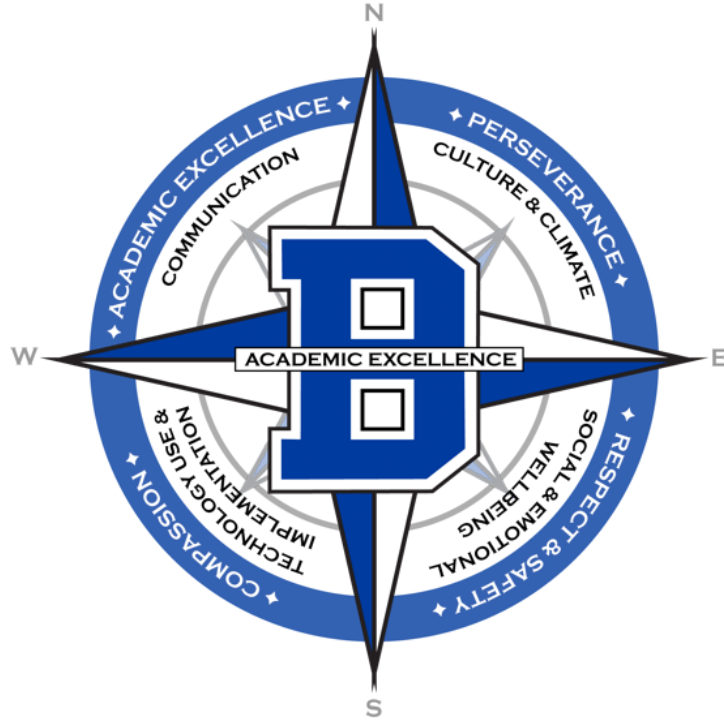


# KEOUGH MEMORIAL ACADEMY

60 Harpin Street  
Bellingham, MA 02019  
Tel: (508) 883-5403

David Smokler, Principal



2021-2022

## PARENT/STUDENT HANDBOOK

If you need to receive a copy of this handbook translated in your spoken language, please contact the principal's office.

"Si usted desea recibir una copia de este manual en español, por favor, contacte la oficina del principal."

Se você precisa de receber uma cópia deste manual em sua língua falada, os portugueses, contatam por favor o escritório do principal.

如果您需要接受这本手册的拷贝在您的讲话的语言的，汉语，请与校长的办公室联系。

Nếu bạn cần phải nhận được một bản sao của cuốn cẩm nang này trong ngôn ngữ nói của bạn, Việt Nam, dịch, xin vui lòng liên hệ với văn phòng của hiệu trưởng.

यदि आप इस अपने बोली जाने वाली भाषा, हिंदी, में अनुवाद कृपया प्राचार्य के कार्यालय से संपर्क पुस्तिका की एक प्रति प्राप्त करने की आवश्यकता है.

### EQUAL OPPORTUNITIES

No person shall be excluded from or discriminated against in admission to and/or employment in the public schools of Bellingham, for admittance to State and Federally funded grant programs, or in obtaining the advantages, privileges, and course of study presented in these schools, on account of basis of race, color, religion, sex, national origin, pregnancy, gender identity, sexual orientation, marital/civil union status, ancestry, place of birth, age, citizenship status, veteran status, housing status, political affiliation, genetic information or disability, as defined and required by state and federal laws. Additionally, we prohibit retaliation against individuals who oppose such discrimination and harassment or who participate in an equal opportunity investigation. This non-discrimination applies to all persons. Questions or concerns regarding compliance under Title IX and/or Section 504, please contact the District Coordinator Title IX/Section 504, Bellingham Public School District, 4 Mechanic Street, Bellingham, MA 02019, 508-883-1706.

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## **SECTION 1: SCHOOL-SPECIFIC INFORMATION**

### **WELCOME MESSAGE**

Dear Parents and Students,

Welcome to Keough Memorial Academy. The information in this student guide has been carefully prepared to help you get acquainted with our school culture and become an integral part of its success. Teachers and staff are committed to working with you in partnership, to identify and build on your academic strengths, to assist you in developing the necessary skills, and gaining the knowledge you need to be a successful student.

Please take time to read this guide. It will help you and your parents understand the benefits, rights, and responsibilities associated with Keough Memorial Academy. If you have any questions about the information presented, please feel free to discuss them with any member of the staff. Additional policies may be implemented if the need arises. Students and parents will be notified of any policy changes henceforth.

