



# **Malden Public Schools**

## **Grades K-8**

### **Student & Family Handbook**

#### **2020-2021**





## Table of Contents

### Core Feature

Superintendent Letter.....	p.5
Purpose of the Handbook.....	p.6

### **I. General Information.....p.7**

Calendar for 2019-2020 Academic Year.....	p.7
Kindergarten Program.....	p.9
Administrator Contact Information.....	p.9
Arrival and Dismissal Times and Policies.....	p.10

### **II. School and Family Communication.....p.11**

Back to School Night.....	p.11
Parent/Guardian Conferences.....	p.11
CONNECT-ED Messaging System.....	p.11

### **III. School Wide Policies.....p.11**

Attendance Policies.....	p.11
Absences and Excused Absences.....	p.12
Student Absence Notification Program.....	p.13
Attendance Policy.....	p.13
Tardiness.....	p.13
Early Dismissal.....	p.13
Cutting Class.....	p.13
Vacations.....	p.13
School Visitation Policy.....	p.14
Discipline Information/Principal's Discretion.....	p.15
Discipline of 504 and Special Education Students.....	p.20
Student Dress Code.....	p.21
School Uniform – Linden School Only.....	p.22
School Cancellation and Delays.....	p.22
Lunch Program.....	p.22
Personal Items.....	p.23
Prohibited Items.....	p.24
Use of Cell Phones.....	p.24

### **IV. Academics.....p.25**

K-8 School Definition.....	p.25
----------------------------	------



Band .....	p.25
Grading.....	p.25
Quarterly Report Cards and Progress Reports.....	p.25
Honor Roll.....	p.26
Grade- Level Promotion and Retention Policy.....	p.26
Homework Policy.....	p.27
Late Work and Make-Up Work.....	p.28
Student Supplies.....	p.28
Programs.....	p.28
Accelerated and Enriched Program.....	p.28
English Language Learner Program.....	p.29
Title One Services.....	p.29
Supports for Promoting Academic Success.....	p.29
Students in Need of Academic Remediation/ Tutoring.....	p.29
Students with Disabilities and Special Education Services.....	p.29
504 Accommodation Plans.....	p.30
English Language Learners (ELLs).....	p.30
<b>V. Student Activities.....</b>	<b>p.31</b>
<b>VI. Student Safety &amp; Health.....</b>	<b>p.31</b>
Emergency and Evacuation Procedures.....	p.31
On the Website (District Safety Plan).....	p.31
Physical Restraint.....	p.32
Medication in School.....	p.36
Immunization Requirements/ Medical Records.....	p.37
Physical Examination Requirements.....	p.37
Substance Abuse Prevention and Intervention Policy.....	p.37
Incident Report.....	p.40
Medical Dismissal.....	p.40
Counseling and Student Support Services.....	p.40
Mandated Reporting of Abuse.....	p.41
Threats to Self or Others.....	p.41
Search and Seizure.....	p.41
<b>VII. Student Privacy and Records.....</b>	<b>p.42</b>
Access to Student Records.....	p.42
Freedom of Information Act (FOIA).....	p.42
Parent's/Guardian's Right to Know.....	p.42
<b>Appendix A: Computer and Internet Use Policy.....</b>	<b>p.43</b>
Acceptable Use Policy: Malden Public Schools.....	p.43
Consequences for Unacceptable Use.....	p.44
Supervision and Monitoring.....	p.45
Active Restriction Measures.....	p.45



Warranties and Indemnification.....	p.46
<b>Appendix B: Definitions of Hazing, Sexual Harassment, and Bullying.....</b>	<b>p.47</b>
Hazing.....	p.47
Harassment.....	p.48
Bullying.....	p.49
<b>Appendix C: Non-Discrimination and Complaint Policies.....</b>	<b>p.53</b>
Non-Discrimination Policy.....	p.53
Complaint/Grievance Procedures.....	p.53
<b>Appendix D: Field Trips.....</b>	<b>p.55</b>
<b>Appendix E: FERPA Policy and Records Request Protocol.....</b>	<b>p.56</b>
<b>Student and Family Consent and Release Form for the 2019-2020 School Year.....</b>	<b>p.60</b>



Website: [www.maldenps.org](http://www.maldenps.org)

Dear Malden Families:

Welcome to the Malden Public Schools! Our goal is to provide every student with a world-class education so that each student is competitive in today's global economy. The K-8 schools lay the foundation for College and Career readiness. Our five K-8 Schools are:

Beebe School  
Forestdale School  
Ferryway ELT School (Extended Learning Time)  
Linden STEAM Academy (Innovation School)  
Salemwood School

Each of our five K-8 schools offers a variety of engaging opportunities for students to access and demonstrate mastery of Science Technology, Engineering and Math (STEM), computer programming, concert band, foreign language, have access to Google Chromebooks in upper middle school grades, use of Google Classroom, and other on-line learning opportunities in addition to our enriching after school programs.

We are proud to be one of the most diverse school districts in Massachusetts, if not the nation, as we provide quality educational services ALL students including English Language Learners, students with disabilities and newcomers to Malden. Our educators, leaders, and entire staff are committed to providing the best educational opportunity possible to your child. Welcome to Malden, our community of diverse scholars, where our students are academically and socially successful. We look forward to working with your child and you at one of our five K-8 Schools!

Have a great year!

John Oteri  
Superintendent



## Purpose of the Handbook

To ensure all families and students are informed of and understand these policies, *we require that all students and their families/guardians sign and return the Student and Family Consent and Release Form located on the last page of this Handbook.* However, it should be understood that this Handbook is in no way intended as a contract, and the content of this Handbook may change from time to time as the need arises.

Our goal is to design and provide the most supportive and safe educational setting that will lead to the best possible outcomes for all students. With this in mind, it is our policy to recognize, preserve, and protect the individual rights of all students through the enforcement of rules and regulations outlined in this Handbook.

The following are some guidelines and school wide expectations that will help you succeed at Malden Public Schools:

### Guidelines

- School is a place for learning academic and exploratory skills, as well as how to work and interact with others.
- Respect for the rights of others and the individual is the basis for all relationships within each school.
- Each student performs to the best of his/her ability.
- Each student is responsible for his/her behavior.
- Inappropriate behavior may lead to a parent/guardian being contacted.

### School-Wide Expectations

- Treat adults and classmates with respect.
- Listen, follow directions, and complete assigned tasks.
- Accept responsibility for your actions.
- Attend school daily and be punctual at all times.
- Eat lunch in the cafeteria using good manners.
- Play safely at recess without fighting or disrupting the activities of others or hurting someone.
- Enter and leave the building in an orderly fashion.
- Be courteous and use appropriate language in and around the building.
- Leave classrooms only with a pass.
- Pass quietly in corridors without stopping at water fountains or bathrooms.
- Leave the building only with permission from a school administrator.
- Maintain habits of personal cleanliness.
- Take responsibility for personal property.



## I. General Information

### Calendar for the 2019-2020 Academic Year

Please visit our website for school specific calendars

#### MALDEN PUBLIC SCHOOLS 2019-2020 SCHOOL CALENDAR

AUGUST 2019 (2 Days)				
M	T	W	T	F
26*	27*	28	29	X

8/26\* First Day for Teachers  
8/27\* Prof Dev Day - All Grds  
8/28 First Day of School for  
Grades PreK-1-12  
8/28-8/29 Kindergarten  
Orientation/Screening  
8/30 No School

SEPTEMBER 2019 (20 Days)				
M	T	W	T	F
X	3	4	5	6
9	10	11	12	13
16	17	18	19	20
23	24	25	26	27
30				

9/2 Labor Day  
9/3 First Day of School for  
Kindergarten

OCTOBER 2019 (22 Days)				
M	T	W	T	F
	1	2	3	4
7	8	9	10	(11)
X	15	16	17	18
(21)	22	23	24	25
28	29	30	31	

10/11 PD Early Dismissal  
PreK-12  
10/14 Columbus Day  
10/21 Late Entry Day MHS

NOVEMBER 2019 (17 Days)				
M	T	W	T	F
				1
(4)	5*	6	7	8
X	12	13	14	15
18	19	20	21	22
25	26	27	28	29

11/4 Late Day Entry MHS  
11/5\* Prof Dev Day-All Grds  
11/11 Veterans Day  
11/27 11:00 Dismissal -  
Thanksgiving  
11/28-29 Thanksgiving

DECEMBER 2019 (15 Days)				
M	T	W	T	F
2	3	4	5	6
9	10	11	12	13
16	17	18	19	20
X	X	X	X	X
X	X			

12/9 Late Entry MHS  
12/20 11:00 Dismissal  
12/23-1/1 Winter Vacation

JANUARY 2020 (21 Days)				
M	T	W	T	F
	X	X	2	3
(6)	7	8	9	(10)
13	14	15	16	17
X	21	22	23	24
27	28	29	30	31

1/2 School Resumes  
1/6 Late Entry MHS  
1/10 PD Early Dismissal PreK-12  
1/20 Martin Luther King Day

FEBRUARY 2020 (15 Days)				
M	T	W	T	F
3	4	5	6	(7)
(10)	11	12	13	14
X	X	X	X	X
24	25	26	27	28

2/10 Late Entry MHS  
2/7 PD Early Dismissal PreK-12  
2/17-21 February Vacation

MARCH 2020 (21 Days)				
M	T	W	T	F
2	3	4	5	6
(9)	10	11	12	13*
16	17	18	19	20
23	24	25	26	27
30	31			

3/9 Late Entry MHS  
3/13 \* Prof Dev Day-All Grds

APRIL 2020 (17 Days)				
M	T	W	T	F
		1	2	3
(6)	7	8	9	10
13	14	15	16	17
X	X	X	X	X
27	28	29	30	

4/6 Late Entry MHS  
4/10 11:00 Dismissal - Good  
Friday  
4/20-24 Spring Vacation

MAY 2020 (20 Days)				
M	T	W	T	F
				(1)
(4)	5	6	7	8
11	12	13	14	15
18	19	20	21	22
X	26	27	28	29

5/1 PD Early Dismissal PreK-12  
5/4 Late Entry MHS  
5/25 Memorial Day

JUNE 2020 (10 Days)				
M	T	W	T	F
1	2	3	4	(5)
8	9	10	11	12
15	16	17	18	19

6/5 PD Early Dismissal PreK-12  
6/12 Last day w/o snow days  
- 11:00 Dismissal  
6/19 Last day w/five snow  
days -11:00 Dismissal

**First Day for Teachers – Monday, August 26, 2019**

**Please note that five (5) additional days are built into the calendar in case of inclement weather**

- Early Release PreK-12  
□ Late Entry Dates for High School







### **Kindergarten Program**

Kindergarten classes are open to all children who will be *5 years of age by August 31st* and are Malden residents. Full-day kindergarten classes are located at all schools. For more information, contact the Parent Information Center at 781-397-7271.

### **Administrator Contact Information**

#### **MALDEN PUBLIC SCHOOLS ADMINISTRATION**

##### **SCHOOL COMMITTEE**

Mayor Gary Christenson	Chairperson	781-397-7000
Mr. Michael Drummey	Ward 1	781-974-2347
Mr. Robert McCarthy Jr.	Ward 2	781-439-0946
Ms. Jennifer Spadafora	Ward 3	781-831-7011
Mr. Leonard Iovino, Vice-Chair	Ward 4	781-321-3568
Mr. Adam Weldai	Ward 5	617-417-9297
Mr. Joe Gray	Ward 6	339-224-7737
Ms. Michellue Luong	Ward 7	781-389-0948
Mr. John Froio	Ward 8	781-321-0339

##### **SUPERINTENDENT OF SCHOOLS**

John Oteri  
781-397-6100

##### **ASSISTANT SUPERINTENDENTS**

Kelly Chase, Curriculum, Instruction, and Assessment  
781-397-6100

##### **DIRECTORS/MANAGERS**

Janice Raymond, Literacy and Title I  
781-397-7326

Yvonne Endara, English Language Learners and  
Title III 781-388-0664

Kenny Tran, Data and Assessment  
781-397-7279

Douglas Dias, STEM  
781-397-6005

Erin Craven, Guidance

Gregory Hurley, Humanities  
781-397-6025

Charlie Conefrey, Physical Education, Health, and Athletics  
781-397-6006

Natalia Brennan, Instructional Technology  
781-397-6028

Patti Tramondozzi,  
Nursing 781-397-7271



Joan Federico, Parent Information Center (PIC)

781-397-7271

Omar Hernandez, Supervisor Food Services

781-397-6035

### **SCHOOLS AND PRINCIPALS/ASSISTANT PRINCIPALS**

<b>ELC:</b>	Principal	TBD	Phone: 781-397-7025
<b>Beebe:</b>	Principal K-8	Kari-ann Murphy	Phone: 781-388-0622
	Assistant Principal 5-8	Kevin Kilbride	Phone: 781-388-0629
	Assistant Principal K-4	Kate Greco	Phone: 781-388-0618
<b>Ferryway:</b>	Principal K-8	Abdel Sepúlveda	Phone: 781-388-0659
	Assistant Principal K-8	Erin O'Brien	Phone: 781-388-0659
	Assistant Principal K-8	Michael Ciampa	Phone: 781-388-0659
<b>Forestdale:</b>	Principal K-8	Don Concannon	Phone: 781-397-7326
	Assistant Principal K-8	Karie Carpenito	Phone: 781-388-0880
<b>Linden:</b>	Principal K-8	Rafael Garcia	Phone: 781-397-7218
	Assistant Principal K-4	Stacey Scott	Phone: 781-397-1510
	Assistant Principal 5-8	Julie Jones	Phone: 781-388-0864
<b>Salemwood:</b>	Principal K-8	Van Huynh	Phone: 781-388-0647
	Assistant Principal K-8	Jane Wright	Phone: 781-388-0643
	Assistant Principal K-8	Lauren McGonagle	Phone: 781-388-0647
	Assistant Principal K-8	Ewald Jean Charles	Phone: 781-388-0647
<b>Supervisor of Attendance:</b>		John Parcellin	Phone: 781-322-4469

### **Arrival and Dismissal Times and Policies**

No student may leave the school after arriving, unless there is an early dismissal. Any student not in his/her seat by the appropriate time is tardy and must report to the main office for a tardy slip. At dismissal, all students will immediately leave the school grounds. Remaining for an extended period may



be considered loitering and may result in further actions up to and including detention, suspension, and parental and/or police notification.

### **Child Custody**

It is important that if you have legal custody matters, and/or current restraining orders involving your child through a court order, please see that the school administration has a copy of this document. Please do not assume that school employees know about custody issues. Be sure that the school knows if any family member/adult is not to pick up your child from school. If at any time during the year, a court order is changed or issued, please notify the Principal.

