably regulated by the Principal.

POLICY FOR STUDENT TRANSPORTATION GENERAL GUIDELINES

Source: BPS Policy EEA-R

Primary Objectives

Nothing in the general or specific guidelines shall be interpreted to interfere with the implementation of a transportation policy that results in school buses arriving safely at their assigned schools on time to support pickup and delivery operations.

The transportation policy shall not contain any elements that require or encourage a school bus driver to exceed posted speed limits in order to achieve on-time performance.

Bus Regulations, Rules & Discipline

The school department will establish, maintain and utilize a policy that contains school bus regulations, rules of behavior and defined disciplinary actions that are assigned multiple and specific levels of behaviors and disciplinary actions to be administered by school administrators. The policy will include elements that address requirements for rider safety, respect for the rights and safety of others, response to 'bullying' behaviors and possession of dangerous objects or materials. Incidents or behaviors defined by the most serious level will result in temporary suspension or permanent denial of transportation service.

Transportation Eligibility

As described in the following paragraphs, transportation is currently provided at no cost to eligible students attending Kindergarten through grade twelve. Eligible distances are measured along the most commonly traveled route to the school they attend. For purposes of eligibility verification, the most commonly traveled route is deemed the shortest route over a public way.

Transportation will be provided between home and school within the school district. Transportation may also be provided between school and day care providers located within the attendance area of the school.

Students attending a charter school or private school will be afforded transportation to the extent required by law [Ref: M.G.L. Chapter [76 Section 1](#) and M.G.L. Chapter [71 Section 89](#) (ff); see Attorney General v. School Committee of Essex (1982)].

Kindergarten

Provide regular education transportation to all Kindergarten students for mid-day transportation (drop-off of students from AM Kindergarten and pickup of students for PM Kindergarten). Pick up and drop off locations will be made at the student's home or as close to his/her residence as is practical, but not more than 0.25 miles from the residence.

If a student lives within a development, a single stop may be placed to serve multiple residences. If a student resides in close proximity to a corner stop at which service is provided, the student may be assigned to the corner stop. Other stops will be placed within 0.25 miles of the residence.

Morning pickup and afternoon drop-off transportation for kindergarten students will follow the same guidelines for students in Grades 1-5 outlined in the "Elementary" section below.

Elementary

Provide regular education transportation to Elementary students in grades 1-5 who live one mile or more from their assigned school. However, if the walk-to-school is considered hazardous as determined by the school district, then an appropriate stop will be scheduled.

Provide neighborhood school service within the parameters of the general guidelines.

Place stops at corners on primary and secondary streets wherever possible. Other stops will be placed not more than 1.0 miles of the residence.

Middle School

Provide regular education transportation to Middle School students in grades 6-8 who live greater than 1.5 miles from their assigned school. However, if the walk-to-school is considered hazardous as determined by the school district, then an appropriate stop will be scheduled.

Provide neighborhood school service within the parameters of the general guidelines.

Place stops at corners on primary and secondary streets wherever possible. Other stops will be placed not more than 1.0 miles of the residence.

High School

Provide regular education transportation to High School students in grades 9-12 who live greater than 1.5 miles from the high school. However, if the walk-to-school is considered hazardous as determined by the school district, then an appropriate stop will be scheduled.

Provide district-wide service within the parameters of the general guidelines.

Place stops at corners on primary and secondary streets wherever possible. To the best extent possible stops will be placed not more than 1.0 miles of the residence.

Transportation for Homeless Students

Pursuant to federal law, the McKinney-Vento Act, homeless children who are attending the school assigned to them by the local school district are entitled to the same school transportation that is offered to other

children in that district. If homeless children are attending school in their attendance zone of origin and this is different from their attendance zone of temporary residence, the local school district is urged to transport them to/from their school of attendance; these transportation costs are reimbursable under the regular schedule of reimbursement from the state of Massachusetts.

Homeless children with special needs who wish to continue to attend their original school (even though they are living in another zone or district) and have transportation written into their Individualized Education Plan (IEP), must be transported from their temporary residence to their school of origin until the end of the school year.

In cases where a child is living in one school district and wishes to continue in his/her school of origin, which is in a different district, the school district providing the child's educational program shall make every effort to transport the child to/from school.

If a district has made a good-faith effort to provide this inter-district transportation and is still not able to meet the child's transportation needs, the ultimate responsibility for getting the child to/from school lies with the child's parents.

Bus Routes

Streets or sections of streets may be designated as 'no travel' streets. No bus route will be established that utilizes 'no travel' streets to include cul-de-sacs, unaccepted streets and private ways.

Wherever possible, students will not be required to ride more than 45 minutes each way on a bus traveling between home and school. The Assistant School Business Administrator, the person who is responsible for the management of our transportation (*hereinafter referred to as the Transportation Director*) will maintain a log of exceptions and the supporting rationale when a student must ride more than 45 minutes.

Bus Stops

All bus stops will be located where buses can safely reach and conduct loading or unloading operations. It is the responsibility of parents and guardians to assess the particular risks and to provide guidance to their student that ensures his/her safe conveyance to and from the assigned stop. The school department does not accept responsibility for the condition of streets and sidewalks, maintenance of traffic control signals, placement or maintenance of warning signs or the enforcement of traffic laws.

A. Primary Streets:

There are several streets within the town that may not meet the criteria set forth within this policy for Walk Zones, and/or Bus Stop Locations. In the interest of safety the Transportation Director may determine that these streets will have stops placed at either the house or at an intersection deemed to be safe, after being reviewed by the Transportation Director and the

Billerica Police Department. In such cases, the stop may be at a distance less than that which has been established by the general guidelines contained in this policy. Those streets would include but not limited to: Boston Road, Concord Road, Nashua Road, Salem Road and Andover Road.

B. Stop Locations

Stops will be located so that the shortest path over a public way between residence and bus stop is not greater than the distance stated by specific walk-to-stop guidelines, if all of the other general guidelines are met. For example, a student living on a 'cul-de-sac' that is greater in length than the walk-to-stop policy distance, will be assigned to a stop that is more distant than the general guidelines define. The Transportation Director will maintain a log of students with a stop assignment that exceeds the applicable guideline distance.

Stops will be located, so that students will not be required to cross a primary street in order to reach a bus stop. Corresponding pickup and delivery stops may be in different locations for the same student or group of students.

C. No Stop Zones

Streets or sections of streets may be designated as 'no stop' zones. A bus may not pick up or deliver students in a 'no stop' zone. For example, a 'no stop' zone will exist where it is not possible for motorists to see the active signal devices on the bus in time to come to a stop without hitting the bus or children who might be boarding the bus or crossing the street in front of the bus.