Keough Memorial Academy is founded on the belief that all students have the right to pursue and receive a quality education with an emphasis on academic rigor. The atmosphere is one of courtesy and cooperation, where teachers and students learn and work together. The three guiding principles of the Keough Memorial Academy are to Be Respectful, Responsible and Safe. Knowing that each student learns differently, it is our responsibility to teach you in an effective way so that you can learn to your fullest potential. Conversely, it is your responsibility to take full advantage of this approach and to work hard on meeting your educational goals. The purpose of school is to help prepare you for life beyond the classroom as a lifelong learner. An important focus of school is to help you understand that learning can be rich with discovery and fulfillment. No matter what your learning style, we are here to help you achieve your goals.

We are happy to have each of you as members of the Keough Memorial Academy Family. On behalf of all the staff and teachers, I wish you the best in the upcoming year.

Best Regards,

David Smokler  
Principal

## **SUPPLIES**

In hopes of equipping each student with the proper tools they will require to be both emotionally and academically successful, Keough Memorial Academy will be issuing a Chromebook to each student. The following materials will also be made available for the 2021-2022 Academic Year:

- three-ring binder and folders as needed
- Keough Memorial Academy Student Planner/Agenda as needed

These materials will be viewed as school property and should be kept orderly and free of stickers, drawings, or any other non-sanctioned modifications. Additionally, these materials (except for the agenda) will remain with the student for the length of the student's enrollment at Keough Memorial Academy.

The purpose of the Chromebook is to provide individual access to google classroom, Google meets, and all other virtual classroom platforms and materials. The student will adhere to all provisions of the Bellingham Public School Acceptable Use Policy as outlined in the handbook.

The Student will be responsible for the care of the Chromebook. Insurance is offered through the district to cover the cost for any damage and subsequent replacement of the Chromebook. Students are strongly encouraged to purchase this insurance at the cost of \$20. The replacement cost of the Chromebook is \$250.

The binders and accompanying materials will be available to support each student in honing their organization, time management, and accountability skills to prepare them for post-secondary undertakings. Throughout the course of the year, staff will be working with the students to work on executive functioning skills in support of their academic success.

Please ensure that your student fully understands the importance of these materials and treats them with the proper respect and accountability required of them.

Thank you for your attention to this matter and we look forward to continuing to support each student in their individualized paths to success.

## **STAFF DIRECTORY**

David Smokler, Principal  
Linda Ranieri, Principal's Secretary  
Jackie Farese, Adjustment Counselor  
Colleen Zappala, Adjustment Counselor  
Ellen Clark, Career and Transition Counselor  
Susan Young, RN, BSN., School Nurse  
John Zappala, Team Chair  
Toni Gigliello, SPED Secretary  
Art Teacher - David Acerra  
Social Studies Teacher - Justin McKinney  
SPED Interventionist - Luke MacPherson  
ELA Literature Teacher - Matthew Morde  
ELA Composition Teacher- Dana Mason  
Math Teacher- Justin Scott  
Science Teacher - Kim Sugden  
Behavioral Technician - Susan Dowrey

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tgigliello@bpsdk12.org  
dacerra@bpsdk12.org  
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dmason@bpsdk12.org  
jscott@bpsdk12.org  
ksugden@bpsdk12.org  
[sdowrey@bpsdk12.org](mailto:sdowrey@bpsdk12.org)

**WE BELIEVE**

We believe that every person is unique and deserves the opportunity for self-fulfillment. We accept the responsibility for meeting the educational and behavioral needs of each student.

We believe education is a lifelong process that should promote growth toward becoming independent learners, for acquiring self-direction and motivation, and for continuing the development of essential educational skills and applying them to areas of study.

We believe that education is a combined effort of students, parents, school, and community. Together, we can achieve academic and social success. The quality of that participation is central to the development of the student's intellectual, emotional, and physical maturity.

**MISSION STATEMENT**

The Keough Memorial Academy is a welcoming community. We recognize and accept students' unique learning and emotional needs. We provide individualized pathways to personal growth in a safe, supportive, and positive learning environment so that all students can feel safe and secure and progress academically to the best of his/her abilities.

**ACADEMIC CREDIT POLICY**

Each marking period, one-quarter (1/4) credit may be earned for each class by meeting the criteria and expectations set by the teacher. Each school district has its own graduation requirements.

- Out-of-district students are beholden to their sending school's graduation requirements.
- Bellingham students are required to earn twenty-three (23) credits for graduation.

Attendance and participation in class are the minimum requirements to earn credits. Teachers will establish other requirements. Excessive unexcused absences in a grading period (**6 or more**) will result in a potential loss of credit. Though transportation would be the responsibility of the student and parent, teachers are available for scheduled after-school extra help sessions weekly. While after-school time is offered to make up work and unexcused time in learning due to unexcused absences, it is ultimately the student's responsibility to make up time in learning and academic requirements.