## **II. School and Family Communication**

### **Back to School Night**

Back to School Night is an important ritual marking the beginning of the new school year. On this night, teachers will use the opportunity to meet the families and their children and give them a preview of the classroom, their goals for the class and for your child. They'll share information about their teaching style and methodology, how they grade and the requirements for a good grade. This is a great opportunity for parents/guardians to engage and begin lines of communication with teachers. Assuring contact information is exchanged and expectations are clearly understood is an essential part of this night.

### **Parent/Guardian Report Card Conferences**

Parent/ guardian conferences provides an opportunity for parents/guardians to have one to one meetings with their child's teachers. During this time, parents/guardians are able to discuss report cards, ask questions regarding their child's academic progress etc. There are two scheduled parent/guardian visitations during the school year. The dates and times of the parent/guardian visitations will be determined by each school's administration.

### **CONNECT-ED Messaging System**

As part of our communication system with parents/guardians, the Malden Public Schools uses the Connect-Ed system. The Connect-Ed system allows the Superintendent or Principals to send information that is time sensitive and relevant to the safety and education of students in our schools. You will be asked to provide the school with a current phone number and an alternate number. During the school year you will receive school messages, for example, student absences, snow days, parent/guardian nights, academic events, and reminders such as early release days. If your phone number changes, please let your child's school office know of the change in a timely manner.

## **III. School-Wide Policies**

### **Attendance Policies**

The Malden Public Schools seeks to promote excellent school attendance. *Under Massachusetts General Laws, Chapter 76* states that parents/guardians are legally responsible for ensuring that a child under their control attends school daily. The school system employs an attendance officer to support families and encourage regular compliance with the state statute. Parents/guardians and other authorized



concerned individuals may contact their school Principal, who will contact the attendance officer regarding school attendance issues.

### **Absences and Excused Absences**

Regular and punctual school attendance is essential for success in school. We recognize that parents/guardians of children attending our schools have special rights as well as responsibilities, one of which is to ensure that their children attend school regularly, in accordance with state law. *Therefore, students may receive excused absences from school attendance only for the following reasons:*

- Illness, injury or quarantine that prevents the student from attending school upon receipt of doctor's note.
- Bereavement or serious illness in family.
- Inclement weather as to endanger the health of the child.
- Observance of major religious holidays.
- A significant personal or family crisis that prevents the student from attending school as approved by school admin.
- Court appearances: Students must present evidence of the required appearance.
- Medical or psychological tests during the school day that cannot be scheduled after school or on the weekend. Students must show evidence (such as a note from the health center) that the tests could not be scheduled after school.
- Other extraordinary situations approved by the school administration.
- Disability-related absences.
- A child may also be excused for other exceptional reasons with approval of the Principal or designee.

***How Parents/Guardians Can Help:*** A student's understanding of the importance of day-to-day schoolwork is an important factor in the shaping of a character. Parents/guardians can help their children by not allowing them to miss school needlessly. *Here are some steps to take in the event of an absence:*

- Parents/guardians are asked to provide a written explanation for the absence or tardiness of a child. *This will be required in advance for types of absences where advance notice is possible.*
- To ensure continuity and maximum advantage of the school program, students must attend school each day and arrive on time. *Parents/guardians are expected to telephone the school office prior to 8:00AM to report that their child will be absent on any given day.*
- In addition, a written excuse from the parent/guardian must be presented the day any pupil returns to school from an absence. Any situation resulting in an absence that may have serious extenuating circumstances must be brought to the attention of the Principal, by the parent/guardian, as soon as those circumstances are apparent. Absent notes are given to the child's homeroom teacher, who then sends the note to the office. *The notes should include the following: The date(s) of the absence, the student's full name, the reason for the absence, and the student's homeroom number.* Notes are necessary even when a parent/guardian has spoken to the Principal, assistant Principal, or the main office about the absence.
- *Any student who is absent over three (3) consecutive days must report to the main office with his/her note and may be asked to see the school nurse.* In instances of chronic or irregular



absence reportedly due to illness, the school administration may request a physician's statement certifying such absences to be justified.

### **Student Absence Notification Program**

Each Principal will notify a student's parent/guardian by telephone within 3 days of the student's absence in the event the parent/guardian has not informed the school of the absence. Each Principal or designee shall notify and meet with any student, and the parent/guardian, who has missed five (5) or more unexcused school days (a school day shall be equal to two (2) or more class periods in the same day) in a school year. The purpose of this meeting is to develop action steps to improve student attendance and shall be developed jointly by the Principal or designee, the student, and the student's parent/guardian. The parties may seek input from other relevant school staff and/or officials from relevant public safety, health and human service, housing, and nonprofit agencies.

### **Attendance Policy**

All grades 7 and 8 students will follow the attendance policy at Malden High School in preparation for Malden High School. The purpose of this is to expose our middle school students to what will be expected of them in grade 9 regarding school attendance. Three unexcused absences per quarter will be allowed. *Four or more unexcused absences in a quarter will require the teacher to give the student a 59 for that quarter. A lower grade will be given if the student's actual average is lower than 59.* Absences will be considered "excused" for the reasons stated on page 12 only.

### **Tardiness**

Students are to be marked tardy after the late bell has rung and are expected to report to the office as soon as they enter the building. Tardy students should bring a note explaining the tardiness, including a phone number at which the parent/guardian may be reached. Administration will determine if the tardiness is excused. The student will receive a tardy slip to give to the homeroom teacher. *Any unexcused tardy will require the students to stay for ½ hour after school in detention. Habitual tardiness may result in extended detention, parental/guardian involvement, and/or school disciplinary measures.*

### **Early Dismissal**

Ordinarily, students are not dismissed before the designated school's dismissal time. If circumstances warrant, a student may be dismissed earlier as long as the parent/guardian calls the school and writes a note explaining the need for the early dismissal and the time of the early dismissal. The note must also contain the student's name and his/her homeroom number. The student must bring the note to the office before the start of school for approval. Any time a student is dismissed, a parent or guardian must report to the office to sign the student out of school.

### **Cutting Class**

Malden Public Schools considers cutting class to be a serious disruption to our school community rather than an attendance issue. Please refer to page 15 for details about infractions and consequences related to our discipline policy.

### **Vacations**

Attending school every day is vital to students' academic success. Parents/guardians and students should make every possible effort to plan vacations during the regular scheduled school vacations listed in the annual academic calendar. State policy requires Malden Public Schools to mark skipped days as unexcused absences. *Vacations other than regularly scheduled school vacations are unexcused absences.*



*“Skipping School” is considered truancy as well as an unexcused absence. Missing school days directly before and after school breaks due to extended vacations is not permitted.*

### **School Visitation Policy**

The safety of all students in our buildings is of the utmost importance. Accordingly, Malden Public Schools maintains a school visitation policy for all visitors, including parents/guardians. The following is the expected course of action:

- All visitors, including parents/guardians and members of the media entering the Malden Public Schools must report to the main office and register at the time of arrival and departure. Sign-in logs and visitor badges will be provided. Signs will be posted on all outside doors directing visitors to register in the school’s main office. Guests and visitors must sign-out when leaving the building.
- Parents/guardians and visitors are responsible for obeying traffic rules. This involves drop off and pick up areas and parking in areas around the buildings.
- Classroom visits should be planned in advance with the consent of the Principal and notice given to teachers when deemed appropriate by the Principal.
- In order not to interfere with the education of children, the Principal shall have the right to deny a request to visit a particular classroom at a particular time, limit the number of visitors to a classroom, and to set classroom visitation times.

### **Observations for Current or Proposed Special Education Programs**

*In accordance with M.G.L. c. 71B §3, the Malden Public Schools permits parents/guardians and their designees (defined by law as parent designated independent evaluators and educational consultants) to conduct in-school observations of their student’s current or proposed special education program.*

If a parent/guardian or designee wishes to conduct such an observation, the following procedures shall be followed:

1. The parent/guardian shall contact the Special Education Office and indicate that an observation is requested. The parent/guardian will indicate the name of the person who will conduct the observation and the affiliation of that person to the child and/or parent/guardian.
2. If the request for the observation comes from someone other than the parent/guardian, the school district will need to confirm with the parent/guardian the identity of the observer and ensure that the parent/guardian consents to the observation. If the designee wishes to observe the student’s records, the school district must obtain written consent from the parent/guardian before allowing the designee to access the student’s record in accordance with the Massachusetts student record regulations.
3. Upon notification of the request for the observation, the school district will provide timely access to the student’s current or proposed educational program. The school district will contact the parent/guardian and/or designee to schedule a mutually convenient time for the observation. Please be advised that there may be certain times of the year such as when the MCAS is being administered that the district generally will not schedule observations due to the disruption the observation would cause during these particular time periods. If the observation



is requested during one of these time periods the district will work with the observer to find another mutually agreeable time for the observation.

4. The school district will also discuss with the parent/guardian and/or designee in advance of the observation a reasonable time allotment for the observation. The observer will be permitted to observe both academic and non-academic activities if requested. Observation times will be determined on an individual basis depending on the circumstances of the particular student and/or program to be observed. The observation times will be of sufficient duration to enable the observers to evaluate a child's performance in the current program and the ability of a proposed program to enable such child to make effective progress.

5. The Malden Public Schools is responsible to ensure the safety of its students at all times. If, in the opinion of the school district, the observation threatens to compromise the safety of the students in the observed program, the integrity of the program during the observation, or if there is the threat of disclosure by the observer of confidential or personally identifiable information he or she may obtain while observing the program, the school district may impose reasonable limitations and restrictions on the observation. The school district will discuss these concerns with the observer prior to the observation and the school district will make reasonable efforts to work with the observer around these issues to ensure a safe and productive observation. Any limitation and restrictions imposed pursuant to this paragraph will be done on a case by case basis.

6. The Malden Public Schools may exercise its discretion at any time to reschedule or terminate an observation in the event of a building emergency or a disruption that impacts the physical or emotional well-being of the children in the school or the program being observed.

#### **Discipline Information/Principal's Discretion**

Malden Public Schools is committed to creating a supportive learning community utilizing Restorative Practices to build community and address conflicts. Restorative Justice (RJ) incorporates the values of inclusion, responsibility, reparation, healing, and reintegration. We believe that this discipline model ensures that all students have the support and guidance to become contributing members of a safe learning environment. Students will participate in Community Building Circles which are foundational practices of RJ; and some students, depending on the situation, may participate in the early intervention Restorative Chats or Restorative Conferences, a practice to address serious harm. *For more information on Restorative Justice, please go to [www.c4rj.com](http://www.c4rj.com).*

*The following section outlines the disciplinary actions a school may take to foster optimal learning environment for all students and adults at all times.*

#### **Detention**

Students may be assigned different types of detention: teacher detention and/or office detention. A teacher detention can be assigned whenever a teacher observes that student behavior is not appropriate in alignment with the school and classroom behavior norms or when academic work is not complete. Only an administrator assigns an office detention for behavior which violates the school's rules and policies. Office detention runs for 30- 60 minutes depending on the grade level of the student and the disciplinary infraction.





- **When Students Have to Report After School for More Than 1 Teacher**, it is the students' responsibility that when two or more teachers assign after school detention on the same day, *the student should report to the teacher who told him/her to stay first*. Before leaving the teacher the student should ask for a note to show the second teacher. If a student is told by two teachers to stay for make-up work, *the student should stay first for the teacher whose make-up night it is that day*. If an assistant Principal tells a student to report to a teacher after school, the student should bring a note from that teacher to the assistant Principal's office before leaving school. If a student's behavior requires staying after school, then this takes precedence over staying after school for extra help. Discipline always takes precedence over make-up work.

### **Principal's Discretion**

In every case of student misconduct for which suspension may be imposed, the Principal, or his/her designee, shall exercise discretion in deciding the consequence for the offense. The Principal shall consider ways to reengage the student in the learning process and shall attempt to avoid long term suspension as a consequence until alternatives have been tried. These alternatives may include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and positive behavioral interventions and supports.

*When the potential consequence is out-of-school suspension, what are some of the possible alternatives? Alternatives to out-of-school suspension may include but are not limited to:*

- In-school intervention
- mediation
- conflict resolution
- Restorative Justice
- positive interventions and supports

### **Procedure for Short- Term Suspension, As Per Massachusetts General Laws**

*(exclusion of a student from school premises and regular classroom activities for a specified period of not more than ten consecutive days or less.)*

*The Principal may use in-school suspension as an alternative to short-term suspension for disciplinary offenses.*

The Principal, or his/her designee, may suspend students on a short-term basis. Unless a student poses a danger to persons or property, substantially and materially disrupts the order of school, possesses a firearm, controlled substance, or assaults a school staff member, the student will receive the following prior to a short-term suspension:

1. Oral and written notice of the charges in English and the primary language of the home if other than English. This notice shall include:
  - i. The disciplinary offense;
  - ii. The basis for the charge;
  - iii. The potential consequences, including the potential length of the suspension;





- iv. The opportunity to have a hearing with the Principal and the parent/guardian concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident;
  - v. The date, time, and location of the hearing;
  - vi. The right of the parent/guardian and student to interpreter services at the hearing; and
  - vii. If the student may be placed on a long-term suspension following the hearing with the Principal:
    1. The rights set forth under the "Procedures for Long-Term Suspension"; and
    2. The right to appeal the Principal's decision to the Superintendent.
2. At the hearing, the Principal shall discuss the disciplinary offense, the basis for the charge and any other pertinent information. If the student and/or parent/guardian elects to attend, the student shall have the opportunity to present his/her version of the relevant facts and any mitigating circumstances. The Principal shall make reasonable efforts to notify the parent/guardian orally of the opportunity to attend the hearing. To conduct the hearing without the parent/guardian, the Principal must be able to document reasonable efforts to include the parent/guardian. The Principal is presumed to have made reasonable efforts if the Principal sent written notice and has documented at least two (2) attempts to contact the parent/guardian in the manner specified by the parent/guardian for emergency notification.
  3. Based on the available information, the Principal shall make a determination as to whether the student committed the disciplinary offenses and what remedy shall be imposed. The Principal shall notice the student and parent/guardian in writing of his/her decision, the reasons for it, and, if applicable, the type and duration of the suspension and the opportunity to make up assignments and other academic work.
  4. If the student is in a public preschool program or in grades K through 3, the Principal shall send a copy of the written determination to the Superintendent and explain the reasons for imposing an out-of-school suspension, before the suspension takes effect.