When the school department has declined to place a stop in a particular location because of safety concerns, and a written request to review that decision is received by the Transportation Director, the Transportation Director and Billerica Police Department will visit the site together, evaluate the conditions, and come to a joint decision on suitability. The evaluation will include, at a minimum, the following criteria:

- Direction of travel
- Traffic density and speed
- Visibility of bus signal devices from both directions
- How the child gets to the stop
- Specific hazards at the proposed stop

All decisions by the Billerica Police Department will be final, and void of right of appeal. The

school department will abandon all stops in a 'no stop zone' at the time of the decision and thereafter place no new stops in that zone.

Transportation for Involuntary Student Transfers

Input regarding the impact on transportation must be obtained from the Transportation Director, prior to a principal making a decision on a request for an involuntary transfer of a student from the school the student's respective neighborhood is assigned to another school within the geographic boundaries of the town. Transportation will not be provided unless there is a pre-existing bus route to the receiving school.

Whenever possible, reassignment of students should be accomplished with students who can walk to their receiving school. If a fee for the bus transportation program is in effect, students not eligible for transportation to the receiving school may subscribe to paid busing only if there is a pre-existing bus route to the receiving school.

Transportation for Voluntary Student Transfers

Parents must provide transportation when they voluntarily transfer their student out of their neighborhood school to another school within the geographic boundaries of the town.

- The Transportation Director may agree to provide free transportation if the student lives more than two miles from the receiving school, and on condition that no impact on transportation would result. Consideration may also be given to the option of the parent driving the student to the closest bus stop to the receiving school.
- If a fee for bus transportation program is in effect, the Transportation Director may agree to permit participation in the paid busing program if the student lives more than one half mile and two miles or less from the receiving school, and on condition that no impact on transportation would result. Consideration may also be given to the option of the parent driving the student to the closest bus stop to the receiving school.
- Service will be withdrawn in either case, if there is subsequent impact on transportation.

SECURITY CAMERAS IN SCHOOLS

Source: BPS Policy ECAF

The School Committee works to maintain a safe and secure environment for its students, staff, visitors, and facilities. Security means more than having locks and making certain that doors are locked at the proper times. Security also means minimizing fire hazards, reducing the possibility of faulty equipment, keeping records and valuables in a safe place, protection against vandalism and burglary, the prosecution of vandals, and developing crisis plans.

School facilities and their contents, constitute one of the greatest investments of the community. The School

Committee believes it to be in the best interest of students and taxpayers for the district to exert every reasonable means to protect the investment adequately.

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

The district shall notify students and staff through student and employee handbooks and appropriate signage that security cameras have been installed and may be used at any time. Students or staff identified on security cameras in violation of School Committee policies will be subject to disciplinary action.

The Superintendent shall ensure that proper procedures are in place and are followed regarding use, viewing, disclosure, retention, disposal and security of video recordings or photographs from security cameras in accordance with applicable laws and regulations. A video recording used for security purposes in school district buildings and/or on school property shall be the sole property of the school district. All video recordings will be stored in their original format and secured to avoid tampering and to ensure confidentiality in accordance with applicable laws and regulations. Access to video recordings from security cameras shall be limited to school administrators (Superintendent/designee, School Principal/designee). Law enforcement and emergency response officials shall be granted access to video recordings or the security system after giving prior notice to the School Superintendent/designee.

The Superintendent may, from time to time, issue further guidance that is consistent with current laws and this policy.

Adopted: October 7, 2019

DIGITAL VIDEO CAMERAS ON SCHOOL TRANSPORTATION

Source: BPS Policy EEAECEB

Digital video cameras may be installed on school buses operated by the Billerica School Committee or its transportations contractor. The operation of the digital cameras must be the type initiated by the ignition switches and not controlled in anyway by the vehicle driver. All digital recordings will remain in custody of the school for a period of ten (10) working days. The use of digital video cameras is primarily intended to be an extension of the disciplinary procedures employed by school administrators and for driver/student training purposes. Digital recordings may be used to supplement or support the investigations of disciplinary infractions.

CROSS REF.: [EEAEC-R](#), School Bus Disciplinary Procedures

Adopted: December 8, 2008

SCHOOL BUS DISCIPLINARY PROCEDURES

Source: BPS Policy EEAEC-R

The bus driver is responsible, among other activities, for the supervision of pupil bus behavior. The Principal must assure, safe, prompt loading, and unloading of buses. In addition, the Principal must promptly and impartially cooperate with bus drivers and other personnel in solving disciplinary problems.

If a **minor** incident occurs on the bus, the driver should first speak to the pupil involved, warning the pupil that a repeated offense would be reported to the Principal, using the bus conduct form.

In most instances, a first minor offense reported by a driver in writing will result in a written notification to the home that the pupil has been warned. Parent/guardian must sign the acknowledgement form and return it to the school on the next school day.

A **second minor offense** reported will result in the pupil being placed on behavioral probation and written notice from the Principal what behavioral modification must be completed by the student. Behavioral modification shall be determined by the Principal. Examples: detention, in-house suspension, report writing, loss of recess, minor cleaning of bus, etc.

A **third minor offense** reported generally will result in a (3) three day suspension from bus privileges. Thereafter, any single written infraction will result in a (5) five day loss of bus privileges.

If the **first offense constitutes a major hazard**, no warning needs to be given and the Principal may suspend a pupil from the bus up to five days and shall notify the parents, the bus driver, and the Superintendent's office. Any infraction reported thereafter will result in the loss of bus riding privileges.

MINOR OFFENSE = excessive mischief, eating-drinking-littering, being rude-discourteous- annoying, inappropriate language, violating safety procedures, minor bus destruction

MAJOR OFFENSE = fighting, insubordination, use of smokeless tobacco, smoking, use of or selling of alcohol, any action or deed that the authorities shall deem a hazard to students' health or safety.

OFFENSES THAT MAY RESULT IN EXPULSION FROM SCHOOL =

possession of a dangerous weapon and a controlled substance (drugs) as defined in M.G.L. Ch. 94C, and assault of a staff member. For pertinent information, refer to M.G.L. Chapter 71, Section 37H.

The above-mentioned disciplinary procedures may be waived or increased as deemed necessary by the Superintendent of Schools acting in the best interest of the Town of Billerica.

LEGAL REF.: M.G.L. [76:17](#)

Dress Code

Source: BPS Policy JICA

The responsibility for the dress and appearance of the students will rest with individual students and parents.

They have the right to determine how the student will dress providing that attire is not destructive to school property, complies with requirements for health and safety, and does not cause disorder or disruption. The administration is authorized to take action in instances where individual dress does not meet the stated requirements.

This does not mean that student, faculty, or parent groups may not recommend appropriate dress for school or special occasions. It means that students will not be prevented from attending school or a school function, or otherwise be discriminated against, so long as their dress and appearance meet the requirements set forth above.

Drugs and Alcohol

Source: BPS Policy JICH

A student shall not, regardless of the quantity, use or consume, possess, buy or sell, or give away any beverage containing alcohol; any tobacco product, including vapor/E-cigarettes; marijuana; steroids; or any controlled substance. The School Committee prohibits the use or consumption by students of alcohol, tobacco products, or drugs on school property or at any school function.