**WORK/INTERNSHIP STUDY PROGRAM**

This program allows students to earn credit for working at a part-time job or internship. Whenever possible, the job should be related to a student's career interest and should provide skills training. For credit to be approved, employment must be documented and continuous. Any change of employment must not be the result of poor job performance. Students are required to submit their work schedule to the Guidance Department. All requests are reviewed on an individual basis. Students must remain in good academic standing to participate in Work Study.

**COUNSELING SERVICES**

Counseling is available to students exhibiting the need for individualized school-related counseling. Students also participate in weekly counseling groups. Our School Adjustment

Counselors and School Guidance Counselor work closely with students and family members, helping each student to be successful in school and in the community.

Recommendations for private mental health services are considered on an individual basis, depending on a variety of factors. Private counselors are welcome to meet with students at the Keough Memorial Academy. Please contact the Counseling Office for more information.

### **STUDENT TRANSPORTATION**

Students who are in good academic standing may be granted permission to drive their car to school. Those interested in driving their vehicle to school must have a team meeting with the principal and submit a copy of valid driver's license and registration. Once authorized by the principal, the student will sign a formal agreement outlining stipulations for the right to drive and acknowledging that their privilege to drive can be revoked for violating the terms and conditions of the agreement by the building principal.

Please be advised that privilege will be revoked immediately if unauthorized passengers are transported on or off Keough property. Prior authorization must be received in writing from the passenger's parent/guardian and or Principal.

### **FITNESS TO ATTEND SCHOOL**

Students are expected to attend school drug free, unless a physician has prescribed medication. The safety and health of every member of the Keough Memorial Academy is a priority.

If a student demonstrates at-risk, suspicious or unhealthy behaviors, the administration will notify parents and require an evaluation to determine treatment needs in order to re-enter the school community.

### **BUS RULES AND REGULATIONS**

Students must conduct themselves in a responsible and orderly fashion while riding the school bus. The bus driver has complete and absolute authority on the school bus.

1. The Principal has complete authority to enforce all rules and establish disciplinary action after consulting the sending district.
2. The bus driver has complete authority to maintain a safe atmosphere on the bus.
3. Students MUST utilize their assigned bus stop only. If a student wishes to utilize an alternate stop (or bus), prior written parent permission must be submitted the day of request. The office staff is not responsible to verify undocumented requests.

### **ABSENCES AND SCHOOLWORK**

Since effective learning does not take place without teacher assistance, it is not advisable to remove students from school for a period of time for reasons that are not listed as excusable. Excused absences include ill health, family emergency, religious holidays, or death of a family member. Student vacations during the normal school days are not excused absences. Teachers will not assume responsibility for providing individual tutoring or extensive individual help for the student when he/she returns. Teachers will provide the normal range of assistance in enabling the student to complete all missed assignments.

Students should make up any assignments, tests, quizzes or other work deemed essential by their teachers. **It is the student's responsibility to seek the necessary work from his/her teachers.**



Parents are asked to be aware of this requirement and provide assistance and guidance to their child in fulfilling this responsibility. Failure to complete all missed assignments may result in zeros being issued for those tests, quizzes and assignments not completed.

**ABSENT FROM SCHOOL POLICY: Documented/Undocumented Absence**

Students must present a note signed by a parent or guardian to the main office upon return to school. The note must indicate the date(s) and reason(s) for the absence.

AN ABSENCE NOTE OR PHONE CALL FROM A PARENT DOES NOT EXCUSE A STUDENT'S ABSENCE. THE NOTE OR PHONE CALL IS A RECORD THAT THE PARENT/ GUARDIAN WAS AWARE OF THE ABSENCE AND WHY THE STUDENT WAS NOT IN SCHOOL.

In these instances, there is no school-based consequence until the student exceeds the limit for undocumented absences. (See below).

**DOCUMENTED ABSENCE:** Students who wish to have an absence documented must present the required documentation when they return to school but **no later than 7 school days following their absence.**

Documented daily absences for the purpose of this policy are:

- Family bereavement (parent note required)
- Religious holiday (parent note required)
- Absences due to illness (or a medical appointment) with written verification from a physician's office
- School-approved field trips (including a limited number of athletic events to be designated by the administration) the appropriate form signed by the parent granting permission and teacher approval
- Representation of Bellingham High School in a school-related activity
- Suspension for violation of the school disciplinary code if the regulations of the suspension policy are followed.
- Court appointment with official court time and date verification
- Nurse, guidance, or administrative appointment reported to office by said staff.
- For Grade 11 and 12 students ONLY: College interview/visit documented on college letterhead

**Examples of UNDOCUMENTED ABSENCES (not a complete list):**

- Truancy
- Tardy to school/class (10 minutes late) both in person and remote learning
- Non-participation in remote learning without documentation
- Class cutting
- Illness absence without documentation from a physician's office
- Family vacations, trips, obligations, etc.
- Unnecessary absences from class as determined by the building principal

**LEARNING**

## **ATTENDANCE & LOSS OF CREDIT**

The Bellingham Public Schools expect parents and students to make every reasonable effort to have their child(ren) attend school every day. Attending class regularly, doing assigned work, and class participation are directly related to success in school. The basic responsibility for the regular attendance of the student lies with the student and parent, [NOTE - All references to 'parent' mean parent(s) or guardian(s)]. The schools uphold Massachusetts General Law, Chapter 76, Section 4 entitled "School Attendance." This section of the General Laws requires parents to "cause" their children to regularly attend school.