### **Procedure for Emergency Removal**

If present student continues to pose a danger to persons or property, or materially and substantially disrupts the order of the school and, in the Principal's judgment, there is no alternative available to prevent disruption or alleviate the danger, the Principal may impose to remove the student from the school. *This temporary removal shall not exceed two (2) school days following the day of the emergency removal.* The days of removal count as days of suspension for purposes of calculating days of suspension over the school year, as do any additional days that result following a full disciplinary hearing. Additionally, the Principal shall make immediate and reasonable efforts to provide oral and written notice the student and student's parent/guardian immediately of the emergency removal, the reason for the emergency removal, and the other information required in a short-term suspension notification. The Principal shall also provide the short-term suspension notice in writing to the student and parent. *The Principal may remove the student before providing the written notice, and shall make reasonable efforts on the day of the removal to talk to the student and the student's parent/guardian to notify each of the removal and the reasons for it.* The opportunity for a hearing with the Principal shall occur within two (2) school days, unless otherwise extended by the school and parent/guardian. A decision regarding the student's continued suspension or other removal shall be rendered orally the same day as the



hearing and written notice shall be provided the following school day. This written notice shall include all the information required based on the type of discipline imposed (short-term suspension, in-school suspension, long-term suspension, or expulsion). The Principal may also remove a student from privileges, such as extracurricular activities and attendance at school-sponsored events, based on a student's misconduct. This type of removal is not subject to the procedures for suspension and expulsion outlined in this policy.

### **Procedures for an In-School Suspension**

An in-school suspension may be used as an alternative to short-term suspension for disciplinary events. An in-school suspension means the removal of a student from regular classroom activities, but not from the school premises, for no more than ten (10) consecutive school days, or no more than ten (10) school days cumulatively for multiple infractions in one school year.

The school may use in-school suspension instead of an out-of-school suspension. If the Principal chooses this alternative, the Principal shall inform the student of the disciplinary offense charged and the basis for that charge. The student will have an opportunity to dispute the charge and explain the circumstances surrounding the charge. If the Principal determines that the student committed the disciplinary offense, the Principal shall inform the student of the length of the student's in-school suspension. If an in-school suspension is issued, the Principal shall make reasonable efforts to notify the parent/guardian of the disciplinary offense on the same day as the in-school suspension, the reasons for concluding that the student committed the offense, and the length of the in-school suspension.

The Principal will invite the parent/guardian of the student to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. This meeting shall be scheduled on the day of the suspension, if possible, or as soon as possible thereafter. The Principal shall also send written notice to the student and parent/guardian about the in-school suspension, including the reason and length of the in-school suspension, and inviting the parent/guardian to the above described meeting, if such meeting has not already occurred. The Principal shall deliver such notice on the day of the suspension by hand-delivery, certified mail, first-class mail, email to an address provided by the parent/guardian for school communications, or other method of delivery agreed to by the Principal and the parent/guardian. If no meeting occurs, the school will send written notice to the student and parent/guardian.

### **Procedures for Long -Term Suspension**

*(exclusion of a student from school premises and regular classroom activities for more than ten school days.)*

The Principal, or his/her designee, may issue long-term suspension at the building level. In the event of a long-term suspension, the student will be provided oral and written notice of the charges in English and the primary language of the home if other than English. This notice shall include:

- The disciplinary offense;
- The basis for the charge;
- The potential consequences, including the potential length of the suspension;
- The opportunity to have a hearing with the Principal and the parent/guardian concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident;



- The opportunity to review the student's record and the documents upon which the Principal may rely in making a determination to suspend the student or not;
- The right to be represented by counsel or a lay person of the student's choice, at the student's/parent's/guardian's expense;
- The right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so;
- The right to cross-examine witnesses presented by the school district;
- The right to request that the hearing be recorded by the Principal, and to receive a copy of the audio recording provided to the student or parent upon request. If the student or parent/guardian requests an audio recording, the Principal shall inform all participants before the hearing that an audio record will be made and a copy will be provided to the student and parent/guardian upon request;
- The date, time, and location of the hearing;
- The right to appeal the decision to the Superintendent; and
- The right of the parent/guardian and student to interpreter services at the hearing.

The Principal shall make reasonable efforts to notify the parent/guardian orally of the opportunity to attend the hearing. To conduct the hearing without the parent/guardian, the Principal must be able to document reasonable efforts to include the parent/guardian. The Principal is presumed to have made reasonable efforts if the Principal sent written notice and has documented at least two (2) attempts to contact the parent/guardian in the manner specified by the parent for emergency notification.

At the hearing, if the student and/or parent/guardian elect to attend, the student shall have the opportunity to present his/her version of the relevant facts and any mitigating circumstances. The student shall also have the right to produce witnesses and the right to cross-examine witnesses presented by the school. The parent/guardian, if present, shall have the opportunity to discuss the student's conduct and other information, including mitigating circumstances, that the Principal should consider in determining consequences for the student. The Principal shall make a determination as to whether the student committed the disciplinary offenses and what consequences shall be imposed. The Principal shall notice the student and parent/guardian in writing of his/her decision, including the following information:

- The disciplinary offense, the date on which the hearing took place, and the participants in the hearing;
- The key facts and conclusions reached by the Principal;
- The length and effective date of the suspension and the date of return to school;
- The notice the student's opportunity to receive education services to make academic progress during the suspension;
- The student's right to appeal the Principal's decision to the Superintendent or his/her designee if a long-term suspension has been imposed. Notice of the right of appeal shall be in English and the primary language of the home if other than English, or other means of communication where appropriate. This notice of appeal shall include the process for appealing the decision, which requires the parent/guardian or student to file a written notice of appeal with the Superintendent within five (5) calendar days of the effective date of the long-term suspension. It shall also notify the parent/guardian and student that the long-term suspension will remain in



effect unless and until the Superintendent decides to reverse the Principal's determination on appeal.

- i. The Superintendent shall hold the hearing within three (3) school days of the student's request, unless an extension is mutually agreed to. The extension can be for no more than seven (7) calendar days.
- ii. The Superintendent shall make a good-faith effort to include the parent/guardian in the hearing.
- iii. The hearing shall be conducted to determine whether the student committed the disciplinary offense and, if so, what the consequence shall be. The hearing shall be audio recorded and a copy of the recording shall be provided to the student or parent upon request. The Superintendent shall inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent/guardian upon request.
- iv. All of the same rights that are afforded in the above long-term suspension Principal's hearing shall apply to the student in a Superintendent's hearing.
- v. The Superintendent shall issue a written decision within five (5) calendar days of the hearing. If the Superintendent determines that the student committed the disciplinary offense, the Superintendent may impose the same or lesser consequence than the Principal, but cannot impose a suspension greater than the Principal.
- vi. The decision of the Superintendent shall be the final decision of the school district.
- vii. If the student is in grades K-3, the Principal shall send a copy of the written determination to the Superintendent and explain the reasons for the suspension before the suspension takes effect.

### **Expulsion (More Than 90 Days)**

Expulsion is the removal of a student from the school premises, regular classroom activities, and school activities for more than ninety (90) days, indefinitely, or permanently. Conduct that may lead to expulsion, with no time limit of school re-entry, includes but is not limited to possession of a dangerous weapon, assault on school personnel or upon other students, possession of a controlled substance, and certain felony convictions and charges.

### **Discipline of Students on 504 Plans**

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

### **Discipline of Special Education Students**

In general, special education students may be excluded from their programs for up to ten school days per school year just as any other student. However, when the district seeks to exclude a special education student from his/her program for more than ten school days in the school year, the student's Special Education Team must first determine whether the student's behavior was caused by, or was directly and substantially related to his/her disability or whether the conduct in question was the direct



result of the district's failure to implement the student's IEP (a "manifestation determination"). If the Team determines that the behavior was a manifestation of his/her disability or was caused by a failure to implement the IEP, it must conduct a Functional Behavioral Assessment (FBA) and develop a Behavior Intervention Plan (BIP) (or review and modify an existing plan, if necessary), and return the student to his/her current program, unless the student's parents/guardians and the district agree to a change in placement. If the Team determines the behavior was not caused by, or directly and substantially related to the student's disability, or failure to implement the IEP, the school may discipline the student according to the school's code of student conduct, except that during the period of suspension or expulsion, the district must continue to provide the student with a free appropriate public education (FAPE) and, if appropriate, conduct a functional behavior assessment and provide intervention services and modifications to prevent the conduct from recurring. If the conduct involves weapons, drugs, or serious bodily injury, a special education student may be removed to an interim alternative educational placement for up to 45 school days regardless of the behavior's relationship to the disability.

A child who has not been determined to be eligible for special education and related services and who has engaged in behavior that violates a code of student conduct, may assert any of the protections provided for special education students if the school had knowledge (as determined by the IDEA) that the child was a child with a disability before the behavior that precipitated the disciplinary action occurred.

Additional information regarding the procedural protections for students with disabilities can be obtained from the Assistant Superintendent of Student Services at 781-397-7245.

### **Student Dress Code**

*In accordance with Massachusetts State Law*, students have the right to freedom of expression, provided that such right shall not cause any disruption or disorder within the school. There is an expectation that students dress in a manner that is appropriate for a place of study; and are obeying to reasonable standards of safety, health, and cleanliness, so as not to detract from the education process. If style demonstrates that it is disruptive to the education process, constitutes a threat to the safety and health of self and others, or is in violation of any statute, it will not be permitted in school.

*Clothing that creates a risk of substantial and material disruption or disorder within the school is not acceptable. This may include:*

- Clothing with any picture and/or wording that relates or infers to sex, alcohol, drugs, tobacco, or displays lewd, vulgar, indecent or "plainly offensive" language.
- Hats, headbands, hoods, bandanas, or any other head coverings (except for religious reasons) and sweatbands or wristbands.
- Clothing worn in such a manner as to reveal underwear, cleavage, or bare skin between the upper chest, belly area, and mid-thigh.
- Spaghetti straps, strapless tops, and halter tops.
- See through and/or mesh garments.
- Visible undergarments.
- Clothing that is excessively baggy or tight.
- Skirts and shorts shorter than mid-thigh – even if wearing tights.
- 'Wheelie' sneakers/shoes (those containing wheels, hidden or visible, for skating).



- Sunglasses worn inside the school building.
- Clothing that advertises adult entertainment symbols (Playboy, Playgirl, etc).
- Clothing or article that suggests gang activities.
- Chains (wallet, belt, large neck chains, etc.).
- Spiked collars, spiked belts, spiked bracelets.
- Pants, when the waist falls below hip or the length of the pant touches the floor.
- Any other article of appearance that is physically revealing.

The school Principal, having discretion to render judgments regarding what is and what is not appropriate, may, if necessary, waive these policy restrictions in religious and/or medical situations. The Principal will determine what consequences should follow when a student does not comply with this policy. A student may be sent home to dress appropriately or a parent/guardian may be required to bring in a change of clothing.

*All outer garments (ex. jackets/parkas/windbreakers etc.) and book bags must be removed and left in the student's locker during the school day.*

### **Uniforms**

*The Linden STEAM Academy is a school where students wear a uniform. It is expected that all students that attend adhere to the uniform policy that is given upon registration at the Parental Information Center. If a family cannot afford the school uniform you should contact the Principal and based on need, a uniform will be provided.*

### **School Cancellation and Delays**

In the event of inclement weather or other emergency, we will follow the Massachusetts Department of Elementary and Secondary Education (DESE) school closing policy. School cancellation and delay announcements will be made on Connect-Ed, as well as local television stations. Information about school cancellations will also be posted on the website.

### **Lunch Program**

The Malden Public Schools shall support the wellness of students and staff through good nutrition, regular physical activity, and positive dietary and lifestyle practices as part of its total learning environment. Our schools contribute to the overall health status of children by providing nutritious foods and opportunities for physical activity, by facilitating wellness through teaching, support, and promotion of good nutrition and physical activity. Improved health optimizes student performance potential and ensures that children need to be healthy to learn and learn to be healthy. In fostering and establishing a school environment that promotes students' health, well-being, and ability to learn by supporting healthy eating, students will eat lunch in the cafeteria where they may purchase a hot lunch, sandwich, or bring their own lunch from home. For safety reasons, students are not allowed to bring glass bottles containing food or beverages to school. All eating and drinking is confined to the cafeteria, unless otherwise has been approved by the Principal.

*It is the general policy of Malden Public Schools that any outstanding lunch account debt is expected to be paid promptly. While we understand that an occasional emergency may come up, we encourage parents/guardians and students to work together to keep their lunch accounts current. It is important to note that, at the end of each school year, Malden Public Schools absorbs negative lunch balances into*





the budget of the next school year. That is money taken away from infrastructure improvements, purchase of textbooks, or possibly the hiring of a teacher or paraprofessional. If your financial situation has changed, you may be eligible for free and reduce lunch assistance. *Applications are available for students qualifying for the free/reduced lunch program. You can also find application online at <https://maldenps.org/information/free-reduced-lunch-application/>.*

This policy is meant to establish consistent account collection practices district-wide, to protect the privacy and dignity of our children, and to enable Food Services with certain debt collection abilities to effectively maintain a financially responsible accounting of student lunch account balances. In order to provide students and parents/guardians with the best possible service, clarity, and accountability surrounding the school lunch program, the procedures regarding student lunch account balances are as follows:

1. Food Services personnel will have training and access to utilize the Connect-Ed phone messaging system to notify parents/guardians of a negative lunch account balance.
2. When a student reaches a negative balance of \$10, Food Services will send a Connect-Ed message, and mail a notice to the parent/guardians.
  - a. The mailed notice and Connect-Ed message will indicate that a negative balance of \$10 or greater exists, and provide instructions on how to pay the debt. They will also inform parents/guardians that, if and when the negative balance reaches \$20, the student will receive an alternative lunch until the balance is paid.
  - b. The messages will also contain information about applying for free or reduced lunch, if the parents/guardians think they may be eligible.
3. When a student reaches a negative balance of \$20, Food Services will mail a second notice, and send a second Connect-Ed message.
  - a. These messages indicate the current balance, notify parents/guardians that students will immediately begin receiving an alternative lunch, and provide instructions for paying the debt. The alternative lunch offering will continue until the balance is paid.
4. Food Services may also enlist the assistance of school personnel to notify parents/guardians of a negative lunch account balance.
  - a. Food Services may provide school Principals with notices to be sent home with students in a sealed envelope.
5. A student carrying a negative lunch account balance may purchase a meal with cash on hand.
  - a. Any change from a cash purchase must be returned to the student, unless the student specifically directs that cashier to apply the change to the lunch account balance.
6. For any student carrying a negative lunch balance of greater than \$20 at the time of this policy change, parents/guardians will be given the option of making weekly payments of \$10 until the balance is paid. *During this time, as long as weekly payments are made, the student will continue receiving regular lunch options.*
7. Any case of a student receiving an alternative lunch as a result of this policy will be handled with discretion, and every attempt will be made to protect the privacy of the student.

### **Personal Items**

Students are expected to be responsible for their own personal items. The school will not assume responsibility for valuables left in desks, homerooms, coat pockets, or unlocked lockers.