Additionally, any student who is under the influence of drugs or alcoholic beverages prior to, or during, attendance at or participation in a school-sponsored activity, will be barred from that activity and may be subject to disciplinary action.

This policy shall be posted on the district's website and notice shall be provided to all students and parents of this policy in accordance with state law. Additionally, the district shall file a copy of this policy with DESE in accordance with law in a manner requested by DESE.

LEGAL REFS.: M.G.L. [71:2A](#); [71:96](#); [272:40A](#)

Searches/Interrogations

Source: BPS Policy JIH

Searches by Staff

The right of inspection of students' school lockers is inherent in the authority granted school committees and administrators. This authority may be exercised as needed in the interest of safeguarding children, their own and school property.

Nevertheless, exercise of that authority by school officials places unusual demands upon their judgment so as to protect each child's constitutional rights to personal privacy and protection from coercion and to act in the best interest of all students and the schools.

Searches by school officials of students' automobiles or the student will be conducted in a way that protects the students' rights consistent with the responsibility of the school system to provide an atmosphere conducive to the educational process.

Interrogations by Police

The schools have legal custody of students during the school day and during hours of approved extracurricular activities. It is the responsibility of the school administration to make an effort to protect each student's rights with respect to interrogations by law enforcement officials. Therefore:

1. When law enforcement officials find it necessary to question students during the school day or periods of extracurricular activities, the school Principal or his/her designee will be present when possible. An effort will be made to contact the student's parent or guardian so that the responsible individual may be notified of the situation.
2. If custody and/or arrest are involved, the Principal will request that all procedural safeguards, as prescribed by law, be observed by the law enforcement officials.

website: <https://z2policy.ctspublish.com/masc/browse/billericaset/billerica/root>

Massachusetts General Laws

Chapter 71

An Act Relative to Safety in the Public Schools

In April, 1994, the Massachusetts State Legislature passed a law that speaks of two very important issues:

1. Section 37H

When a student is expelled under the provisions of the law regarding drug possession, assault upon school personnel or dangerous weapon possession, no school or school district within Massachusetts shall be required to admit that student or to provide educational services to that student. If an expelled student does apply for admission to another school or school district, the superintendent of the school district to which the application is made may request and shall receive from the superintendent of the school expelling the student a written statement of the reasons for the expulsion.

2. Section 37H ½

This law pertains to students who are charged with or convicted of a felony anywhere.

Upon the issuance of a criminal complaint charging a student with a felony or upon the issuance of a felony delinquency complaint against a student, the principal of a school in which the student is enrolled may suspend the student for a period of time determined appropriate by the principal if the principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and the reasons for such suspension prior to the suspension taking effect. The student shall also receive written notification of his/her right to appeal and the process for appealing the suspension. However, the suspension shall remain in effect prior to any appeal hearing conducted by the superintendent. A student who is convicted of a felony is subject to expulsion from school by the principal. The student shall be notified in writing of an opportunity for a hearing and he/she may have representation along with the opportunity to present evidence and witnesses at this hearing. An expelled student shall have the right to appeal to the superintendent within ten days of the expulsion and has the right to counsel at this hearing. The superintendent's decision represents the final decision of the town with regard to the expulsion. Upon expulsion, no school shall be required to provide educational services to the student.

3. Section 37H3/4.

(a) This section shall govern the suspension and expulsion of students enrolled in a public school in the commonwealth who are not charged with a violation of subsections (a) or (b) of section 37H or with a felony under section 37H1/2.

(b) Any principal, headmaster, superintendent or other person acting as a decision-maker at a student meeting or hearing, when deciding the consequences for the student, shall exercise discretion; consider ways

to re-engage the student in the learning process; and avoid using expulsion as a consequence until other remedies and consequences have been employed.

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

(d) If a decision is made to suspend or expel the student after the meeting, the principal or headmaster, or a designee, shall update the notification for the suspension or expulsion to reflect the meeting with the student. If a student has been suspended or expelled for more than 10 school days for a single infraction or for more than 10 school days cumulatively for multiple infractions in any school year, the student and the parent or guardian of the student shall also receive, at the time of the suspension or expulsion decision, written notification of a right to appeal and the process for appealing the suspension or expulsion in English and in the primary language spoken in the home of the student; provided, however, that the suspension or expulsion shall remain in effect prior to any appeal hearing. The principal or headmaster or a designee shall notify the superintendent in writing, including, but not limited to, by electronic means, of any out-of-school suspension imposed on a student enrolled in kindergarten through grade 3 prior to such suspension taking effect. That notification shall describe the student's alleged misconduct and the reasons for suspending the student out-of-school. For the purposes of this section, the term "out-of-school suspension" shall mean a disciplinary action imposed by school officials to remove a student from participation in school activities for 1 day or more.

(e) A student who has been suspended or expelled from school for more than 10 school days for a single infraction or for more than 10 school days cumulatively for multiple infractions in any school year shall have the right to appeal the suspension or expulsion to the superintendent. The student or a parent or guardian of the student shall notify the superintendent in writing of a request for an appeal not later than 5 calendar days following the effective date of the suspension or expulsion; provided, that a student and a parent or guardian of the student may request, and if so requested, shall be granted an extension of up to 7 calendar days. The superintendent or a designee shall hold a hearing with the student and the parent or guardian of the student within 3 school days of the student's request for an appeal; provided that a student or a parent or guardian of the student may request and, if so requested, shall be granted an extension of up to 7 calendar days; provided further, that the superintendent, or a designee, may proceed with a hearing without a parent or guardian of

the student if the superintendent, or a designee, makes a good faith effort to include the parent or guardian. At the hearing, the student shall have the right to present oral and written testimony, cross examine witnesses and shall have the right to counsel. The superintendent shall render a decision on the appeal in writing within 5 calendar days of the hearing. That decision shall be the final decision of the school district with regard to the suspension or expulsion.

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

Memorandum of Understanding between Billerica High School and the Billerica Police Department

Billerica High School and the Billerica Police Department work together using a "memo of understanding as a guide. The highlights of this understanding, especially as related to students, are described below.

General Principles

The Billerica Public Schools and the Billerica Police Department agree to coordinate their efforts to prevent substance abuse, including the use of alcohol, by students. We furthermore agree to respond effectively to incidents of school delinquency or criminal behavior on school grounds, within school property, or at school sponsored events.

This agreement is entered into pursuant to the General Principles of the Governor's Alliance Against Drugs. This memorandum deals with the law enforcement response in a school setting or during any school-sponsored activity to any case(s) involving substance abuse and/or sale. The memorandum also concerns efforts by school officials and police to reduce the incidence of violence on school property or at school functions. It continues to remain the sole prerogative of school officials to impose discipline for infractions of school rules and policies.