Parents of students who are absent for extended periods of time (more than 2 consecutive days) for reasons that are excusable should refer to their student's Google Classroom accounts to obtain missed assignments. **These assignments will be available no sooner than 24 hours after the call has been received. Please be mindful, it is the student's responsibility to make up any and all missed assignments in a mutually agreed-upon time frame.**

### **UNDOCUMENTED ABSENCE LIMITS (per term)**

Keough Memorial Academy Principal enforces the attendance policy, as required by the Department of Elementary and Secondary Education. However, knowing that student illness and extenuating circumstances arise, Keough Memorial Academy affords students a number of undocumented absences per term. Classes that meet every day will have an **absence limit of 5 days**. *Note: An absence is defined as having missed more than 20 minutes of a class for the purpose of this policy.* **Students in grades 9-12, who exceed the absence limit in a class will receive a letter grade for the term but will not be awarded credit for the particular class.** Students and parents are encouraged to check attendance records regularly to ensure that students do not exceed the undocumented absence limit. Students and parents will have electronic access to attendance records via School Brains. As a courtesy, if a student is approaching the absent limit in a term, the principal will notify parents in writing either by mail or electronically. If a family does not have Internet access, they are encouraged to contact the school to arrange for paper copies of records to be provided. After absence notification is issued, it is the responsibility of the parent and student to monitor absenteeism and the absence limit. Parents and students should be aware that tardies and dismissals without documentation will count as undocumented absences for missed classes.

### **TARDINESS POLICY**

The Keough Memorial Academy day starts at 8:30 a.m. Any student who is late to school must sign in at the Main Office. The student will be directed to class at that time. Tardiness due to documented dentist, doctor or other medical appointments, court appointments or other legal obligations, and religious holidays will be excused.

### **DISMISSAL POLICY**

Students may be dismissed by:

- Presenting a written request to the office in the morning, signed by a parent or guardian, and including the telephone number where the parent can be reached to verify the dismissal.
- Being picked up in the main office by a parent or guardian. No note is necessary in this case.
- The nurse, for medical reasons, upon contacting a parent or guardian.

- Please be advised that students will be responsible for any missed academic work.

### **DRESS CODE**

Please be advised, the principal reserves the right to determine what is appropriate to the educational environment and what negates a reasonable standard of appearance. If a student's dress or grooming is interfering with the educational process or a student is not dressed conducive to the activity they are engaged in, appropriate administrative actions may be taken.

Although the type of dress depends, to a large degree, on an individual's likes, dislikes, and personal point of view, there are certain standards that should be followed while in school. Proper dress is the foundation of good etiquette as students relate with one another in school. Students should take pride in their appearance as well as have respect for those around them. Being neat, clean, and modest in dress are standards for which all students should strive. The health, safety, and learning of student(s) must not be jeopardized.

The following items are prohibited:

- clothing reflecting any gang affiliation
- see-through clothing items
- items bearing obscene, negatively inciting or suggestive messages regarding sex, drugs, tobacco, alcohol, weapons, and/or violence
- inflammatory or inappropriate pins or clothing

In addition:

- Appropriate footwear is required at all times in school for proper safety. House slippers are not deemed "appropriate" and are prohibited.
- Dresses and shorts must cover the buttocks and upper thighs. All garments must cover the midriff.
- Students should refrain from excessively low cut shirts.
- Due to health and safety concerns, the following items are prohibited outside the restroom areas: lotions, make-up, nail polish, nail polish remover, perfumes, cologne, aerosol sprays of any kind (i.e. Axe spray, hair spray or deodorant.)

First Offense - Warning and Parent Notified

Second Offense - Parent Conference and/or notification required

Third Offense - Parent Pick-up

**Please be advised, the principal has final say in regard to appropriate vs. inappropriate dress for an educational setting.**

### **PERSONAL ELECTRONIC DEVICES**

In conjunction with the Keough Memorial Academy trauma sensitive learning environment, *authorized* school-issued Ipod Shuffles and chromebooks are a **PRIVILEGE** in the classroom. **Communicative devices, such as cell phones, tablets, laptops, etc., are strictly prohibited at all times and are punishable by a Three (3) Day School Suspension.**

As part of our therapeutic rationale, Ipods or other portable electronic devices for playing digital audio files or the chromebooks may be utilized by the students and in the classroom at **teacher discretion and direction**.