Parents/guardians should put name labels on all students' personal belongings. These markings will help



school staff locate lost items. *Do not allow your child(ren) to bring extra money, valuable items, toys, and electronic devices to school unless written approval has been given by the child's teacher.*

### **Prohibited Items**

The following articles will be considered inappropriate and not allowed to be used in school:

- Cell phones, radios, tape players, CD players, MP3 players, IPODs, and/or any headset players
- Hand held video games
- Roller blades and/or skate boards
- Scooters
- Trading Cards of any kind
- Laser Pointers which are considered dangerous weapons and will not be returned
- Hover boards

*Any student in possession of stated articles will have the following occur:*

**FIRST TIME** – Said article will be taken from student and may be picked up after school.

**SECOND TIME** – Said article will be taken from student and returned to parents/guardians only.

**THIRD TIME**- Said article will be taken from student and returned on the last day of school.

### **Use of Cell Phones**

We understand that parents/guardians may want to connect with their child as she/he travels to and from school, for this reason, cell phones and/or pagers *may be brought with the permission of a parent/guardian*. However, use of cell phones during the school day is prohibited, and the power must be turned off. Cell phones are not allowed in bathrooms or locker rooms. Cell phone usage is not allowed within the school building. It is the students' responsibility to ensure that their cell phones are turned off and put away. Students who violate the above restrictions shall be deemed to have created a disruption to the instructional environment and are subject to disciplinary action, as well as confiscation and return of the phone to the students' parents/guardians.

Students should be personally and solely responsible for the security of their cell phones. Malden Public Schools shall not assume responsibility for theft, loss, or damage of a cell phone, or unauthorized calls made on cell phones.





## IV. Academics

We expect every child in the Malden Public Schools to be educated in learning centered classrooms where:

- There is a safe and structured learning environment.
- Students are coached by teachers who have a good rapport with their students, are enthusiastic, and demonstrate passion for their work.
- Students are encouraged to be curious, inventive, and creative.
- There is equitable access to high level learning for all students.
- Students are learning knowledge, skills, and processes as individuals and as team members.
- Instruction is deliberate, thoughtful, and standards based.
- Teachers use a variety of instructional strategies and activities to build on student knowledge and experience.
- Student work including projects, products, and services is shared and exhibited.
- Technology is used to support teaching and learning.

### K-8 School Definition

**What is a K-8 School?** It is a school for students making the transition from childhood to adolescence. It is a school addressing the uniqueness of students from kindergarten to grade 8. A K-8 school stresses the importance of academics while giving the student opportunities to explore new and varied courses. Students in grades 5-8 follow a middle school model and are placed on an interdisciplinary team. Our primary responsibility to our students is to promote and support their learning.

### Band

Band is an academic course that provides the opportunity for students to perform and to enhance their musical skills. Students selecting this course are required to make a commitment of time and energy that includes parades, evening performances, and after school rehearsals, as well as completing missed academic work.

### Grading

*Grades K-4 use a Standards Based Report Card. Grades 5-8 use the following grading scale:*

A+ = 98 – 100	C = 73 – 76
A = 93 – 97	C- = 70 – 72
A- = 90 – 92	D+ = 67 – 69
B+ = 87 – 89	D = 63 – 66
B = 83 – 86	D- = 60 – 62
B- = 80 – 82	F = below 60
C+ = 77 – 79	

All exploratory/content subjects will receive a letter grade. Pass/Fail (P/F) will not be given in grades 3-8.

### Quarterly Progress Reports and Report Cards

Student progress is reported to parents/guardians in several ways. There are individual parent/guardian conferences between parents/guardians and teachers, progress reports and report cards. The teachers may also call and/or email parents/guardians at any time to discuss a student's progress.



Parents/guardians who wish to make immediate visits with teachers should call or e-mail the Principal or assistant Principal's office or send a note to the teacher requesting an appointment. Beginning in 5th grade, students and parents/guardians also have access, via their own password, to our X2 On-Line Grading System which allows for students and parents/guardians to check their grades/averages on a regular basis.

### **Progress Reports**

The purpose of the mid-quarter progress report is as follows:

- To provide parents/guardians with information on how their child is doing in school
- To provide positive feedback to students who are doing well
- To provide information to students who are not doing well and to give them the opportunity to improve their performance before the quarter ends.

### **Report Cards**

In grades 1-8 the report cards are issued quarterly. The first three must be signed by a parent/guardian and returned to school within three days. Kindergarten report cards are issued twice yearly (January and June).

An unsatisfactory notation may be given to a student for a number of reasons. For example, low and failing performance on tests, incomplete homework, not working up to expectations, not passing in work on time, lack of effort, inappropriate behavior, etc. *The progress report is an indicator and is intended to be a motivator for improvement.* Progress reports are to be signed by a parent/guardian and returned within three days.

### **Honor Roll**

Beginning in the 3rd grade, there will be two designations for the Honor Roll:

**HIGH HONORS** – a student must achieve all As on his/her report card in all subjects including exploratory subjects.

**HONORS** – a student must achieve Bs or better on his/her report card in all subjects including exploratory subjects.

### **Grade Level Promotion and Retention Policy**

#### **Promotion**

Promotion standards are the academic benchmarks students must meet in order to be promoted to the next grade level at the end of the school year. Throughout the year, teachers and Principals regularly review academic performance and identify students who, even with additional support, are at risk of not meeting promotion standards for their grade level. Students' academic progress is assessed holistically, using multiple measures.

#### **Retention Guidelines for Grades K-5**

Upon the closing of 2nd quarter, parents/guardians will be notified by the Principal or designee via letter and meeting that their child is at risk of not being promoted with justification rationale (attendance, academic progress, educational history). A meeting will be held with the parents/guardians, Principal, teacher(s), and support personnel to discuss the child's progress using academic, behavioral, and/or intervention data.



Via a letter and meeting, the final determination of retention will be discussed with parents/guardians in late spring by the Principal or designee. Above-mentioned data and progress since first meeting will be used to make this determination. The Principal is the final arbiter of all decisions regarding retentions.

### **Retention Guidelines for Grades 6-8**

Students who fail 4 out of 4 major subjects (English, Math, Social Studies, and Science) will be retained and are not eligible for Summer School. Parents/guardians will be notified by the Principal via letter.

Students who fail 3 out of 4 major subjects (English, Math, Social Studies, and Science) will be retained in June and are eligible for Summer School. Upon successful completion of Summer School, student will be promoted to the next grade level in August. Parents/guardians will be notified by Principal via letter.

Students who fail 2 out of 4 major subjects (English, Math, Social Studies, and Science) will be retained in June and are eligible for Summer School. Upon successful completion of Summer School, student will be promoted to the next grade level in August. Parents/guardians will be notified by Principal via letter.

### **Homework Policy**

Homework has an important function in a student's learning process, and students should generally expect to receive homework assignments each day.

- Teachers use homework in evaluating student progress and achievement.
- The length of time that it takes to complete homework may vary depending on the student's individual pace.
- It is important that students remember that homework does not mean only written work; reading and reviewing material in class and looking ahead to new material are parts of homework that are often overlooked by students.
- Long-term assignments help students to learn planning and pacing skills needed to complete these projects.
- Each grade and/or class, in consultation with the Principal and content director, will implement his or her own homework requirements. These requirements are based on specific goals and particular needs of each child and are developed by and adhered to by the child's teachers.
- The homework policy ensures that every student will be provided appropriate homework activities to reinforce and expand the concepts being taught and to enhance everyday understanding of course content.

The following policies are set by the Malden School Committee as the minimum amount of time students are expected to spend on daily homework assignments. *Note that recess will not be taken away for incomplete homework.*

- Grade K-2; 15 minutes per day
- Grades 3 & 4; 45 minutes per day at the teacher's discretion
- Grade 5; 45-60 minutes per day



- Grade 6; 60- 90 minutes per day
- Grades 7 & 8; 2 hours per day
- Teachers are encouraged to coordinate assignments.

### **Late Work and Make-Up Work**

It is the responsibility of all students to make up work that is late or missed, including homework, when they return from any absence. This is done by seeing his/her teacher(s) after school and working out a schedule to complete the work missed.

Each teacher is available ½ hour after school each day Monday through Thursday to be of assistance to students or to confer with parents/guardians. Once a week, grades 7 and 8 teachers will be after school for an extra 30 minutes to assist students.

### **Student Supplies**

Students are responsible for all texts, paperback books, technical devices and other school supplied materials and must pay for loss or damage. At the end of the year, report cards may be withheld from those students who have not made restitution. If you have questions regarding supplies and material, contact your Principal and/or teacher for additional information.

### **Programs**

#### **Accelerated and Enriched Academic Program (A.E.-A.P.)**

The Accelerated and Enriched Academic Program (A.E./A.P.) is located at The Linden School and is an academically challenging program for students in grades 3-8 who have met specific criteria established for incoming students. Students in grades 1 and 2 are encouraged to enroll and participate in our Pre-A.E.-A.P. Please note that final selection to the program is done at the end of 2nd grade. There is no guarantee that all Pre-A.E.-A.P. students will meet the criteria. It is possible that in exiting the program, your child may have to attend another in-district school. The criterion for A.E.-A.P. include, but are not limited to, the following:

- Students should have “Secured” skills as indicated on their Report Card in Reading and Math Readiness (Kindergarten, 1st and 2nd grades).
- Teacher and Principal recommendations, including teacher observation rubric.
- Other assessments as determined by the screening committee, including state and district assessments.

The academic curriculum for each grade level is based on the high standards set for all of Malden’s K-8 schools. However, the Accelerated and Enriched Academic Program will offer opportunities for advanced enrichment and specialized instruction by teachers specially trained in accelerated educational pedagogy. This is to ensure the students’ academic needs are being met throughout the program. To apply for the Accelerated and Enriched Academic Program, parents/guardians need to complete and submit an application (available at the Parent Information Center) together with documentation of the criteria listed above to the Parent Information Center, 529 Salem Street. For more program information, contact School Principal Richard Bransfield at (781)-397-7218. For application information, contact the Parent Information Center at (781)-397-7271.



### **English Language Learner Program**

Malden Public Schools ensures that all English Language Learners (ELLs) receive equal access to all educational programs and extracurricular opportunities. Students identified as having limited English proficiency are provided with Sheltered English Immersion (SEI) classes to help ELLs master the core content and develop English language proficiency. In these classes, the curriculum and presentation are designed for children who are learning the English language. Books and instructional materials are in English and all reading, writing, and subject matter are taught in English. English as a Second Language (ESL) support will be offered to English Language Learners at all K-8 schools.

*For more information, contact Heidi Perez, Director of English Language Learners, at 781-397-6100.*

### **Title One Services**

**What is Title One?** Title I, of the Elementary and Secondary Education Act (ESEA), as amended, provides financial assistance to districts and schools with high numbers or high percentages of children from low-income families to help ensure that all children meet challenging state academic standards. Federal funds are currently allocated through statutory formulas that are based primarily on census poverty estimates and the cost of education in each state. Malden's Title One program focuses on Reading and/or Mathematics in the K-8 schools. Title One teachers identify students in need of educational help in those subjects and provide them with appropriate services. The teachers use a variety of teaching methods and materials to assist students to attain grade level proficiency in reading and mathematics.

For more information about Title One, contact Janice Raymond, Director of Literacy and Title I at (781) 397-6100.

### **Supports for Promoting Academic Success**

#### **Students in Need of Academic Remediation/ Tutoring**

Students who are struggling to make adequate progress and are in need of academic remediation will be offered appropriate supports and services to assist them with achieving expected competencies in core academic skills such as literacy and numeracy. Teachers are available ½ hour after school each day Monday through Thursday to be of assistance to students and/or to be available for discussion with parents/guardians. Grade 7 & 8 teachers will also be available once a week for ½ hour to assist students.

#### **Students with Disabilities and Special Education Services**

Malden Public Schools will ensure that all eligible students with disabilities receive a free and appropriate public education as defined by the Individuals with Disabilities Education Act. The purpose of Special Education State and Federal Law is to ensure that eligible Massachusetts students receive specialized instruction designed to develop individual students' educational potential in the least restrictive environment.

Eligible students shall mean students ages three through twenty-one who have not attained a high school diploma or its equivalent, who have been determined by the Team to have a disability(ies), and as a consequence is unable to progress effectively in the general education program without specially designed instruction or is unable to access the general curriculum without a related service (603 CMR 28.02(9)).



*A disability shall mean one or more of the following impairments:*

- Autism
- Development Delay
- Intellectual Impairment
- Sensory Impairment
  - 1. Hearing
  - 2. Vision
  - 3. Deaf / Blind
- Neurological Impairment
- Emotional Impairment
- Communication Impairment
- Physical Impairment
- Health Impairment
- Specific Learning Disability

A referral for a Special Education evaluation may be made by a parent/guardian or any person in a care giving or professional position concerned with the student's development (603 CMR 28.04 (1)). Once a referral has been made, a consent form describing the types of testing suggested is sent to the parent/guardian. In addition, a Parent's Rights Brochure is provided as well as information on the opportunity to consult with the Special Education Administrator prior to the evaluation to discuss the recommended assessments and the evaluators. Once consent has been received from the parent/guardian, a multi-disciplinary, appropriately credentialed team will complete a thorough and comprehensive evaluation, including assessments in all areas of the suspected disability. A team meeting of all the evaluators and the parent/guardian will then meet to review the testing and to determine eligibility for Special Education. Once eligibility is determined, the team then develops an Individualized Education Program (IEP) for the student in the least restrictive setting possible. There is a wide range of services available to students with disabilities and what is provided will depend on the specific student's needs. In addition, special educators work with general education teachers to assist them in making accommodations and modifications for students with disabilities within the general curriculum.

For questions regarding special education please contact the Special Education Administrator. Additional information is also available on-line at the Massachusetts Bureau of Special Education Appeals website, at <http://www.doe.mass.edu/bsea/>.

#### **504 Accommodation Plans**

Section 504 of the Rehabilitation Act of 1973 is a non-discrimination statute that ensures disabled students have educational opportunities and benefits provided to non-disabled students. Students may be eligible for educational services under Section 504, as well as under State and Federal Special Education laws. Eligibility under 504 requires that a student has, or has a record of having, or is regarded as having a physical or mental impairment, which substantially limits major life activity, such as learning, self-care, walking, seeing, hearing, speaking, breathing, working or performing manual tasks. Services are available to students meeting the above criteria through a 504 Accommodation Plan.

#### **English Language Learners (ELLs)**

Please refer to the *English Language Learner Program* section of this Handbook on page 29.



## V. Student Activities

It must be clearly understood that participation in athletic activities in the Malden Public Schools is a privilege- not a right- extended to those students who conformed to the rules and regulations of eligibility and behavior set by the Massachusetts Interscholastic Athletic Association (MIAA) and the Malden Public Schools. A student must be present on the day in order to participate in an activity. The student athletes who exercise their privilege to participate are representing their school, community, family, and themselves, and therefore assume a greater responsibility for their behavior. The student participating must represent the Malden Public Schools and the ideals that it stands for and must act in a manner, which illustrates ideals of leadership, high moral character, loyalty, and academic “good standing”.