Reports of Drug and/or alcohol and/or criminal incidents:

A. School reports to Police Department:

1. The following incidents must be reported to the Police Department and shall hereinafter be referred to as "mandatory reportable acts":
 - a) Possession of alcohol by a minor on school property, at school functions, or within a 1000 foot radius of school property;
 - b) Possession of any controlled substance as defined in G.L.C.94C by an individual on school property, at school functions or within a 1000 foot radius of school property;
 - c) Any incident in which any individual is reasonably suspected of, or determined to be selling or distributing drugs or alcohol on school property, at school functions or within a 1000 foot radius of school property;

- d) Any incident involving serious personal injury or significant property destruction, or where there is a threat of such activity, on school property, at school functions, or within a 1000 foot radius of school property;
- e) Possession of a dangerous weapon on school property, at school functions or within a 1000 foot radius of school property.

B. Police Department Reports to School

- 1. The following information shall be reported by the Youth Service Officer to the Reporting Officials:
 - a) Any arrest made by the Billerica Police Department of any student.
- 2. The following information may be shared with school officials by the Billerica Police Department subject to applicable statutes and regulations governing confidentiality.
 - a) The arrest and filing of a delinquency complaint against any student. To insure maximum sharing of information, the Billerica Police Department shall encourage the Probation Department at the Lowell District Court to report the filing of such complaints to the Reporting Officer promptly;
 - b) The Youth Service Officer should report any non-criminal activity involving a student (e.g. threatened or attempted suicide; victimization of the student by a parent, caretaker or other individuals) if the Youth Service Officer believes the activity poses a serious and imminent threat to the student's safety or the safety of other students and such a report would facilitate supportive intervention by school personnel on behalf of the student.

Procedures

When police are called by school officials in response to an offense described in paragraph A.1.(c), and when probable cause exists for arrest, the police may take custody of that person and if the person is a student, his parents shall be notified as soon as reasonably possible by the school principal/assistant principal.

The School Department reserves the right to search all school property for contraband or controlled substances in accordance with State laws.

To the extent possible, precautions must be taken by both police and school officials at all times to ensure that the educational process is not disrupted

BILLERICA POLICE DEPARTMENT

Mr. Daniel Rosa

Chief of Police

BILLERICA PUBLIC SCHOOLS

Mr. Timothy Piwowar

Superintendent of Schools

TITLE IX SEXUAL HARASSMENT GRIEVANCE PROCEDURES

OVERVIEW

The Billerica Public Schools is committed to maintaining school environments free of sexual harassment.

Sexual harassment in any form or for any reason is prohibited. This includes sexual harassment by administrators, personnel, students, vendors, and other individuals in school or at school related events.

The District does not discriminate on the basis of sex in its educational programs or activities and is required by Title IX not to discriminate on the basis of sex. Such non-discrimination also extends to admissions and the employment application process. Retaliation against any individual who has brought sexual harassment to the attention of school officials, or against an individual who has participated, or refused to participate, in the Title IX Formal Complaint grievance procedures is unlawful and will not be tolerated by the Billerica Public Schools.

SCOPE

The Title IX Sexual Harassment Grievance Procedures have been developed in accordance with the revised Title IX regulations, 34 CFR Part 106, issued in May 2020, which established a new definition of sexual harassment under Title IX and which mandate specific procedures for responding to allegations of sexual harassment under Title IX.

The Title IX Sexual Harassment Grievance Procedures apply only to allegations of sexual harassment under Title IX, which includes harassment based on sex, sexual orientation, and/or gender identity, and is defined as follows:

- (1) any instance of quid pro quo harassment by a school employee; or
- (2) unwelcome conduct on the basis of sex, including unwelcome conduct based on sex stereotyping or on the basis of traditional notions of masculinity and femininity, that is sufficiently severe and pervasive and objectively offensive conduct, effectively denying a person equal educational access; or
- (3) any instance of sexual assault, dating violence, domestic violence, or stalking as defined below.

The Title IX Sexual Harassment Grievance Procedures apply to conduct that occurs in an education program or activity of the District, located within the U.S., regardless of whether such program or activity is on or off school grounds. An educational program or activity includes locations, events, or circumstances over which the District exercised substantial control over both the respondent and the context in which the sexual harassment occurred.

Allegations of conduct that meet the definition of sexual harassment under Title IX will be addressed through the Title IX Sexual Harassment Grievance Procedures. Allegations of conduct that meet the definition of sexual harassment under Title IX, and simultaneously meet the definitions of sexual harassment under Title VII (employees), M.G.L. c. 151B (employees), and/or M.G.L. c. 151C (students), will also be addressed through the Title IX Sexual Harassment Grievance Procedures.

Allegations of conduct that do not meet the definition of sexual harassment under Title IX, but could, if proven, only meet the definition(s) of sexual harassment under Title VII (employees), M.G.L. c. 151B (employees), and/or M.G.L. c. 151C (students), and which do not simultaneously meet the new Title IX sexual harassment definition, will generally be addressed through the District's Civil Rights Grievance Procedures. (See exception under Section II, Part 4, Step 4 below). The definitions of sexual harassment under Title VII, M.G.L. c. 151B, and M.G.L. c. 151C are set out in the Civil Rights Grievance Procedures.

The District will continue to apply the District's Civil Rights Grievance Procedures to all complaints of discrimination or retaliation based on sex, sexual orientation, and/or gender identity, and to all other complaints of harassment, discrimination, or retaliation.

The District's Civil Rights Grievance Procedures is available at: **[insert link to Civil Rights Grievance Procedures]**.

CONFIDENTIALITY

The District will keep the identity of complainants, respondents, and witnesses confidential, except as permitted by the Family Educational Rights and Privacy Act (FERPA), as otherwise required by law, and/or as necessary to carry out this Procedure.

DEFINITIONS

Complainant: An individual who is alleged to be the victim of conduct that could constitute sexual harassment under Title IX. Parents and/or legal guardians of a complainant are not considered a complainant but may file a Formal Complaint on behalf of a minor child and act on behalf of the minor child in any Title IX matter. For the purpose of this procedure the terms "complainant" and "alleged victim" shall have the same meaning.

Formal Complaint: A document or electronic submission filed by a complainant, that contains the complainant's physical or digital signature or otherwise indicates that the complainant is the person filing the Formal Complaint, or a document signed by the Title IX coordinator, that:

- (1) alleges sexual harassment against a respondent; and

- (2) requests that the recipient investigate the allegation of sexual harassment.

At the time of filing a Formal Complaint, the complainant must be participating in or attempting to participate in the District's education program or activity with which the Formal Complaint is being filed.

Sexual Harassment: Under Title IX, the term "sexual harassment" includes three (3) types of misconduct based on sex:

- (1) any instance of quid pro quo harassment by a school employee;
- (2) unwelcome conduct on the basis of sex, including unwelcome conduct based on sex stereotyping or on the basis of traditional notions of masculinity and femininity, that is sufficiently severe and pervasive and objectively offensive conduct, effectively denying a person equal educational access; or
- (3) any instance of sexual assault, dating violence, domestic violence, or stalking as defined below.

Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting system and set out below:

- Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity. In Massachusetts, pursuant to M.G.L. c. 265, § 13B, a child under the age of 14 is incapable of giving consent to indecent touching.
- Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent. In Massachusetts, pursuant to M.G.L. c. 265, § 23, the statutory age of consent is 16 years of age.

For the purposes of the definition of sexual assault, the term "consent" shall be defined in a manner consistent with Massachusetts laws.

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence: A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Stalking: Engaging in a "course of conduct" directed at a specific person that would cause a "reasonable person" to fear for the person's safety or the safety of others or suffer "substantial emotional distress."

For the purposes of this definition:

"Course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

"Reasonable person" means a reasonable person under similar circumstances and with similar identities to the victim.

"Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Party or Parties: The complainant and/or respondent.

Principal: The Principal or Principal's designee.

Respondent: An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Superintendent: The Superintendent or Superintendent's designee.

Supportive Measures: Individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party, while designed to ensure equal educational access, protect safety, and/or deter sexual harassment. They may be offered before or after the filing of a Formal Complaint or where no Formal Complaint has been filed.

Title IX Coordinator: Employee(s) designated by the District to coordinate its efforts to comply with Title IX.

I. REPORTING SEXUAL HARASSMENT

A. Who May Report Sexual Harassment: Anyone may report an allegation of sexual harassment. Reporting is not limited to the alleged victim.

B. How to Report Sexual Harassment: Individuals are encouraged to report allegations of sexual harassment to the Title IX Coordinator or the Principal, but any District employee who receives a report of sexual harassment will respond to the report as outlined below.

C. Internal Reporting: Any District employee who receives a report of sexual harassment shall respond by promptly informing the Principal or Title IX Coordinator of the report. Any District employee who observes sexual harassment of a student should intervene to stop the conduct and shall promptly inform the Principal or Title IX Coordinator of the incident. If a report involves an allegation against the Principal or Title IX Coordinator, the District employee shall instead report the allegation to the Superintendent.

Any Principal who receives a report of sexual harassment shall promptly inform the relevant Title IX Coordinator of the report.

D. District's Response to Report: The District will respond to all reports of sexual harassment promptly and equitably, and in a manner consistent with this Procedure and any other relevant District procedures and policies. Upon receipt of a report, the Title IX Coordinator shall:

- (1) Promptly and confidentially contact the complainant to discuss the availability of supportive measures;
- (2) Inform the complainant of the availability of supportive measures with or without the filing of a Title IX Formal Complaint;
- (3) Consider the complainant's wishes with respect to supportive measures;
- (4) If the District does not provide the complainant with supportive measures, document the reasons why such response was reasonable; and

(5) Explain to the complainant the process for filing a Title IX Formal Complaint. Only the filing of a Title IX Formal Complaint will trigger the Title IX Formal Complaint grievance process, outlined in Section II.

E. Supportive Measures: Supportive measures are individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party, while designed to ensure equal educational access, protect safety, and/or deter sexual harassment. Supportive measures available to complainants and respondents include, but are not limited to: counseling; extensions of deadlines or other course-related adjustments; modifications of work or class schedules; campus escort services; mutual restrictions on contact between the parties; changes in work locations; leaves of absence; increased security and monitoring of certain areas of the building and/or campus; and other similar measures. Violations of the restrictions imposed by supportive measures may be considered a violation of school rules and may also be considered in determining whether sexual harassment has occurred.

II. FILING A TITLE IX FORMAL COMPLAINT

Only the filing of a Title IX Formal Complaint will trigger the Title IX Formal Complaint grievance process, outlined below.

A. Who may file a Title IX Formal Complaint: Although anyone may report sexual harassment, only a complainant or a Title IX Coordinator may file a Title IX Formal Complaint. If a complainant chooses not to file a Formal Complaint, the complainant's choice to not initiate an investigation will generally be respected, unless the Title IX Coordinator determines that signing a Formal Complaint to initiate an investigation over the wishes of the complainant is not clearly unreasonable in light of the known circumstances. The Title IX Coordinator 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. Where the Title IX Coordinator signs the Formal Complaint, the Title IX Coordinator is not a complainant or a party during the grievance process and must comply with the requirement to be free from conflicts or bias.

B. Processing of a Title IX Formal Complaint: Title IX Formal Complaints will be investigated promptly and equitably by the Title IX Coordinator or designee, as follows:

Step 1: Title IX Formal Complaint is filed:

- (1) A Formal Complaint shall state (if known to the reporter or alleged victim) the name(s) of the persons involved, witnesses to the conduct, if any, a description of the conduct, and to the extent possible, the dates and locations of the conduct. A Formal Complaint will not be dismissed solely because it was not completely filled out or it was filled out incorrectly.
- (2) A Formal Complaint may be filed at any time, including during non-business hours. Formal Complaints submitted outside of normal business hours will be deemed received on the following school working day.
- (3) At the time of the filing of the Formal Complaint, the alleged victim must be participating in or attempting to participate in the education program or activity of the school with which the Formal Complaint is filed.
- (4) A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information for the Title IX Coordinator listed in this procedure, and by any additional method designated by the school.
- (5) Consolidation of Formal Complaints: Schools may consolidate Formal Complaints where the allegations arise out of the same facts.
- (6) Consideration of the use of the Informal Resolution Process with the consent of the parties. See Section II(D).
- (7) Throughout this process, there shall be a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

Step 2: Consider Supportive Measures for both the complainant and the respondent: Once a Formal Complaint is filed, the Title IX Coordinator will ensure that supportive measures are considered for both parties. For more information on supportive measures, please see Section I(E) of this procedure.

Step 3: Written Notice of Allegations: Upon receipt of a Formal Complaint, the District shall send written notice of the allegations, including the identity of the parties, to both the complainant and the respondent, if their identities are known. The written notice must include: (1) a statement prohibiting knowingly submitting false information; (2) sufficient details known at the time to allow the respondent the opportunity to respond to the allegations; (3) a statement that the respondent is presumed not responsible for the alleged conduct; (4) that a determination regarding responsibility is made at the conclusion of the grievance process; (5) that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney; and (6) that the parties/advisors may inspect and review evidence in accordance with this procedure. If, in the course of the investigation, the District decides to investigate allegations of sexual harassment that are not included

in the initial written notice of allegations, the District shall provide notice of the additional allegations to the parties whose identities are known.

Step 4: Consider Whether Dismissal of Formal Complaint Warranted: Some Formal Complaints will be subject to mandatory or discretionary dismissal for purposes of Title IX.

(1) Mandatory Dismissal of Formal Complaint: The Title IX Coordinator shall dismiss a Formal Complaint for purposes of Title IX when the conduct alleged:

- a. even if proved, would not meet the definition of sexual harassment under Title IX;
- b. did not occur in an education program or activity of the District; or
- c. did not occur against a person in the U.S.