- Phone calls can be made from the Main Office during break times on the office phone.

- Teachers may confiscate Personal Electronic Devices if they are used in the classroom without permission. PED's interrupt teaching and learning.
- Since individual lockers are not available, cell phones and other communication devices **must** not be used during classroom times unless directed by the teacher. **Again, items used outside these parameters will be considered contraband will result in disciplinary actions which may result in a Three (3) Day Suspension.**

### **CAFETERIA CODE OF CONDUCT**

- All students must report to the cafeteria during the lunch period.
- All students will remain in the cafeteria/gym until dismissed.
- Students are responsible for maintaining the cafeteria and will be expected to leave their area clean and orderly.
- No food or beverage may be taken from the cafeteria.

### **BUILDING AND CORRIDOR REGULATIONS**

When passing to and from classes, students are expected to move directly to class. Students are allocated two minutes for passing.

The following actions are prohibited:

- public display of affection
- yelling or loud noises
- using obscene language or gestures
- running, roughhousing, or loitering between classes
- damaging, littering, or defacing school property. If observed, restitution will be required prior to possible re-entry into the program.
- malingering
- sale or trading of goods
- any other aberrant behaviors

### **KEOUGH STUDENT CONDUCT AND DISCIPLINE CODE**

The following is a list of violations that may result in disciplinary action:

- Profane language
- Insubordination/disrespect toward staff
- Disrupting the learning environment
- Disrupting the orderly running of the school
- Dress Code Violations
- Extortion
- Threats
- Verbally assaultive (to staff or students)
- Leaving school grounds
- Harassment/Hazing/Bullying
- Fighting/Physical assault
- Use of tobacco products on school grounds, within school facilities, or on school buses
- Civil Rights violations
- Vandalism
- Destruction of school property
- Disruption of a school assembly
- Possession of illegal substance
- Not ready for learning/under the influence of an illicit substance

- Sexual Harassment
- Contraband
- Possession of a weapon
- Starting a fire or pulling a fire alarm
- Careless actions that endanger the health and safety of students or staff
- Aberrant behavior or others designated by building administrator.

### **Consequences to Infractions:**

Consequences will be administered on an individual basis based on the severity of the infraction. All consequences will be administered after considering the circumstances, the infraction, and ensuring due process. The following consequences will be considered when addressing student misconduct:

- Verbal Reprimand: A discussion of the infraction and the issuance of a consequence.
- Loss of privilege: Student may lose special activity participation privilege(s).
- Conference: Parents and/or legal guardians may be requested to meet with the Principal and Counselor to review the infraction.
- Guidance Referral: Counseling session to mediate the issue(s).
- Suspension: The student could be excluded from school for a defined period of time.
- Program Termination: Team could be convened to determine termination of placement from the Keough Memorial Academy.
- Restitution: If building damage, vandalism and/or theft is incurred by a student, financial restitution will be required.

The **Guidance Suite** is to be used as an alternative to discipline. Students referred to the Guidance area are expected to therapeutically use the time in the guidance suite to calm down, reflect on their behavior, and process with the referring staff member. Students are expected to use this time as a means of preparing to reenter the learning environment. Release from this area is incumbent on the student being Ready to Learn.

**All students are responsible for adhering to the current rules, regulations and laws set forth by the Commonwealth of Massachusetts.**

### **EIGHTEEN-YEAR-OLD POLICY**

All students attending Keough Memorial Academy, regardless of their age, shall be treated alike with regard to those matters involving parent permission, authorization or notification, (e.g. dismissals, field trips, warning notices, etc.) unless otherwise informed in writing by a parent or guardian.

The only exception to the above will be those students who are at least eighteen years old or those having been adjudicated an emancipated minor and who can verifiably document that they reside in their own house or apartment.

## **SECTION 2: DISTRICT INFORMATION**

### **GENERAL INFORMATION**

#### **SCHOOL COMMITTEE POLICY**

Please refer to our online School Committee Policy Manual for district policies updated throughout the year, as needed, [www.bellinghamk12.org](http://www.bellinghamk12.org) > School Committee Page > Online Policy Manual.

<http://z2policy.ctspublish.com/masc/Z2Browser2.html?showset=bellinghamset>

#### **VISION**

The Bellingham Public Schools, in collaboration with students, their families, and the community, will provide a safe learning environment, where the unique strengths of every learner are enhanced and celebrated.