## VI. Student Safety & Health

### Emergency and Evacuation Procedures

Emergency and evacuation procedures are a very serious part of the school routine. Whether it is a drill or real emergency, the actions that students and staff should take are the same. Emergency drills are held throughout the year. The drills are planned in such a way as to ensure the safety of students and staff in the shortest possible time and in the most efficient and orderly fashion. We will be practicing three types of Safety Drills throughout the school year: Shelter-In-Place, Lockdown, and Evacuation. This insures that all students will know what to do in the event of an actual emergency.

**On the Website (District Safety Plan):** *For details on the district safety plan please visit <https://maldenps.org/information/school-safety-procedures/>.*

### Fire Drill Procedures

Students will follow the directions of the teacher and obey the posted fire drill procedure for each room. The following rules will be observed:

- Look for the fire drill instructions in every room.
- Walk in silence and at a normal pace.
- Stay with the class at all times and assemble in an area outside the building designated by the teacher.
- Do not return to the building until told to do so by the teacher.
- Upon your re-entry to the building, proceed directly back to the classroom.
- If any alarm is sounded when a student is not in a classroom, leave by the closest exit and report to the nearest teacher.

### Fire Alarms

Massachusetts law provides for imprisonment in a jail or house of correction for up to one year, or for a fine of not less than one hundred dollars (\$100) for anyone who causes to be made a false alarm of fire (M.G.L. c. 269, § 13). Anyone apprehended making a false alarm on school property will be suspended and referred to the authorities for court action.

*For more information and details about the Malden Public Schools District Safety plan please visit: <https://maldenps.org/information/school-safety-procedures/>.*





## **Physical Restraint**

In accordance with Massachusetts Education Laws and Regulations Policy (603 CMR 46.00), school personnel shall use physical restraint with two goals in mind:

1. To administer physical restraint only when needed to protect a student and/or a member or a member of the school community from assault or imminent, serious, physical harm; and
2. To prevent or minimize any harm to the student as a result of the use of physical restraint.

Physical restraint is defined as direct physical contact that prevents or significantly restricts a student's freedom of movement. Physical restraint does not include: brief physical contact to promote student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing comfort, or a physical escort. Physical restraint is an emergency procedure of last resort and shall be prohibited except when a student's behavior poses a threat of assault, or imminent, serious, physical harm to self or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions, or such interventions are deemed to be inappropriate under the circumstances. *In the event that physical restraint is required to protect the safety of school community members, the Malden Public Schools has enacted the following policy and procedures to ensure the proper use of restraint and to prevent or minimize any harm to the student as a result of the use of restraint* These procedures shall be annually reviewed, provided to school staff, and made available to parents/guardians or enrolled students. None of the paragraphs of the policy/procedures which follow precludes a teacher, employee or agent of the Malden Public Schools from using reasonable force to protect students, other persons, or themselves from assault or imminent, serious harm.

## **Administration of Physical Restraint**

A. Physical restraint may only be used in the following circumstances:

- When non-physical interventions are deemed inappropriate; and
- When a student's behavior poses a threat of assault, or imminent, serious, physical harm to self or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions.

B. Physical restraint is prohibited in the following circumstances:

- As a means of discipline or punishment;
- When the student cannot be safely restrained because it is medically contraindicated for reasons including, but not limited to, asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting;
- As a response to property destruction, disruption of school order, a student's refusal to comply with a public education program rule or staff directive, or verbal threats when those actions do not constitute a threat of assault, or imminent, serious, physical harm; or
- As a standard response for any individual student. No written individual behavior plan or individualized education program (IEP) may include use of physical restraint as a standard response to any behavior. Physical restraint is an emergency procedure of last resort.

C. Only school personnel who have received required training or in-depth training pursuant to this policy shall administer physical restraint on students with, whenever possible, one adult witness who does not participate in restraint. The training requirements, however, shall not preclude a





teacher, employee or agent of the school from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.

- D. A person administering a physical restraint shall use only the amount of force necessary to protect the student or others from physical injury or harm.
- E. A person administering physical restraint shall use the safest method available and appropriate to the situation. Floor or prone restraints may only be administered by staff who has received in-depth training as specified in this policy and, when in the judgment of the trained staff member, such method is required to provide safety for the student or others. Prone restraint shall be prohibited except on an individual student basis, and only under the following circumstances:
- The student has a documented history of repeatedly causing serious self-injuries and/or injuries to other students or staff;
  - All other forms of physical restraints have failed to ensure the safety of the student and/or the safety of others;
  - There are no medical contraindications as documented by a licensed physician;
  - There is psychological or behavioral justification for the use of prone restraint and there are no psychological or behavioral contraindications, as documented by a licensed mental health professional;
  - The program has obtained consent to use prone restraint in an emergency as and such use has been approved in writing by the Principal; and,
  - The school has documented this information in advance of the use of prone restraint and maintains the documentation.
- F. Physical restraint shall be discontinued when it is determined that the student is no longer at risk of causing imminent physical harm to self or others or the student indicates that he or she cannot breathe, or if the student is observed to be in severe distress, such as having difficulty breathing, or sustained or prolonged crying or coughing.

Additional safety requirements:

- A restrained student shall not be prevented from breathing or speaking. A staff member will continuously monitor the physical status of the student, including skin color and respiration, during the restraint.
- If at any time during the physical restraint, the student demonstrates significant physical distress, as determined by the staff member, the student shall be released from the restraint immediately, and the school staff shall take steps to seek medical assistance.
- Program staff shall review and consider any known medical or psychological limitations and/or behavioral intervention plans regarding the use of physical restraint on an individual student.
- If a student is restrained for a period longer than 20 minutes, program staff shall obtain the approval of the Principal. The approval shall be based upon the student's continued agitation during the restraint justifying the need for continued restraint.



- G. At an appropriate time after release of a student from physical restraint, a school administrator or other appropriate school staff shall:
- Review the incident with the student to address the behavior that precipitated the restraint;
  - Review the incident with the staff person(s) who administered the restraint to discuss whether proper restraint procedures were followed; and
  - Consider whether any follow-up is appropriate for students who witnessed the incident.

### **Medication/Mechanical Seclusion Restraints Prohibited**

*The administration of medication for the purpose of restraint, is prohibited.* Medication prescribed by a licensed physician and authorized by the parent/guardian for administration in the school setting is not medication restraint.

Mechanical restraint is the use of any device or equipment to restrict a student's freedom of movement. Such devices may include: adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility. The term does not include devices implemented by trained school personnel, or utilized by a student that have been prescribed by an appropriate medical or related services professional, and are used for specific and approved positioning or protective purposes for which such devices were designed.

Seclusion restraint, the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving, is prohibited. The use of "*time out*" which a student temporarily separates from the learning activity or the classroom, either by choice or by direction from staff, for the purpose of calming, shall not be considered a "seclusion restraint". During time-out, a student must be continuously observed by a staff member. Time-out shall cease as soon as the student has calmed. A Principal must approve of any time-out that is to continue for more than thirty (30) minutes based on the individual student's continuing agitation.

### **Reporting Requirements**

A. Program staff who administered such a restraint shall verbally inform the Principal of the restraint as soon as possible and by written report no later than the next school day.

- The written report shall be provided to the Principal or his/her designee, except the Principal shall prepare the report if the Principal administered the restraint and submit it to an individual or team designated by the Superintendent;
- The Principal or his/her designee shall maintain an on-going record of all reported instances of physical restraint, which shall be made available for review by the Department of Elementary and Secondary Education, upon request.

B. The Principal or his/her designee shall verbally inform the student's parent(s)/guardians(s) of such restraint within twenty-four (24) hours and by written report postmarked no later than three (3) school days following the use of such restraint.

- If the school customarily provides school related information to the parent(s)/guardian(s) in a language other than English, the written restraint report shall be provided in that language.
- The Principal shall provide the student and the parent/guardian an opportunity to comment orally and in writing on the use of the restraint and on information in the written report.



C. The written report required by Section B above shall include:

- Name of the student;
- Names and job title of staff who administered the restraint, and observers, if any;
- Date of restraint and time restraint began and ended;
- Name of administrator who was verbally informed following the restraint;
- Name of the Principal or designee who approved continuation of the restraint beyond 20 minutes;
- Description of the activity the student, other students, and staff in the area were engaged in immediately preceding the use of physical restraint;
- Student's behavior that prompted the restraint;
- Efforts made to de-escalate the situation and alternatives to restraint that were attempted;
- Justification for initiating physical restraint;
- Description of administration of restraint including;
  - a) the holds used and reasons such holds were necessary,
  - b) the student's behavior and reactions during the restraint,
  - c) how the restraint ended, and
  - d) documentation of injury to the student and/or staff, if any, during the restraint and any medical care provided.
- Information regarding any further action(s) that the school has taken or may take, including any disciplinary sanctions that may be imposed on the student; and
- Information regarding opportunities for the student's parent(s)/guardians(s) to discuss with school officials the administration of the restraint, any disciplinary sanctions, and/or other related matters.

D. The Principal shall conduct a weekly review of restraint data to identify students who have been restrained multiple times during the week. If such students are identified, the Principal shall convene one or more review teams as the Principal deems appropriate to assess each student's progress and needs. If the Principal directly participated in the restraint, a duly qualified individual designated by the Superintendent shall lead the review team's discussion. The assessment shall include at least the following:

- Review and discussion of the written reports submitted and any comments provided by the student and parent/guardian about such reports and the use of the restraints;
- Analysis of the circumstances leading up to each restraint, including factors such as time of day, day of the week, antecedent events, and individuals involved;
- Consideration of factors that may have contributed to escalation of behaviors, consideration of alternatives to restraint, including de-escalation techniques and possible interventions, and such other strategies and decisions as appropriate, with the goal of reducing or eliminating the use of restraint in the future; and
- Agreement on a written plan of action by the program.

E. The Principal shall conduct a monthly review of school-wide restraint data. This review shall consider patterns of use of restraints by similarities in the time of day, day of the week, or individuals involved; the number and duration of physical restraints school-wide and for individual students; the duration of restraints; and the number and type of injuries, if any, resulting from the use of restraint. The Principal shall determine whether it is necessary or appropriate to modify the school's restraint prevention and



management policy, conduct additional staff training on restraint reduction/prevention strategies, such as training on positive behavioral interventions and supports, or take such other action as necessary or appropriate to reduce or eliminate restraints.

F. When a physical restraint has resulted in an injury to a student or program staff member, the program shall send a copy of the written report to DESE postmarked no later than three (3) school working days of the administration of the restraint. The school shall also send DESE a copy of the record of physical restraints maintained by the Principal for the thirty-day (30) period prior to the date of the reported restraint. The Department shall determine if additional action by the program is warranted and, if so, shall notify the program of any required actions within thirty (30) calendar days of receipt of the required written report(s).

### **Grievance Procedures for Physical Restraint**

This grievance procedure is established to meet the requirements of the Physical Restraint Policy. Any individual who believes that a physical restraint of a student may have been unwarranted or conducted inappropriately may file a complaint by utilizing the following procedure:

- The complaint must be submitted in writing or on audiotape to the Asst. Superintendent of Student Services.
- A meeting with the Asst. Superintendent of Student Services and the complainant will take place within ten (10) school days of receipt of the complaint.
- A thorough investigation will be conducted which may include interviewing witnesses, staff involved and/or the student; reviewing all written documentation leading up to and pertaining to the incident and all reports filed with the Superintendent or his designee and the Department of Elementary and Secondary Education.
- A written report of findings will be developed by the Asst. Superintendent of Student Services and provided to the complainant.

*In accordance to M.G.L. c. 71, § 55A par. 2, no public school teacher and no collaborative school teacher, no Principal, secretary to the Principal, nurse or other public school or collaborative school employee who, in good faith, renders emergency first aid or transportation to a student who has become injured or incapacitated in a public school or collaborative school building or on the grounds thereof shall be liable in a suit for damages as a result of his acts or omissions either for such first aid or as a result of providing such emergency transportation to a place of safety, nor shall such person be liable to a hospital for its expenses if under such emergency conditions he causes the admission of such injured or incapacitated student, nor shall such person be subject to any disciplinary action by the school committee, or collaborative board of such collaborative for such emergency first aid or transportation.*

### **Medication in School**

Students are not allowed to carry prescription or over the counter medication on their person or in their locker except inhalers and epi-pens, and only if a medication administration plan has been developed by the nurse for the student. *Please See Department of Public Health 105 CMR 210.* All medication must have a written parent permission form filled out and submitted with medication to the nurse.

Prescription medications must also have physician consent form filled out and submitted to nurse. Finally, there must be a proper medication order, unless the administration is for ten days or fewer. The school does not supply over-the-counter medications. *Students in grades K-8 must have medication*



brought in by parent/guardian. Students are not to transport medication to and from school. All medication must be brought into school in the original containers and be kept in the nurse's office.

### **Immunization Requirements/ Medical Records**

*In accordance to State Law Chapter 76, Section 15, no child should be admitted to school unless he or she has been immunized against diphtheria, tetanus, pertussis, measles, polio and other communicable disease specified by the department of health except for medical or religious reasons. If it is for medical reasons, the parent/guardian must provide a certification from a physician that he or she has personally examined the child and that the physical condition of the child is such that the child would be endangered by the vaccination. The certification must be provided at the beginning of the school year. If it is for religious reasons, the parent/guardian must say so in writing. PARENTS/GUARDIANS MUST INDICATE DATES OF IMMUNIZATION. All immunizations must meet Massachusetts's minimum requirement and must be certified in writing by a licensed physician, before a student accompanied by a parent/guardian, is admitted to school. Immunization inoculations may be obtained from a private physician or by appointment from the Board of Health Clinic.*

Department of Public Health regulations effective March 1, 1990, require children to present evidence of having been previously screened for lead poisoning or to be screened as a condition for entry into kindergarten. Parents/guardians should provide documentation from their child's pediatrician.

### **Physical Examination Requirements**

A complete physical examination is required of all children entering Malden Public Schools for the first time and at least three or four years thereafter. Completed physical examination forms must be presented no later than the first day of school in September. No child will be able to attend school without providing all required medical documentation. Only upon completion of this process will a child be fully registered and allowed to begin school. For more information about immunizations and physical examination requirements, contact Ms. Karen Reynolds, Nursing Manager, at 781-397-7271.

### **Substance Abuse Prevention and Intervention Policy**

The goal of the Malden Public Schools is to support the health and well-being of each student by promoting personal growth so a student can make informed, healthful decisions in and out of school. By developing and implementing this policy, Malden Public Schools is committing to the use of innovative and effective prevention practices to maximize the health and wellness of all students and to decrease the rate of substance misuse and abuse and substance use disorders.