(2) Discretionary Dismissal of Formal Complaint: The Title IX Coordinator may dismiss a Formal Complaint or allegations therein for purposes of Title IX at any time if:

- a. the complainant informs the Title IX Coordinator in writing that the complainant desires to withdraw the Formal Complaint or allegations;
- b. the respondent is no longer enrolled or employed by the District; or
- c. specific circumstances prevent the District from gathering sufficient evidence to make a determination.

(3) The Title IX Coordinator must give the parties written notice of any dismissal of a Formal Complaint and the reasons for the dismissal.

(4) Dismissal of a Formal Complaint for purposes of Title IX shall not preclude the District from addressing the allegations under any other relevant District policies or procedure(s), including but not limited to, the Civil Rights Grievance Procedures, the Bullying Prevention and Intervention Plan, the Student Code of Conduct, and/or a collective bargaining contract, nor will it preclude the District from addressing the allegations pursuant to the grievance process set out in Section II of this Procedure. The Title IX Coordinator shall have the discretion to make any such referrals and proceed as appropriate in regard to the allegations.

Step 5: Initial Investigation: All Formal Complaints will be investigated by the Title IX Coordinator or other individual designated to serve as the investigator by the Title IX Coordinator. The investigator shall be responsible for seeking and gathering evidence relative to the investigation. 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 Complaint resolution process:

- (1) Standard of Proof: The investigator shall make factual findings based on a preponderance of the evidence standard.
- (2) The burden for gathering evidence and the burden of proof remains on the District, not on the parties.
- (3) The District shall provide equal opportunity for the parties to present fact and expert witnesses and other inculpatory and exculpatory evidence.
- (4) The District shall not restrict the ability of the parties to discuss the allegations or gather evidence (e.g., no "gag" orders).
- (5) Each party may have one (1) advisor of their own selection and at their own expense participate in this grievance process. In the case of a student under the age of 18, this advisor may be in addition to the student's parents/guardians. Any restrictions on the participation of an advisor will be applied equally to each party. The advisor may, but is not required to, be an attorney. Any evidence received by an advisor in this process is subject to confidentiality and may be used only for the purpose of the grievance process. Advisors are prohibited from disseminating or disclosing such evidence outside of the grievance process.
- (6) The District shall send prior written notice to the parties of any investigative interviews, meetings, or hearings in which their participation is invited or expected.
- (7) Privacy of Medical Treatment and Mental Health Treatment Records: The District may not access or use either the complainant's or the respondent's medical, psychological, or similar treatment records unless the District obtains the party's written consent to do so.
- (8) The investigator may impose reasonable timeframes on all parties as required to facilitate the timely completion of the investigation. The investigator may extend any of the timeframes beyond the time periods identified in this procedure for good cause. If a complaint or report of sexual 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 unavailability of witnesses while school is not in session. If the investigator extends the investigation, the investigator will notify the parties of the extension and the reasons therefore in writing.

Step 6: Opportunity for Parties to Respond to Evidence: The District must send the parties, and their advisor(s) (if they have one) evidence directly related to the allegation, in electronic format or hard copy. Parties shall be afforded ten (10) calendar days to inspect, review and respond to the evidence. The District shall not require, allow, rely upon, or otherwise use evidence that constitutes information protected from disclosure by a legally recognized privilege, unless it has been waived by the holder of the privilege.

- (1) Prior to providing evidence to the parties, the investigator may redact confidential information that is not directly related to the allegations or that is otherwise barred from use under Title IX or by privilege (e.g., treatment records), the Family Educational Rights and Privacy Act and/or 603 CMR 23.00. Information that is directly related to the investigation, and that is not expressly barred from disclosure under Title IX (e.g., treatment records), the Family Educational Rights and Privacy Act, and/or 603 CMR 23.00, must be made available for review by both parties.
- (2) The parties and their advisors shall be prohibited from dissemination of any of the evidence for any purpose not directly related to this grievance procedure.

Step 7: Completion of the Investigative Report: The District must send the parties, and their advisor, an Investigative Report that fairly summarizes relevant evidence but does not reach any conclusions regarding responsibility, in electronic format or hard copy, within twenty-five (25) school days of receipt of the Formal Complaint. A copy of the Investigative Report will also be sent to the decision-maker.

Step 8: Parties' Opportunity to Respond to Investigative Report: The District shall provide each party ten (10) calendar days for the parties to respond to the investigative report. The Investigative Report will notify the parties of the opportunity to submit to the decision-maker directed questions of the other party and/or any witness within that same ten (10) calendar days. (See Step 9).

Step 9: Directed Written Questions from the Parties: After the Investigative Report has been sent to the parties, but prior to reaching a determination regarding responsibility, the decision-maker shall afford both the complainant and the respondent the opportunity to submit to the decision-maker written, relevant questions of the other party or any witness, provide the party with the other party's and/or witness's written responses to said written questions, and allow for additional, limited follow-up questions from each party in writing. Questions that seek disclosure of information protected under a legally recognized privilege, Family Educational Rights and Privacy Act, and/or 603 CMR 23.00 shall not be permitted, unless the person holding the privilege has waived the privilege.

- (1) The complainant shall be protected from answering questions about the complainant's prior sexual behavior unless offered to prove that someone other than the respondent committed the alleged misconduct or offered to prove the complainant's consent to the conduct under investigation.
- (2) Upon receipt of the Investigative Report, each party shall have ten (10) calendar days to submit directed relevant questions to the decision-maker in writing.
 - a. All questions must be posed in a respectful manner (e.g., without profanity and without attacking a person's character or motivations).
 - b. Questions that are not relevant will be excluded, and the decision-maker shall explain to the party posing the question the reason(s) for excluding any question.
- (3) Upon receipt of the directed questions from the District, each party and witness shall have five (5) calendar days to respond to those questions in writing.[1]
- (4) After receipt of the answers by the parties, any follow-up questions by the parties shall be submitted to the decision-maker in writing within three (3) calendar days, and those follow-up questions shall be responded to in writing within three (3) calendar days of receipt.
- (5) Each party will be provided a copy of the other party's or witness's written answers.

Step 10: Determination of Responsibility/Findings of Fact by the Decision-Maker:

- (1) The decision-maker shall issue a written determination regarding responsibility with a description of the procedural steps taken, findings of fact, conclusions about whether the alleged conduct occurred, rationale for the result as to each allegation, the range of disciplinary sanctions to which the respondent may be subject, whether remedies will be provided to the complainant, and procedures and bases for appeal. The decision-maker's written determination shall not be completed by the Title IX Coordinator or the investigator.
- (2) Standard of Proof: The decision-maker shall make factual findings based on a preponderance of the evidence standard.
- (3) The decision-maker's findings shall be based on an objective review of all relevant evidence, inculpatory and exculpatory, and avoid credibility determinations based on a person's status as a complainant, respondent, or witness.