We will work together to build a shared sense of pride in the Bellingham Public Schools by amplifying academic excellence, increasing communication, cultivating a positive climate, improving social and emotional well-being, and enhancing technology use and implementation.

#### **STRATEGIC PLAN**

<https://drive.google.com/file/d/1VZ9CiTFy8t6TZiaErYfMA18cqlyIR3WU/view?usp=sharing>

#### **DISTRICT IMPROVEMENT PLAN**

[https://docs.google.com/document/d/1hMeaE7kW1Kt84YVypnaxA-9BDzfbHQgAWgX8EYNY\\_Fs/edit?ts=5b69f37d](https://docs.google.com/document/d/1hMeaE7kW1Kt84YVypnaxA-9BDzfbHQgAWgX8EYNY_Fs/edit?ts=5b69f37d)

#### **SCHOOL CALENDAR**

<https://drive.google.com/file/d/1vu5pfvkmjEUFJCoMVxKXI8yAkCtBOZXd/view>

#### **NO-SCHOOL SIGNAL**

When necessary, due to extreme weather conditions, power outages, or other emergencies, no-school announcements will be made at early news times and at appropriate intervals over the following television and radio stations, information will also be listed on our website and a global connect call will also be placed:

<b>www.bellinghamk12.org</b>
<b>7News</b>
<b>Fox News</b>
<b>WCVB</b>
<b>NBC 10</b>
<b>WBZ *(TV &amp; Radio)</b>

#### **District Parent Notification System**

The district also utilizes a system to facilitate school-to-parent communication in order to improve parent involvement in school events and activities, to validate student attendance, and most importantly to disseminate accurate, time-sensitive critical information in a crisis situation. Parents are urged to update their contact information to ensure that all notifications are received.

**Emergency Closings**

In extremely rare circumstances, school may be dismissed after the opening of school sessions. In this situation local media outlets will carry announcements. Arrangements should be made by parents who are not at home during the school day to inform their child of a place to go in case of early dismissals. Parents are requested to keep emergency forms (filled out in September) up-to-date with the name and address of the person your child should report to in case you are not home. Close attention should be paid to radio stations for information regarding early dismissals.

## **SCHOOL DIRECTORY**

### **Bellingham School Committee**

Michael Reed, Jr., Chairman  
Jennifer Altomonte, Vice Chairman  
Mark Flannery, Treasurer  
Lori Colombo, Member  
Erik Ormberg, Member

Susan Robidoux, Clerk

### **Central Office/SPED**

4 Mechanic Street  
Phone: 508-883-1706  
Central Office Fax: 508-966-2402  
SPED Fax: 508-966-2401  
Peter D. Marano, Superintendent of Schools  
Suzanne Michel, Director of Student Services  
Roger Oakley, Director of Maintenance

### **Business Office/Curriculum**

2 Mechanic Street  
Phone: 508-883-1706  
Bookkeeping Fax: 508-966-5841  
Curriculum Fax: 508-966-2191  
Carolyn Rafferty, Assistant Superintendent  
for Curriculum, Instruction and Assessment  
Joanne Rebelo, Director of Finance  
Mike Roche, Assistant Director of Finance

### **Technology Department**

Michael Garofano, Director  
Bellingham High School  
60 Blackstone Street  
Phone: 508-966-4186 Fax: 508-966-4183

### **Human Resources**

Beth Cornell-Smith, Director  
Town of Bellingham  
10 Mechanic Street  
Phone: 508-966-2967 Fax: 508-966-4303

## **Schools**

### **Bellingham High School**

Megan Lafayette, Principal  
60 Blackstone Street  
Phone: 508-966-3761  
Hours: 7:30 a.m. - 2:00 p.m.

### **Keough Memorial Academy**

David Smokler, Principal  
60 Harpin Street  
Phone: 508-883-5403  
Hours: 8:30 a.m. - 2:30 p.m.

### **Bellingham Memorial School**

David S. Cutler, Principal  
Richard Nerbonne, Assistant Principal  
Liz Bell, Food Service Director  
130 Blackstone Street  
Phone: 508-883-2330  
Hours: 7:55 a.m. - 2:20 p.m.

### **Joseph F. DiPietro Elementary School**

Miriam Friedman, Principal  
70 Harpin Street  
Phone: 508-883-8001  
Hours: 8:45 a.m. - 2:50 p.m.

### **Stall Brook Elementary School**

Emily Luuri, Principal  
342 Hartford Avenue  
Phone: 508-966-0451  
Hours: 8:45 a.m. - 2:50 p.m.

### **Bellingham Early Childhood Program**

Pamela Fuhrman, Program Director  
342 Hartford Avenue  
Phone: 508-966-2512  
Hours: 8:45 a.m. - 2:50 p.m.