The Malden Public Schools Substance Misuse and Abuse Prevention Policy ("Policy") was written in accordance with Massachusetts General Laws, Chapter 52 of the Acts of 2016, *An Act Relative to Substance Use, Treatment, Education and Prevention*, signed by Governor Baker in March 2016 requiring schools to have a policy regarding substance use prevention and the education of all students about the dangers of substance use. The Policy has been developed using the Department of Elementary and Secondary Education's (DESE) *Guidance on School Policies Regarding Substance Use Prevention and the Safe and Supportive Schools Model* as its guide. As part of this model, the Policy outlines clear expectations for the behavior of students relative to substance use as well as to provide guidance for the faculty and staff when responding to all substance-related incidents. Additional information and community resources can be found online at [www.MaldenPS.org/information/parent-information-center/](http://www.MaldenPS.org/information/parent-information-center/) or [www.CityofMalden.org/addictionhelp](http://www.CityofMalden.org/addictionhelp) and can also be found in paper-form at the Malden High School Main Office and Malden Board of Health.



### **Responsibility Regarding Alcohol, Tobacco, Marijuana, & Other Drugs (ATMOD)**

It is illegal for any student, school employee, parent, guardian, or other guest, of any age to be under the influence of, to be in possession of or to be using any alcohol, tobacco, marijuana or other drug (ATMOD) or is found in possession of paraphernalia, on school property, school buses (field trips, athletic contests, etc.), or at any school sponsored event.

In accordance with Massachusetts General Laws, Chapter 71, §2A, it is the policy of the Malden Public Schools to prohibit the use of all tobacco, nicotine and other smoking materials including but not limited to cigarettes, cigars, “Vapes,” hookah pens, and e-cigarettes, on all school property, school buses, and at any school sponsored event by any individual, student, school employee, parent, guardian or other guest, of any age.

“Marijuana”, in reference to its use in this policy, will include but will not be limited to cannabis, cannabis oil, hash-oil and edibles containing any levels of Tetrahydrocannabinol (THC), the Principal psychoactive component of marijuana.

“Other drugs”, in reference to its use in this policy, will include but not be limited to cocaine, heroin, ecstasy, hallucinogens, inhalants, non-medically prescribed prescription medications and non-medically necessary over-the-counter (OTC) medications.

If a student is suspected to be under the influence of any ATMOD, the student will be referred to their house or assistant Principal immediately, assessed by a trained staff-person and, if confirmed as being in violation, will be subject to a range of consequences outlined in the Substance Misuse Response Procedure per the student Handbook and/or the Malden Police Department may be notified.

If any parent, guardian, or other guest of any age appears to be under the influence of, to be in possession of, or to be using any alcohol, tobacco, marijuana, or other drug (ATMOD) or is found in possession of paraphernalia, on school property, school buses, or at any school sponsored event, they will be asked to leave the premises and/or the Malden Police Department may be notified.

If any school employee of any age appears to be under the influence of, to be in possession of, or to be using any ATMOD or is found in possession of paraphernalia on school property, school buses, or at any school sponsored event, they will be asked to leave the premises, further disciplinary consequences may be taken and/or the Malden Police Department may be notified.

If found to be in violation of any local, state, or federal law, Malden Police and other appropriate authorities will be notified and appropriate legal action will be taken in order to ensure the safety of all students.

### **Responsibility Regarding Prescription and OTC Medications**

Students are not allowed to carry any prescription or OTC medication on their person, except in the case of rescue inhalers and epi-pens for emergency use and which must also be approved by the school nurse. Any prescription or OTC medication brought onto school property must be taken under the supervision of the nurse in the nurse’s office. A parent or guardian permission form must be filled out and submitted to the nurse before any prescription or OTC medication is administered. All prescription medications must also be accompanied by a physician consent form and submitted to the nurse’s office



before the nurse is able to administer the medication to the student. OTC medications (Tylenol, Advil, cough syrup, etc.) must be brought from home and kept in the nurse's office. The school does not supply these medications.

All medications must be brought into school in the original container, labeled with the student's name, and include the dosage and instructions on how often the medication should be taken. It must be brought directly to the nurse upon entering the school.

Any student who is found to be carrying any medication will have the medication confiscated and will be subject to the appropriate consequences outlined in the Substance Misuse Response Procedure per the student Handbook.

### **Responsibility Regarding Inhalants**

It is strictly prohibited for any student, school employee, parent/guardian or other guest to misuse any inhalant product including but not limited to paints, cleaning fluid, glue, "whippits," and nitrous oxide on school property, school buses, or at any school sponsored event.

Any student who is suspected of or is found to be misusing inhalant products on school property, school buses, or at any school sponsored event, will have said product confiscated and will be subject to the appropriate consequences outlined in the Substance Misuse Response Procedure per the student Handbook.

If any parent, guardian, or other guest is suspected of or is found to be misusing inhalant products on school property, school buses, or at any school sponsored event, they will be asked to leave the premises and/or the Malden Police Department may be notified.

If any school employee is suspected of or is found to be misusing inhalant products on school property, school buses, or at any school sponsored event, they will be asked to leave the premises, further disciplinary consequences may be taken and/or Malden Police Department may be notified.

### **Responsibility Regarding Distribution**

It is illegal for any student, school employee, parent/guardian or other guest to sell or distribute any ATMOC to anyone of any age on school property, school buses or at any school sponsored event.

If a student is found to be selling or distributing any ATMOC, the parent or guardian will be notified and the student will be subject to disciplinary action by the Principal and in accordance with the Substance Misuse Response Procedure per the student Handbook. The police will be called to the school to take custody of the student and will be provided any drugs that have been confiscated.

If any parent, guardian, or other guest is suspected or is found to be selling or distributing any ATMOC on school property or at any school sponsored event the Malden Police Department will be notified.

If any school employee is suspected of or is found to be selling or distributing any ATMOC on school property or at any school-sponsored event the Malden Police Department will be notified and further disciplinary consequences will be taken.





### **Student Athletes**

In addition to the Policy and consequences outlined in the Substance Misuse and Abuse Response Process, all student athletes will be held to Massachusetts Interscholastic Athletic Association (MIAA) standards and consequences, per the MIAA Handbook and Guidelines on Chemical Health.

### **Voluntary Self-Disclosure Response**

If a student voluntarily confides a substance-use problem to a school employee, the employee will refer the student to their school counselor or administrator. The counselor or administrator will make an assessment and help the student identify available support services. The counselor or administrator will advise the student of their confidentiality protections under the law and will work with this student to develop an intervention plan. The student will not be subject to the Substance Misuse Response Procedure unless under the influence or in possession of any substance or paraphernalia at the time of notification.

### **Substance Misuse Response**

In the event that a school employee suspects or identifies a student as being under the influence of, in possession of, or as using any ATMOD, that teacher is to report the student to the appropriate administrator immediately and the student shall be escorted from the classroom.

If a student is found to be in violation of the Policy, parent(s)/guardian(s) will be notified to meet with administrator. Students will be referred to their school counselor or administrator for assessment and will be subject to the following consequences and/or additional action at the Principal's discretion.

### **Incident Report**

Any accident involving a student will be documented. The nurse or another school staff member will contact the parent or guardian; in the event that the parent or guardian cannot be reached, the nurse will send a report home with the student. In emergencies, school staff will notify the people indicated on the students Emergency Contact, as well as law enforcement office or emergency medical personnel, as necessary or in the best judgment of the school nurse and/or school staff. In any emergency, Malden Public Schools absolute priority will be to first attend to the emergency and ensure the safety and health of the student or students involved in the incident, then secure the surrounding area to address the unsafe conditions, and then contact parents, guardians, and/or emergency contacts.

### **Medical Dismissal**

The school nurse or staff may recommend that a student be dismissed if she/he is too ill to take part in her/his coursework. When such a recommendation is made, the students parent/guardian will be contacted directly by phone. Parent/guardian must respond promptly when called to pick up their child for medical reasons. To ensure students' health and safety, sick or injured students are not permitted to depart school on their own – they must be accompanied by their parent/guardian or someone who the parent/guardian has authorized to pick up their child. However, if parents/guardians are unable to be reached and the child is unable to travel safely on her/his own, school staff may contact law enforcement officials or emergency medical personnel to attend to the child.

### **Counseling and Student Support Services**

#### **Guidance/School Adjustment Counselor**

The guidance counselor is an integral part of the educational team providing services to students, parents/guardians, teachers and administrators. The counselor's goal is to help each student identify





his/her needs, interests, and aptitudes and to use this information to get the most from their educational experience. The guidance counselor will provide the following services:

- Individual counseling regarding personal problems, school, or home related.
- Information regarding school programs and course selections.
- Academic appraisal through interpretation of test results.
- Vocational and career information and educational opportunities beyond high school.

If a student wants to see the guidance counselor or school adjustment counselor, he/she should go before school to make an appointment. If an emergency exists, other arrangements will be made.

### **Mandated Reporting of Abuse**

All members of Malden Public Schools are mandated reporters. In accordance to Massachusetts state law, Section 51A, a mandated reporter who, in his professional capacity, has reasonable cause to believe that a child is suffering physical or emotional injury resulting from: (i) abuse inflicted upon him which causes harm or substantial risk of harm to the child's health or welfare, including sexual abuse; (ii) neglect, including malnutrition; (iii) physical dependence upon an addictive drug at birth, *shall immediately communicate with the department orally and, within 48 hours, shall file a written report with the department detailing the suspected abuse or neglect; or (iv) being a sexually exploited child; or (v) being a human trafficking victim as defined by section 20M of chapter 233.* A mandated reporter may, in addition to filing a report under this section, contact local law enforcement authorities or the child advocate about the suspected abuse or neglect.

### **Threats to Self or Others**

If a student threatens his or her own life or the life of someone else, this will be taken very seriously and brought immediately to the attention of the school Principal and support staff (school social worker, school counselor, student support team etc.). This may result in short term or long-term suspension. If the student(s) continued presence poses a danger to persons or property, or materially and substantially disrupts the order of the school and, in the Principal's judgment, there is no alternative available to alleviate the danger or disruption, the Principal shall temporarily remove the student from the school. This temporary removal shall not exceed two (2) school days following the day of the emergency removal. The Principal shall make immediate and reasonable efforts to orally notify the student and student's parent/guardian of the emergency removal, the reason for the emergency removal, and the other information required in a short-term suspension notification.

### **Search and Seizure**

Equipment assigned to students, such as lockers and desks belong to the school system, and the school system reserves the right to inspect such equipment in accordance with the procedures set forth below. The School Department reserves the right to conduct at any time without notice searches and inspections of school property. School property includes, but is not limited to, lockers and desks. A school administrator may search a student and a student's personal belongings and personal effects, such as a book bag, sports equipment bag, lunch boxes, etc. based on a reasonable suspicion that a student is, or has been, in possession of contraband or materials indicating a violation of the discipline code or the law or where the student has violated or is violating the either the discipline code or the law at the school, a school sponsored event, or athletic event. The search itself will be conducted in a reasonable manner, given the age and sex of the student as well as the nature of the infraction. Any illegal, dangerous, or unauthorized articles discovered may be taken into custody and may be turned



over to law enforcement officials. In addition, any student who refuses to submit for a proper and lawful search or who is found in possession of prohibited articles or items, will be subject to disciplinary action up to and including expulsion.

## VII. Student Privacy and Records

### **Access to Student Records**

All student records are confidential. No individuals or organizations but the parents/guardians, student, and school personnel working directly with the student are allowed to have access to information in the student record without the specific, informed, written consent of the parent or student.

The Malden Public Schools' treatment of student records shall be consistent with applicable state and federal law. 603 CMR 23.00 describes parents'/guardians' and students' rights of confidentiality, inspection, amendment, and destruction of students' records in Massachusetts. A parent/guardian (or student who has entered the 9th grade or is at least 14 years old, called the 'eligible student') has the right to inspect all portions of the student record upon request. The record must be made available to the parent/guardian or eligible student as soon as practicable and within 10 days after the request, unless the parent or student consents to the delay.

With certain exceptions, no third party shall have access to student records without written consent of the parent or eligible student. Please see Appendix E. FERPA Policy and Records Request Protocol on page 56 for more information.

### **Freedom of Information Act (FOIA)**

Malden Public Schools complies with the Massachusetts and Federal Law 5 USC 552 Freedom of Information Act. This means certain records can be made available to the public upon request.

For more information about the Freedom of Information Act, please visit <http://www.law.cornell.edu/uscode/text/5/552>.

For more information about the Massachusetts Laws on Freedom of Information and Public Records, please visit <http://www.mass.gov/courts/case-legal-res/law-lib/laws-by-subj/about/foi.html#FederalLaws>.

### **Parent/Guardian's Right to Know**

For information about your rights as a parent/guardian please utilize this resource <https://parentalrights.org/states/ma/>.



## Appendix A: Computer and Internet Use Policy

### **ACCEPTABLE USE POLICY: MALDEN PUBLIC SCHOOLS**

*INFORMATION TECHNOLOGY RESOURCES IN THE SCHOOLS Adopted by the Malden School Committee  
January 7, 2013*

The school's information technology resources, including email and Internet access, are provided for educational purposes. Adherence to the following policy is necessary for continued access to the school's technological resources. *Students and staff members must:*

1. Respect and protect the privacy of others.
  - Use only assigned accounts.
  - Not share account information with others.
  - Not view, use, or copy passwords, data, or networks to which they are not authorized.
  - Not distribute private information about Malden Public Schools, others or themselves.
2. Respect and protect the integrity, availability, and security of all electronic resources.
  - Observe all network security practices, as included in student or staff Handbooks or otherwise posted.
  - Report security risks or violations to a teacher or network administrator.
  - Not destroy or damage data, networks, or other resources that do not belong to them.
  - Conserve, protect, and share these resources with other students, staff and Internet users.
  - Not engage in activities designed to, or that might reasonably be foreseen to, expose Malden Public Schools technology or other computers to computer viruses, other harmful software, or other injury or damage.
  - Not use proxy websites that allow a user to browse the internet anonymously and intentionally bypasses firewall and content filters or modifying policies, machine settings or infrastructure to gain unauthorized access to resources or to evade established security configurations.
3. Respect and protect the intellectual property of others.
  - Not infringe copyrights (no making illegal copies or downloads of software, music, games, or movies!).
  - Not plagiarize.
4. Respect and practice the principles of community.
  - Communicate only in ways that are kind and respectful.
  - Report threatening or discomforting materials to a teacher or administrator.
  - Not intentionally access, transmit, copy, or create material that violates the school's code of conduct (such as messages that are pornographic, threatening, rude, discriminatory, or meant to harass).
  - Not intentionally access, transmit, copy, or create material that is illegal (such as obscenity, drug or alcohol use, stolen materials, or illegal copies of copyrighted works).
  - Not use the resources to further other acts that are criminal or violate the school's code of conduct.
  - Not send spam, chain letters, or other mass unsolicited mailings.



- Not use the resources for gambling.
- Not buy, sell, advertise, politically lobby or otherwise conduct business, unless approved as a school project.

**Students and staff members may, if in accord with the policy above:**

1. Design and post web pages and other material from school resources.
2. Use direct communications such as IRC, online chat, or instant messaging with a teacher's permission.
3. Install or download software, if also in conformity with laws and licenses, and under the approval of the Director of Technology, or their building technology specialist designate.
4. Use the resources for any educational purpose, as assigned or approved by their teacher or school administrator.
5. Use a personal electronic device for any educational purpose, as assigned or approved by their teacher or school administrator.