(4) The decision-maker shall not draw inferences about the determination of responsibility based solely on a party's failure or refusal to answer questions.

(5) The written determination must be sent simultaneously to both parties.

(6) This determination shall be sent within twenty (20) school days of the issuance of the investigative report unless an extension is agreed upon by the parties or if the process is otherwise reasonably delayed. Except where the parties have agreed to an extension of the timeline or where the process is otherwise reasonably delayed, the written determination shall be issued within sixty (60) school days of receipt of the Formal Complaint.

B. Remedies: If the decision-maker determines that sexual harassment has occurred, the District administration shall take steps to eliminate the harassing environment, which may include but not be limited to providing remedies to a complainant that are designed to restore or preserve the complainant's equal access to the District's education programs and/or activities. These remedies may be the same individualized services as the supportive measures outlined in Section I(E) above and/or may consist of alternative interventions and/or punitive or disciplinary sanctions that burden the respondent.

C. Discipline: Persons who engage in sexual harassment or retaliation may be subject to disciplinary action, including, but not limited to, reprimand, suspension, termination, expulsion (if applicable under M.G.L. c. 71, §§ 37H or 37H ½), or other sanctions as determined by the District administration, subject to applicable procedural requirements.

(1) Although the respondent may, in accordance with Title IX, be subject to emergency removal at any time, the respondent may not be subject to disciplinary sanctions for the misconduct defined under this procedure until after this grievance process has been completed.

D. Informal Process: Only after a Formal Complaint is filed may the District opt to offer and facilitate informal resolution options, such as mediation or restorative justice. Both parties must give voluntary, informed, written consent to attempt any offered informal resolution. Any informal resolution under this procedure will be facilitated by trained personnel.

(1) The informal resolution process is not available to resolve allegations that an employee sexually harassed a student.

(2) The informal process is voluntary, and the alleged victim and/or respondent may terminate or decline any informal process at any time and resume the Formal Complaint grievance process.

(3) The informal process shall not exceed thirty (30) calendar days.

E. Emergency Removal under Title IX: The District may remove a respondent on an emergency basis at any time provided that the District: (1) undertakes an individualized safety and risk analysis; (2) determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal and that there is no alternative to the respondent's emergency removal to mitigate the threat presented; and (3) provides the respondent with notice and the opportunity to challenge the decision immediately following the removal.

F. Anonymous Reports: The District may be on notice of an allegation of sexual harassment through receipt of an anonymous report. A Formal Complaint cannot be filed anonymously. In cases of anonymous reports, the District's obligation is to respond in a manner that is not clearly unreasonable in light of the known circumstances. If the anonymous reporter is the complainant and they request confidentiality, the District can and should offer supportive measures to the extent consistent with maintaining the request for confidentiality. If an anonymous report is received without a disclosure of the complainant's identity, the District will be unable to provide the complainant supportive measures in response to that report. The District may in conformance with applicable state laws and regulations be required to report sexual harassment identified in an anonymous complaint to state and/or local authorities such as the Massachusetts Department of Children and Families in conformance with state statutes and regulations and/or take actions to protect the safety of the school community (contacting the police, for example) that may result in the identity of the reporting person being disclosed.

G. Appeals: The complainant or respondent may appeal from a determination regarding responsibility and/or from the District's dismissal of a Formal Complaint or any allegations therein, only on the following bases:

(1) procedural irregularity that affected the outcome of the matter;

(2) newly discovered evidence that could affect the outcome of the matter; and/or

(3) Title IX personnel had a conflict of interest or bias that affected the outcome of the matter.

An appeal may be made to the Superintendent or designee within five (5) calendar days after receiving the determination of responsibility or dismissal. The Superintendent will decide the appeal no later than thirty (30) calendar days of the date of receipt of the written appeal. In cases in which

it has been determined that a respondent student is subject to long-term suspension as a result of a finding of sexual harassment in accordance with this procedure, the respondent may elect to exercise their appeal under the disciplinary due process requirements applicable to the circumstances (e.g., M.G.L. c. 71, §§ 37H, 37H ½ or 37H ¾) in place of this appellate procedure. Appeals must be made in writing (email is sufficient) to the Superintendent, Billerica Public Schools, 365 Boston Post Road, Billerica, Massachusetts 01821.

The Title IX Formal Complaint grievance process is deemed complete when either the time period for appeal has lapsed or upon the issuance of the Superintendent's decision on a timely filed appeal.

H. Identification of key personnel involved in Title IX process for reports and/or Formal Complaints of sexual harassment:

- Title IX Coordinator:

Mindy Cripps

Director of Guidance

mcripps@billericak12.com
- Investigator(s): Assistant Principal, Title IX Coordinator or Title IX Coordinator Designee
- Decision-maker: Principal or Principal's Designee
- Appeal Officer: Superintendent or Superintendent Designee
- Informal Resolution Facilitator: Assistant Principal, Title IX Coordinator or Title IX Coordinator Designee

The District will notify students, employees, applicants for admission or employment, parents and legal guardians of students, and unions of the name, title, office address, email address and telephone number of the Title IX Coordinator. This information will be displayed on the District's website.

Inquiries regarding compliance with Title 9, Chapter 622 may be directed to:

Ditson Elementary School

Ms. Victoria Hatem

39 Cook Street

978-528-8510

Dutile Elementary School	Ms. Christine Balzotti	10 Biagiotti Way	978-528-8530
Hajjar Elementary School	Ms. Elizabeth Devine	59 Rogers Street	978-528-8550
Kennedy Elementary School	Mr. David Marble	20 Kimbrough Road	978-528-8570
Parker Elementary School	Ms. Christine Gibelli	52 River Street	978-528-8610
Locke Middle School	Mr. Anthony Garas	110 Allen Road	978-528-8650
Marshall Middle School	Mr. Michael Rossi	15 Floyd Street	978-528-8670
Billerica Memorial High School	Mr. Thomas Murphy	35 River Street	978-528-8712
District-Wide Assistant Superintendent	Dr. Jill Geiser	365 Boston Road	978-528-7920
District-Wide Title II Coordinator	Ms. Melinda Cripps	35 River Street	978-528-8760
			mcripps@billericak12.com
Massachusetts Department of Education	75 Pleasant Street Malden, MA 02148		781-338-3300

Director of the Office of Civil	33 Arch Street	617-289-0111
Rights Region I – U.S.		
Department of Education	Ninth Floor	
	Boston, MA 02110	

[1] The parent or guardian may act on behalf of the party in drafting questions and submitting written answers. In the case of young children, reasonable accommodation based on disability, and/or other good cause, either party and/or any witness may request and have their oral responses reduced to writing by the investigator or Title IX Coordinator.

CIVIL RIGHTS GRIEVANCE PROCEDURES

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

Harassment, discrimination, and retaliation in any form or for any reason is prohibited. This includes harassment or discrimination by administrators, 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 Billerica 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.