## **ADDITIONAL POLICIES RELATED TO COVID-19**

### **File: EBC-S - Policy on COVID-Related Issues**

The School Committee takes note of the COVID-19 emergency; resulting disruption of the traditional school day and year; growing concerns of students, families and the community; and the growing number of issues that will affect public education.

Therefore, the school committee establishes an emergency, interim policy to:

- promote public safety and safety of students and faculty,
- maintain to the extent possible the high and efficient level of educational services,
- ensure support for students in general and in particular for those at highest risk educationally as well as those at social and economic risk, and
- comply with the emergency orders of the governor and adhere to the extent possible, to the guidance of the Department of Elementary and Secondary Education and other agencies of state and federal government and expedite the safest strategy for returning students to school.

The school committee will approve the final plan submitted to DESE which will outline its strategy for returning students to school and will, in collaboration with the superintendent, make such modifications to the “back to school plan,” and district policy, and will authorize the superintendent to suspend, revise or create protocols to facilitate the safe return to school.

The superintendent will designate the appropriate staff members to oversee the safe administration of COVID-related policies during the period of the pandemic emergency and shall make such recommendations to the school committee as needed.

The school committee will authorize the superintendent to act expeditiously in executing the “back to school” plan in accordance with current law and regulation and will, where noted, authorize the superintendent to suspend, revise, or recommend policies, rules and protocols as needed to serve the best interests and safety of students, their families, and the community.

The “back to school” plan shall constitute the policy of the school district during the pandemic emergency, and the superintendent shall exercise the authority provided in law to carry out the plan as needed.

- General district goals affected by the pandemic.

The superintendent, with the advice and consent of the school committee, may suspend or modify individual district policies to address the COVID-19 emergency as declared by the governor. Such suspension of policy shall expire upon the end of the emergency as declared by the governor.

The goal of emergency pandemic policies shall be to:

- ensure the safety and health of students, faculty, staff, and all persons who may come in contact with them;

- provide the most effective educational services as possible to students under the circumstances;
  - authorize changes to operating protocols as needed to open and operate schools effectively from various venues or platforms;
  - conduct the district business and operational functions of the district as efficiently as possible;
  - allow the superintendent and staff to act quickly to carry out a “back to school” plan and,
  - facilitate the re-establishment of a safe and productive school day and year.
- Student assignment to schools (File JCA)  
Subject to the guidance from the Department of Elementary and Secondary Education, the superintendent may suspend or revise the assignment of students to schools, including the assignment of new students for such a period as the emergency declaration is in force.
  - School calendar (File IC/ICA)  
Subject to the guidance from the Department of Elementary and Secondary Education and the provisions of collective bargaining agreements, the superintendent may suspend or revise the school calendar with the approval of the school committee.
  - Class size (File IIB)  
In order to maintain healthy, safe, and effective classrooms, the superintendent may suspend district policy on class size, subject to the provisions of the collective bargaining agreements where applicable.
  - Attendance (File JH)  
Subject to operative law and regulations, suspend, modify or adapt policies related to student attendance including the link between and absences when appropriate, (including the link between attendance and grades), chronic absence policies, and accommodations for students requiring special placements
  - Time on learning (File IC/ICA and ID)  
Subject to the guidance from the Department of Elementary and Secondary Education and the provisions of collective bargaining agreements, the superintendent may suspend or amend requirements for time on learning for the duration of the COVID pandemic.
  - Grading and retention (File IKE)  
In accordance with guidance from the Department of Elementary and Secondary Education, the superintendent may propose, subject to the approval of the school committee, modifications to the policy of the district for grading and retention of students.
  - Local graduation requirements (File IKF)  
In accordance with guidance from the Department of Elementary and Secondary Education and modifications to current regulation or law, the superintendent may propose, subject to the approval of the school committee, modifications to the policy of the district regarding graduation requirements. DUPLICATE STATEMENT IN SPECIAL EDUCATION

- Special education (File IHB, IHBA, IHBA, IHBF)  
The superintendent and school committee should be mindful that attainment of a high school diploma may render certain students ineligible for further services.
- Discipline and Suspension/Expulsion with homeschooling rights (File JIC, JK)  
The “back to school” plan recommended by the superintendent and subject to the approval of the school committee shall contain protocols for serving students who are disciplined or suspended during the pandemic emergency.

Further, the superintendent shall provide in these “back to school” plans provisions for students who were disciplined or suspended or who may elect to remain at home under the provisions of the policies related to homeschooling, or who may elect remote learning in the interests of safety or health concerns.