***Jurisdiction: This policy is in effect...***

- on school grounds and property immediately adjacent to school grounds
- at school-sponsored or school-related activities, functions or programs whether on or off school grounds
- at school bus stops and on a school bus or other vehicle owned, leased or used by the school district
- through the use of technology or an electronic device of any sort, owned, leased or used by the school district, school, or student and
- at home or other locations, activities, functions or programs that are not school-related, if the improper use creates a hostile environment at school for any student or staff member, infringes on the rights of a student or staff member at school, or materially and substantially disrupts the education process or the orderly operation of a school.

*Note: Nothing contained herein will require schools to staff any non-school related activities, functions, or programs.*

**Consequences for Unacceptable Use**

If a *student* violates any part of this policy, the consequences will be...

**First Offense:** Students will lose their computer or internet privileges for one week and the teacher or school administrator will phone the parent or guardian. Any assigned work will be completed without the use of Malden Public Schools' technology.

**Second Offense:** Students will lose their computer or internet privileges for one month and the teacher or school administrator will phone the parent or guardian. Any assigned work will be completed without the use of Malden Public Schools' technology.

**Third Offense:** Students' computer or internet privileges will be revoked for one semester, the teacher or school administrator will call the parent or guardian, and a written violations form will be sent home. To reapply for new privileges, students will need to appeal to the designated administrator in their school.



If a *staff member* violates any part of this policy, s/he may be disciplined by his/her supervisor, pending the exercise of appropriate due process.

### **Supervision and Monitoring**

School and network administrators and their authorized employees monitor the use of information technology resources to help ensure that uses are secure and in conformity with this policy.

Administrators reserve the right to examine, use, and disclose any data found on the school's information networks in order to further the health, safety, discipline, or security of any student or other person, or to protect property at any time and without notice. No user shall have any expectation of privacy regarding such materials. All users are expected to use appropriate judgment and caution in communications concerning students and staff to ensure that personally identifiable information remains confidential. This includes, but is not limited to, any and all electronically stored information and electronic files, electronic mail communications, and Internet website history.

As public material, all information maintained on Malden Public Schools' technology (except those specifically excluded by law) is subject to the Massachusetts Public Records law and the Freedom of Information Act. No user should expect that electronic mail messages (even those marked "Personal") are private or confidential. Deleting an e-mail message does not actually 'delete' it. Any e-mail sent through the Malden Public Schools' technology may be kept separate from the user's computer, and is property of the Malden Public Schools. Copies of all information created, sent or retrieved may be stored on the network's back up files. They may also use this information in disciplinary actions, and will furnish evidence of crime to law enforcement.

### **Active Restriction Measures**

The Children's Internet Protection Act, known as CIPA requires schools and libraries to certify that they are enforcing a policy of Internet Safety that includes measures to block or filter Internet access for both minors and adults to certain visual depictions. They must also have adopted and implemented an Internet Safety Policy that addresses specific issues.

In compliance with CIPA, the Malden Public Schools, either by itself or in combination with the Internet Service Provider (ISP), utilizes firewalls to protect the network from hackers and filtering or blocking software to prevent users from accessing visual depictions that are (1) obscene, (2) child pornography, (3) harmful to minors, or (4) deemed by the Malden Public Schools to be inappropriate to the educational mission of the Malden Public Schools. The content filtering software is updated on a regular basis and sites can be blocked per a request.

The term "*harmful to minors*" is defined by federal statute (47 U.S.C. §254), as meaning any picture, image, graphic image file, or other visual depiction that

- i. taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
- ii. depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
- iii. taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.



While the necessary technology protection measures have been taken to protect students from accessing inappropriate material on the Internet, it is impossible to guarantee that students will not accidentally or purposely find material that is not consistent with the educational mission, goals and policies of the school. Students' access to and use of the Internet will be available only through a student account and as such, will be under teacher direction. The district requires teachers and staff to monitor and supervise students when accessing the Internet and evaluate all Internet resources prior to student use. While students may be able to access Internet resources for research that have not been previewed by staff, the students shall be provided with guidelines and a list of resources that support the curriculum. When students are using the Internet, the content filtering software cannot be disabled even with parental or teacher permission and supervision. The Technology Department may disable content filtering software only for adults who are using the school computers for bona fide research or other lawful purposes.

### **Warranties and Indemnification**

Malden Public Schools makes no warranties of any kind, either express or implied, in connection with its provision of access to and use of its technology provided under this Policy. *Malden Public Schools shall not be responsible for any claims, losses, damages, injuries or costs or fees (including attorney's fees) of any kind suffered or incurred, directly or indirectly, by any user arising from use of Malden Public School's technology.* Malden Public Schools specifically denies any responsibility for the accuracy or quality of information obtained through the Internet.

By signing this Policy and Agreement, the user and parents/guardians of users, in the case of students under the age of eighteen (18), take(s) full responsibility and agrees to hold harmless and indemnify the Malden Public Schools, its Internet Service Provider (ISP), and all of the Malden Public Schools' and ISP's officers, agents, servants, representatives, administrators, teachers, volunteers and staff from any and all claims, losses, damages, injuries or costs or fees (including attorney's fees) of any kind resulting from the user's access to the Malden Public Schools' technology, including, but not limited to, any fees or charges incurred through purchases of goods or services by the user.

All users and parents/guardians of users, in the case of students under the age of eighteen (18), hereby agree to cooperate with Malden Public Schools in the event of Malden Public Schools' initiating or involvement in an investigation of any user's access of the Malden Public Schools' technology, whether that use is on a Malden Public Schools' computer or on another computer outside Malden Public Schools' network.

*THESE RULES ALSO PROVIDE A GOOD FRAMEWORK FOR YOUR STUDENT'S USE OF COMPUTERS AT HOME, AT LIBRARIES, OR ANYWHERE. FOR MORE INFORMATION, SEE [www.cybercrime.gov](http://www.cybercrime.gov).*



## Appendix B: Definitions of Hazing, Sexual Harassment, and Bullying

### Hazing

The term “hazing” as used in this section and in Massachusetts General Law 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 of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation. Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action.

In accordance to Massachusetts chapter 269 of the General Law: Section 17- Whoever is a Principal organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one, [sic] year, or both such fine and imprisonment.

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

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

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

Each institution of secondary education and each public or private institution of post-secondary education shall, at least annually, before or at the start of enrollment, deliver to each person who





enrolls as a full-time student in such institution a copy of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post-secondary education shall file, at least annually, a report with the board of higher education and in the case of secondary institutions, the board of education, certifying that such institution has complied with its responsibility to inform student groups, teams or organizations and to notify each full time student enrolled by it of the provisions of this section and sections seventeen and eighteen and also certifying that said institution has adopted a disciplinary policy with regard to the organizers and participants of hazing, and that such policy has been set forth with appropriate emphasis in the student Handbook or similar means of communicating the institution's policies to its students. The board of higher education and, in the case of secondary institutions, the board of education shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general any such institution which fails to make such report.

*Any student found violating the Hazing Law, above, will be suspended from the organization he/she is a member of for a period of one year. Any organization, which knowingly sanctions a violation of this law, will have its right to function as an organization in the Malden Public Schools suspended for a period of one year.*

### **Harassment**

"Harassment" is defined as unwelcomed conduct, whether verbal or physical that is based on: race, color, national origin, sex, gender identity, sexual orientation, religions, disability, or age and that creates a hostile environment. Harassment is prohibited by the Malden Public Schools, and violates the law. Harassing conduct may take many forms, including but not limited to verbal acts and name-calling, as well as nonverbal behavior that is physically threatening, harmful, or humiliating. Conduct is unwelcomed if the student or employee did not request or invite it and considered the conduct to be undesirable or offensive. Examples of harassment include:

- Display or circulation of written materials or pictures that are degrading to a person or group based upon the criteria listed above.
- Verbal abuse or insults about, directed at, or made in the presence of an individual or group described above because of one of the criteria listed above.
- Any action or speech that contributes to, promotes or results in a hostile or discriminatory environment to an individual or group described above.
- Any action or speech that is sufficiently severe, pervasive or persistent that it either (i) interferes with or limits the ability of an individual or group (as described above) to participate in or benefit from a school program or activity of the Malden Public Schools; or (ii) creates an intimidating, threatening or abusive educational environment.

"Sexual harassment" is defined as unwelcome sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when either: the conduct is made as a term or condition of an individual's employment, education, living environment or participation in a university community.

While it is not possible to list all circumstances that may be considered sexual harassment, the following are examples of conduct that violate the law and policy and which, if severe and pervasive, constitute



sexual harassment. In each case, such a determination will depend upon the totality of the circumstances, including the severity of the conduct and its pervasiveness. Sexual harassment includes, but is not limited to:

- Unwelcome sexual advances, whether they involve physical touching or not.
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments.
- Sexual epithets, jokes, written or verbal references to sexual conduct, comments about an individual's body, comments about an individual's sexual activity, deficiencies, or prowess.
- Discussions of one's own sexual activities or inquiries into others' sexual experiences.
- Displaying sexually suggestive objects, pictures, cartoons.

The definitions of harassment and sexual harassment are broad. In addition to the above examples, other unwelcome conduct, whether intended or not, that has the effect of creating a school environment that is hostile, offensive, intimidating, or humiliating may constitute discrimination, harassment and/or sexual harassment.

“Gender-based harassment” is defined to include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, although they are not necessarily sexual in nature, including harassment based on gender identity and expression. Gender-based harassment includes, but is not limited to, harassment based on the person’s nonconformity with gender stereotypes, regardless of the actual or perceived sex, gender identity, or sexual orientation of the harasser or target of the harassment.

***Examples of conduct that may constitute gender-based harassment include:***

- disparaging remarks made to a student or aggression toward a student because that student displays mannerisms or a style of dress perceived as indicative of the other sex;
- hostility toward a student because that student participates in an athletic activity more typically favored by a student of the other sex;
- intimidating a student to discourage that student from enrolling in a particular area of study because of his/her gender;
- use of gender-specific slurs, whether written or spoken; (5) taunting a student who wishes to participate in an extracurricular activity because that activity is more typically favored by a student of the other sex.

“Sexual assault” is defined as the act of committing unwanted physical contact of a sexual nature, whether by an acquaintance or by a stranger. Such contact is unwanted when it occurs without the consent of one or both individuals, when one of the individuals is incapacitated or incapable of giving consent, or occurs with the use of force.

**Bullying**

The US Department of Health and Human Services National Bullying Prevention website [Stopbullying.org](http://Stopbullying.org) defines bullying as “unwanted, aggressive behavior among school aged children that involves a real or perceived power imbalance. The behavior is repeated, or has the potential to be repeated, over time. Bullying includes actions such as making threats, spreading rumors, attacking someone physically or verbally, and excluding someone from a group on purpose.”



Malden Public Schools does not tolerate any unhealthy, 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 investigate promptly all reports and complaints of bullying, cyber-bullying, and retaliation, and take prompt action. The “mildest” consequence for actions that are deemed to be thoughtless and not malicious is a written warning. From there, consequences proceed through parent conferences, mandatory counseling, prohibition from all school sponsored events, suspensions, and possible expulsion from school, depending on the circumstances.

***The follow is our Bullying Policy:***

**Bullying Policy:** Bullying (including cyber-bullying and harassment) are major distractions from learning. The grades of the victims can suffer. Fear can lead to chronic absenteeism, truancy, or even dropping out of school. Bystanders feel both guilty and helpless for not standing up to the bully. Bullying behavior often starts in elementary school and peaks in the middle school years. However, it can attract more attention from adults when it appears in high school. Most bullying by students starts out verbally — teasing and put-downs — and may become progressively worse and assume physical dimensions. Bullying of any type, including cyberbullying, is unacceptable in our schools and our community. The Malden Public Schools, in partnership with our students and families, will endeavor to maintain a learning and working environment free of bullying.

**As defined by Massachusetts State Law M.G.L. c. 71 §370:** Bullying, including cyber-bullying, as defined by the repeated use by one or more students or by a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a victim that: (i) causes physical or emotional harm to the victim or damage to the victim's property; (ii) places the victim in reasonable fear of harm to himself or of damage to his property; (iii) creates a hostile environment at school for the victim; (iv) infringes on the rights of the victim at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school.

**Cyber-bullying, as defined by M.G.L. c. 71 §370,** is bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo. Cyber-bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions included in the definition of bullying above. electronic, or photo optical system, including, but not limited to, electronic mail, internet communications, instant messages, or facsimile communications. Cyber-bullying also includes:

- the creation of a web page or blog in which the creator assumes the identity of another person or
- the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions included in the definition of bullying above.



**Jurisdiction:** Bullying is prohibited on school grounds and property immediately adjacent to school grounds as well as:

- at a school-sponsored or school-related activity, function, or program whether on or off school grounds
- at a school bus stop, on a school bus, or other vehicle owned, leased or used by the school district
- through the use of technology or an electronic device owned, leased or used by a school district or school, and
- at a location, activity, function or program that is not school-related, or through the use of technology or an electronic device that is not owned, leased or used by a school district or school, if the bullying creates a hostile environment at school for the target, infringes on the rights of the target at school, or materially and substantially disrupts the education process or the orderly operation of a school.

*Note: Nothing contained herein shall require schools to staff any non-school related activities, functions, or programs.*

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

Malden Public Schools will identify specific steps to create a safe, supportive environment for all students in the school community, and provide all students with the skills, knowledge, and strategies to prevent or respond to bullying, harassment, or teasing.

**District Responsibilities:** Each year, the district shall...

- i. Provide all staff members with written notice of the bullying policy.
- ii. Provide students and parents/guardians with written notice of the relevant, student-related sections of the bullying policy in age-appropriate terms and in the languages which are most prevalent in the district.
- iii. Provide age-appropriate instruction on bullying prevention in each grade through an evidence-based curriculum.
- iv. Provide professional development to build the skills of all staff members to prevent, identify, and respond to bullying. The content of such professional development shall include, but not be limited to:
  - developmentally appropriate strategies to prevent bullying incidents
  - developmentally appropriate strategies for immediate, effective interventions to stop bullying incidents
  - information regarding the complex interaction and power differential that can take place between and among an aggressor, target, and witnesses to the bullying
  - research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment
  - information on the incidence and nature of cyber-bullying, and



- internet safety issues as they relate to cyber-bullying.
- v. Inform parents and guardians about:
  - the bullying prevention curriculum of the school district
  - how parents and guardians can reinforce the curriculum at home and support the school district
  - the dynamics of bullying, and online safety and cyber-bullying
- vi. Institute a policy regarding internet safety measures to protect students from inappropriate subject matter and materials that can be accessed via the internet and notify the parents or guardians of all students attending the school of the policy.
- vii. Include the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing in Individualized Education Plans for children with a disability that affects their social skills development and for children who are vulnerable to bullying, harassment, or teasing because of the child's disability.