Non-Applicability of This Procedure to Title IX Sexual Harassment Allegations

Please note that this procedure does not apply to reports of sexual harassment as defined under Title IX of the Education Amendment of 1972 and its implementing regulations ("Title IX") effective August of 2020.

Allegations of conduct that could, if proven, meet the definition of sexual harassment under Title IX will be addressed through the *Title IX Sexual Harassment Grievance Procedures*. Similarly, allegations of conduct that meet the definition of sexual harassment under Title IX, and simultaneously meet the definitions of sexual harassment under Title VII (employees), M.G.L. c. 151B (employees), and/or M.G.L. c. 151C (students), will also be addressed through the *Title IX Sexual Harassment Grievance Procedures*.

Allegations of conduct that do not meet the definition of sexual harassment under Title IX, but could, if proven, meet the definition(s) of sexual harassment under Title VII (employees), M.G.L. c. 151B (employees), and/or M.G.L. c. 151C (students), will generally be addressed through this procedure.

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, disability or religion that is sufficiently severe, persistent or pervasive to create or contribute to 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. A hostile environment is one which unreasonably interfered with an individual's participation in, denied the individual the benefits of, or otherwise subjected the individual to discrimination under any program or activity of the school district.

a. Non-Title IX Sexual Harassment

M.G.L. c. 151B, § 1 - the term "sexual harassment" is defined as sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; (b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment. Discrimination on the basis of sex shall include, but not be limited to, sexual harassment.

M.G.L. c. 151C, § 1 - the term "sexual harassment" is defined as sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when: (a) 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 (b) 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.

Title VII of the Civil Rights Act of 1964 - Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. A hostile environment on the basis of sex is created when the conduct is sufficiently severe or pervasive to alter the conditions of employment.

When determining whether an environment is hostile as referenced in paragraph B, the school district examines the context, nature, frequency, credibility of witnesses and location of the incidents, as well as identity, number and relationships of the persons involved. Conduct does not constitute harassment where the incident occurs off-campus at a non-school sponsored activity and does not create a hostile environment at school for the victim. 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 Complainant, and under similar circumstances.

C. Retaliation: retaliatory acts against any individual who exercises his or her rights under the civil rights statutes covered by this procedure or the sexual harassment procedure are considered to be discrimination and are unlawful. Individuals are prohibited from coercing, intimidating, threatening, or interfering with an individual because the individual exercised any right granted or protected under this procedure and/or the Title IX Sexual Harassment Procedures.

D. Complainant: An individual who is alleged to be the victim of conduct that could constitute discrimination, harassment or retaliation under this procedure. Parents and/or legal guardians of a complainant are not considered a complainant but may file formal complaints on behalf of a minor child and act on behalf of the minor child in any civil rights matter.

E. Party or Parties: The complainant and/or respondent.

F. Principal: The Principal or Principal's designee.

G. Respondent: An individual who has been reported to be the perpetrator of conduct that could constitute discrimination, harassment or retaliation under this procedure.

How to make a complaint

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 guidance counselor. 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, harassment, or retaliation has occurred are encouraged to discuss the situation with the Principal. 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 Complainant under this procedure are also applicable to the reporter.

A. Any District employee who observes discrimination, harassment or retaliation must report the incident to the Principal or Civil Rights Coordinator, identified below. Any District employee who observes discrimination, harassment or retaliation against a student should intervene to stop the conduct and report it to Principal. Upon receipt of a report of discrimination, harassment or retaliation, the Principal shall promptly inform the relevant Civil Rights Coordinator of the report, and the District will respond in a manner consistent

with this procedure. If the report involves an accusation against the Principal or Civil Rights Coordinator, the employee shall report the incident to the Superintendent or designee.

B. Informal Reports: Individuals may wish to file a formal complaint of discrimination, harassment or retaliation, 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.

C. Anonymous Reports: Complainants 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 Complainants 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 limitations on the ability to take disciplinary action against a Respondent.

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 Complainant and Respondent, the District may seek to do so. The informal process is voluntary, and the Complainant and/or Respondent may terminate or decline any informal process at any time, without penalty.

E. Formal Process: A formal complaint shall state (if known to the reporter or Complainant) the name(s) of the persons involved and witnesses to the conduct, describe the conduct, and identify, to the extent possible, the dates and locations of the conduct. The complaint shall be signed and dated by the reporter and/or Complainant. 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. 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, discrimination or retaliation, the Civil Rights Coordinator or Principal may dismiss the complaint; (b) if the alleged conduct (or complaint) could not, even if true, constitute discrimination, harassment or retaliation, 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, harassment or retaliation, 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 during the pendency of the investigation, 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. Any interim measures will be monitored to ensure they are effective based on the evolving needs of the parties. Violations of the restrictions imposed by interim measures could be considered a violation of school rules and may be considered in determining whether discrimination, harassment or retaliation has occurred.

H. Timeframes: The District will seek to complete any investigation within twenty (20) school days after receipt of a complaint and provide the written notice of the outcome of the investigation within twenty-five (25) school days. 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, harassment or retaliation is received after June 1 of a given school year, the investigator will attempt to complete the investigation by the end of the school year. In the event that the investigation extends beyond the last day of school, the District will make reasonable efforts to complete the investigation within the above-referenced time frame, but may extend the investigation period to account for the availability of witnesses during the summer vacation period. If the investigator extends the investigation, he or she will notify the Complainant of the extension. A report to the law enforcement will not automatically delay an investigation; however, a request from law enforcement to delay the investigation may require a temporary suspension of an investigation, and the District will promptly resume its investigation upon being advised that law enforcement's evidence gathering is completed.

I. 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 who has responsibility for seeking and gathering evidence relative to the investigation. 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 Complainant 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 Respondent 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, if appropriate, 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.

J. Standard of Proof: The investigation shall make factual findings based on a preponderance of the evidence standard.

K. If the investigator determines that discrimination, harassment or retaliation has occurred, the school district administration shall take steps to eliminate the discriminatory or harassing environment, which shall include but not be limited to:

1. Identifying what steps are necessary to prevent recurrence of any discriminatory behavior, including but not limited to harassment or retaliation, and to correct its discriminatory effects if appropriate; and
2. Informing the Complainant and Respondent 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.

L. Appeal: If the Complainant or the Respondent 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 Respondent in cases in which the Respondent is subject to long-term suspension as a result of a finding of discrimination, harassment or retaliation. In such an instance, the appeal rights of the Respondent will be provided in a manner consistent with the 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 (email is sufficient) to the Superintendent, Billerica Public Schools, 365 Boston Post Road, Billerica, Massachusetts 01821. The Superintendent will decide the appeal within thirty (30) calendar days of the date of receipt of the written appeal.

M. Identification of Civil Rights Coordinator for complaints of discrimination, harassment, and retaliation under this procedure is:

Mindy Cripps
Director of Guidance
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