**Administrative Responsibility:** The Principal of each school is responsible for the implementation and oversight of the bullying policy at his or her school. It is important to note that any Principal or assistant Principal who receives a report of alleged bullying or retaliation will complete an investigation of the alleged incident within 24 hours of having received the report, including meeting(s) with involved students and witnesses. For more information on you schools' Guidelines and Procedures please see your school administrators.

#### **Malden Public Schools Bullying Prevention and Intervention**

On May 3, 2010 Governor Patrick signed an *Act Relative to Bullying in Schools*. This law prohibits bullying and retaliation in all public and private schools, and requires schools and school districts to take certain steps to address bullying incidents. Parts of the law (M.G.L. c. 71, § 37O and 603 CMR 49.00) that are important for students and parents or guardians to know are described above, with the necessary definitions explained below. These requirements are also included in the school's or district's Bullying Prevention and Intervention Plan ("the Plan").



## Appendix C: Non-Discrimination and Complaint Policies

### **Non-Discrimination Policy**

The Malden Public Schools has a commitment to maintaining an educational environment where bigotry and intolerance, including discrimination such as harassment on the basis of race, color, national origin, sex, gender identity, sexual orientation, religion, disability, or age, are not tolerated. Discrimination, including harassment, is contrary to the mission of the Malden Public Schools and its commitment to equal opportunity in education.

It is a violation of this policy for any student, district employee or third party based on a student's, employee's or third party's actual or perceived protected class status to: (1) harass a student, district employee or third party through conduct or communication (e.g., physical, verbal, graphic or written) or to (2) inflict, threaten to inflict or attempt to inflict violence; or to (3) discriminate against a student, District employee or third party.

This policy applies to all of the academic and nonacademic (for example, athletic and extracurricular) programs of the district and will be enforced before, during, or after school hours on all school property, including the school bus, school functions, or events held at other locations. The policy also applies to any off-campus conduct that causes or threatens to cause a substantial and material disruption at school, or interferes with the rights of students, employees or third parties to be free from a hostile school environment, taking into consideration the totality of the circumstances on and off campus. Any retaliation against an individual who has complained about discrimination, including harassment, or any retaliation against any individual who has cooperated with an investigation of a discrimination, harassment or retaliation complaint, is also unlawful and will not be tolerated.

The Malden Public Schools takes allegations of discrimination, including harassment, seriously and will respond promptly to complaints that are known or reasonably should be known by the Malden Public Schools. Where it is determined that conduct that violates the law and this policy has occurred, the Malden Public Schools will act promptly to eliminate the conduct and will impose corrective action as necessary, including disciplinary action where appropriate, which may include school-related discipline.

### **Complaint/Grievance Procedures: Reporting Complaints of Discrimination and Harassment**

If any Malden Public Schools student, parent/guardian, visitor or employee believes, in good faith, that he or she has been subjected to sexual harassment or any other form of harassment or discrimination described above or who has witnessed or learned about the harassment or discrimination of another person in the school environment has a right to file a complaint with the Malden Public Schools. This may be done informally or formally.

Teachers or other staff members who observe or receive reports of incidents of harassment or discrimination involving students shall report such incidents immediately to the student's Principal. Delays between the date of the alleged incident and the reporting date may make investigations more difficult. Individuals aware of harassment or discrimination involving any employee or if a Principal is the person alleged to be engaged in the discrimination/harassment shall report such incidents to the Civil Rights Coordinator, listed below, or to the Superintendent.



Please note that while these procedures relate to the Malden Public Schools' policy of promoting an educational setting free from discrimination and harassment, including sexual harassment, as detailed further in this policy, these procedures are not designed nor intended to limit the Malden Public Schools' authority to discipline or take remedial action for conduct which the Malden Public Schools deems unacceptable.

**District Contact**

District Civil Rights Coordinator for Title VI (race, color, national origin); Title IX (sex); Section 504 (disability); Title II of the ADA (disability); Religion, Sexual Orientation, Gender Identity and Age is:

***Assistant Superintendent Michael Wood or Assistant Superintendent Kelly Chase***

***Malden Public Schools, 77 Salem Street, Malden, MA 02148***

***781-397-6100***





## Appendix D: Field Trips

During the school year teachers may schedule educational or recreational field trips for their classes. Before a student is allowed to attend a field trip, he/she must turn in a permission slip signed by their parent/guardian. Students may be ineligible to attend a field trip if teachers and/or the administration feel that their schoolwork has been neglected or their behavior has been inappropriate.

When representing our school and community on a field trip, students will:

- Observe all school rules and behaviors
- Respect all adults
- Stay with their assigned groups
- Follow directions of teachers and chaperones
- Always let their assigned adults know where they are
- Use appreciative responses – “please, thank you,” etc.
- Follow bus rules



## Appendix E: FERPA Policy and Records Request Protocol

### **School Records: The Family Educational Rights and Privacy Act (FERPA)**

FERPA is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education. FERPA gives parents/guardians certain rights with respect to their children's education records. These rights, described below, transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

### **Providing Student Records**

A student transferring into the Malden Public Schools must provide a complete school record. Said record shall include, but not be limited to, any incidents involving suspension or violation of criminal acts or any incident reports in which such student was charged with any suspended act. M.G.L. c. 71 §37L.

### **Release of Information About Students**

The Malden Public Schools' treatment of student records shall be consistent with applicable state and federal law. 603 CMR 23.00 describes parents'/guardians' and students' rights of confidentiality, inspection, amendment, and destruction of students' records in Massachusetts.

*A parent/guardian (or student who has entered the 9th grade or is at least 14 years old, called the 'eligible student') has the right to inspect all portions of the student record upon request. The record must be made available to the parent/guardian or eligible student as soon as practicable and within 10 days after the request, unless the parent or student consents to the delay.*

The parent/guardian and eligible student have the right to receive copies of any part of the record. A reasonable fee may be charged for the cost of duplicating the materials, unless charging the fee would effectively prevent the parent or eligible student from exercising their right under federal law to inspect and review the records.

The parent/guardian and eligible student may request to have parts of the record interpreted by a qualified professional of the school or may invite anyone else of their choosing to inspect or interpret the record with them.

*It is necessary for divorced parents to submit a copy of the custody agreement or order, and any subsequent changes made thereto, to the District so that District personnel may identify which of the parents has legal and physical custody of the child. The non-custodial parent/guardian may access his/her child's record unless:*

- the parent/guardian 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
- the parent/guardian has been denied visitation, or
- the parent's/guardian's access to the student or to the custodial parent/guardian 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



- there is an order of a probate and family court judge which prohibits the distribution of student records to the parent/guardian.

The District shall place in the student's record any documents indicating that a non-custodial parent's/guardian's access to the student's record is limited or restricted pursuant to 603 CMR 23.07(5)(a).

**Non-Custodial Parent/Guardian Access:** In the case of a non-custodial parent who is eligible to access the student record, i.e., does not fit any of the four (4) categories under 1-4 above, the non-custodial parent/guardian must submit a written request for the student record to the school Principal. Upon receipt of the request, the Principal and/or his/her designee shall 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/guardian with access after 21 days, unless the custodial parent/guardian provides the Principal with documentation that the non-custodial parent/guardian is not eligible to obtain access as set forth under 1-4 above.

When the student record is released to the non-custodial parent/guardian, the school will delete all electronic and postal address and telephone number information relating to either work or home locations of the custodial parent/guardian from student records provided to non-custodial parents/guardians. In addition, such records will be marked to indicate that they shall not be used to enroll the student in another school.

Please consult your school Principal for further information.

### **Confidentiality of School Records**

All information regarding students is confidential. No individuals or organizations but the parents/guardians, student, and school personnel working directly with the student can have access to information in the student record without the specific, informed, written consent of the parent/guardian or student. Teachers have a moral responsibility to protect the wellbeing of their students. For this reason, students should be aware that some information that they share with school personnel cannot remain confidential. This includes any information, which is reported to a staff member, which could result in personal harm to the student, such as abuse or neglect, drug use, suicide, etc.

### **Amendment of School Records**

The parent/guardian or eligible student has the right to add relevant comments, information or other written materials to the student record. In addition, the parent or eligible student has the right to request that information in the record be amended or deleted. The parent/guardian or eligible student has the right to a conference with the school Principal to make their objections known. Within a week of the conference or receipt of the objection in writing, the Principal must render a decision in writing stating the reason or reasons for the decision. If the parent/guardian or eligible student is not satisfied with the decision, the regulations contain provisions through which the decision may be appealed higher to the Superintendent. 603 CMR 23.09.

### **Destruction of School Records**

Five years after the student transfers, graduates or withdraws from the school system, everything is removed from the folder with the exception of the "permanent record" which includes the student's



vital statistics, course record and grades. Written notice must be provided about the approximate date of destruction and the right to receive the information in whole or part must be made at the time of the transfer, graduation or withdrawal. State law mandates that the school keep this basic information for 60 years. School authorities are also allowed to destroy misleading, outdated, or irrelevant information in the record from time to time while the student is enrolled in the school system. Before any such information may be destroyed, the parent/guardian and student must be notified, and have an opportunity to receive a copy of any of the information before its destruction.

### **Appeal Process**

In the event that any decision of a Principal or his/her designee regarding any of the provisions contained in 603 CMR 23.00 is not satisfactory in whole or in part to the eligible student or parent/guardian, they shall have the right of appeal to the Superintendent of schools. Request for such appeal shall be in writing to the Superintendent of schools. The Superintendent of schools or his/her designee shall within two weeks after being notified of such appeal (longer should the appellant request a delay) review the issues presented and render a written decision to the appellant, stating the reason or reasons for the decision. If the decision is in favor of the appellant, the Superintendent of schools or his/her designee shall promptly take such steps as may be necessary to put the decision into effect. In the event that the decision of the Superintendent of schools or his/her designee is not satisfactory to the appellant in whole or in part, the appellant shall have the right of appeal to the school committee. Request for such appeal shall be in writing to the chairperson of the school committee. The school committee shall within four weeks after being notified of such appeal (longer should the appellant request a delay) conduct a fair hearing to decide the issues presented by the appellant.

### **School Transfers Out of District**

Parents/Guardians should call the office to inform the school of a transfer to another school. The parent/guardian must go to the main office to sign transfer paperwork. The office will need to prepare the records and make out a Massachusetts Transfer Card. In order to complete the card, the student's new address and the name of the new school is needed. Students should report to the office the morning of their last day. They should return all school materials and equipment before leaving. When all responsibilities have been taken care of, the parent/guardian of the student will be given his/her transfer card and a copy of his/her immunization record to take to the new school. The Malden Public Schools will forward student records to the school/s in which the student seeks or intends to enroll without written consent from the parent or eligible student pursuant to 603 CMR 23.07(4)(g).

### **School Transfers within the Malden Public Schools for The Next School Year**

Parents/Guardians of children attending the Malden Public Schools who are interested in transferring their child for the next school year may complete a Request for Transfer Form at the Parent Information Center in May. These requests will be processed throughout the summer, once the district has confirmed the number of openings in each school.

### **School Transfer Requests for The Current School Year**

Parents/Guardians of children attending the Malden Public Schools who are interested in transferring their child during the current school year must request a transfer at the Parent Information Center. Current school year transfer requests will be evaluated on an individual basis. No more than one school transfer per year shall be granted. No requests will be honored after the first 15 days of school.



### **Change of Address**

Any time a student changes his/her address or telephone number, the school office should be notified immediately. The parent/guardian must provide the school with a utility bill/ lease etc. which shows the parent/guardian's name and current address. Any change in contact information, including telephone numbers, should be submitted to the office immediately. If a student is moving from Malden, the parent/guardian must come to the school office to sign transfer documents.

### **Access of Third Parties**

With certain exceptions, no third party shall have access to student records without written consent of the parent/guardian or eligible student. According to Student Record Regulations the following information may be released by the school administration without consent, unless a student or parent/guardian specifically requests that it not be released without their prior consent.

- Name, address, telephone listing, date/place of birth, major field of study, dates of attendance, weight/height (for members of athletic teams), class, participation in officially recognized activities and sports, degrees, honors and awards, post high school plans.

The student records regulations allow other exceptions to the requirement for written consent, such as the ability to disclose information regarding a student to appropriate parties in connection with a health or safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals, upon the receipt of a court order, or when given anonymously in a statistical form to the Department of Elementary and Secondary Education (DESE), or as requested by representatives of the DESE acting for the Commissioner in connection with the enforcement of federal and state education laws.

*(The above is only a summary of some of the more important provisions of the regulations pertaining to student records that relate to student and parent rights. If more detailed information is desired, a copy of the regulation may be reviewed at the school's guidance office. See 603 CMR 23.00.) Also, for more information on MA laws specific to student records please visit <http://www.mass.gov/courts/case-legal-res/law-lib/laws-by-subj/about/studentrecords.html#MassachusettsRegulations>.*



### Student and Family Consent and Release Form for the 2019-2020 School Year

A parent or guardian must sign the acknowledgment form below, indicating that he/she has received and read a copy of the Handbook. If the signed acknowledgment form is not received within two (2) weeks of the start of the school year, then the school district will nonetheless presume that the parent or guardian has received and read the Handbook.

I received the Malden Public Schools Family Handbook. I have carefully read the Malden Public Schools Family Handbook with my son/daughter. We understand the rules and regulations of Malden Public Schools and agree to abide by them.

Student Name \_\_\_\_\_ Homeroom \_\_\_\_\_ Grade \_\_\_\_\_

Student Signature \_\_\_\_\_

Parent/Guardian Signature \_\_\_\_\_ Date \_\_\_\_\_

~~~~~  
**A. Please check one:**

\_\_\_\_\_ I give permission for the school to use my child's name and/or picture on the school website and in any media action that pertains to the Malden Public Schools.

\_\_\_\_\_ I **do not** give permission for the school to use my child's name and/or picture on the school website and in any media action that pertains to the Malden Public Schools.

~~~~~  
**B. Please check one:**

\_\_\_\_\_ I give permission for my child to walk around the perimeter of the building with the teacher to learn about his/her surroundings.

\_\_\_\_\_ I **do not** give permission for my child to walk around the perimeter of the building with the teacher to learn about his/her surroundings.

~~~~~  
**C. Please check one:**

\_\_\_\_\_ I give permission for my child to use the network, internet, e-mail and electronic devices for instruction and with adult supervision in accordance with the Acceptable Use Policy outlined previously in the Handbook.

\_\_\_\_\_ I **do not** give permission for my child to use the network, internet, e-mail and electronic devices for instruction and with adult supervision in accordance with the Acceptable Use Policy outlined previously in the Handbook.

Parent/Guardian Signature \_\_\_\_\_ Date \_\_\_\_\_

*Please return to school.*