- Exemptions for particular groups of students (i.e., use of masks for youngest children, high risk students) (File JL)  
The superintendent shall provide protocols to principals and teachers regarding students who may require special exemptions from health and safety standards during the pandemic emergency. Such protocols may address exemption for utilizing support animals.
- Job descriptions (File GCA)  
The superintendent may revise job descriptions for district staff, considering the provisions of current collective bargaining agreements, in order to secure the safety and health of students and staff, establish effective communications between school and community, maintain facilities, transport students as needed, provide food services, and acquire necessary materials to operate schools safely and securely during the pandemic. The superintendent will inform the school committee of any such changes. Any changes to job descriptions shall expire at the end of the declared emergency situation.
- STUDENTS AT RISK (JIE, JL, JLC, JLCC)  
During the COVID pandemic, the superintendent or principal of a school may revise or suspend provisions of policy to facilitate the education of students at risk or with special physical needs or their family caregivers, including, but not limited to caring for or educating students with disabilities, illness, pregnancy, childrearing responsibilities, or special education needs consistent with law and regulation.
- Privacy of Students. (File JRA)  
During the pandemic, the rights to privacy held by students and their families shall not be abridged by the public schools. Such rights extend to the confidentiality of student academic records, health data, economic status, and other such information as may be considered confidential by law.

Massachusetts law prohibits the recording of individuals without their permission. Similarly, students may not be recorded in classrooms by audio, visual, or remote means without the permission of parents or, if of age, by individual students. During periods of remote learning, the privacy of students participating in on-line classes shall not be violated by recording them without appropriate permissions.

- Pivoting back to remote learning, or back to in-school instruction  
The superintendent shall incorporate into the “back to school” plan protocols for modifying these plans including addressing the needs of students who may require reversion from in-school to remote learning modalities because of the pandemic emergency.
- Home schooling File IHBG (temporary), home-bound instruction File IHBF (e.g., students with physical disabilities) and remote instruction for students in quarantine

The “back to school” plan shall provide for students who are temporarily homebound due to illness, quarantine, or disability

- Public Safety Officers, including the school resource officer (MOA with the local police.)  
Subject to current law or regulation, the superintendent shall report to the school committee of any change in status of the school resource officer. (If the district eliminates visitors to school during the school day, the SRO may be impacted.)
- Eligibility for participation in extracurricular activities, including sports (File JJ)  
Subject to law, regulation and standards established by the appropriate and legitimate regulatory body, the superintendent may propose changes to district protocols for participation in extracurricular activities including sports subject to the rules established by the Massachusetts Interscholastic Athletic Association.
- Attendance vs. participation in events (File JH and Student/Athletic Handbooks)  
Subject to law, regulation or emergency declaration, the superintendent may propose protocols or modifications or suspensions of district policies regarding attendance by students or the public in school events including, but not limited to assemblies, sports events, large gatherings, or other programs.
- Visitors in schools and buildings (File KI)  
Subject to current emergency declarations, the superintendent may propose suspension or modification to district policies regarding visitors to school buildings during the school day and after school hours.
- Illness and contact tracing (File JLCC)  
Subject to the provisions of the “back to school” plan, the superintendent may establish protocols for tracking student contacts as a means of locating others from whom students may contract or expose other persons to the CORVID-19. Such protocols will be consistent with law and regulation and be consistent with standards to protect the privacy of students, their families, and other persons.
- Transportation and busing (File EEA, EEAA, EEAEC, EEAG)  
Subject to current law and regulation, the superintendent may suspend or modify policies related to the transportation of students by the school district. Legal requirements relating to IEP’s that contain transportation for students shall not be altered without the appropriate family consent. These modifications shall be consistent with the district “back to school” plan.
- Operations and plant maintenance (File EC, ECA)

Subject to the provisions of law, regulation and collective bargaining agreements, the superintendent may suspend or amend current policy to ensure the efficient operation of business functions and maintenance of school buildings and other such offices as the district maintains.

SOURCE: MASC - July 2020

ADOPTED: August 25, 2020

## **File: EBCFA - FACE COVERINGS**

The Bellingham Public School District is committed to providing a safe environment in schools during the ongoing COVID-19 pandemic. Maintaining a safe environment is critical to the District's ability to ensure students remain in a full-time classroom learning environment.

According to public health experts, one of the best ways to stop the spread of coronavirus and to keep members of our school community safe is the use of face masks or face coverings. Therefore, in accordance with guidance and recommendations from the Center for Disease Control (CDC), the Department of Elementary and Secondary Education (DESE) and the Massachusetts Department of Public Health (DPH), the following requirements are in place until further notice.

A face covering that covers the nose and mouth is strongly recommended to be worn by individuals who remain unvaccinated or are otherwise immunocompromised in school buildings, and on school grounds, even when social distancing is observed.

Individuals who are vaccinated are not required to wear a mask, but may do so if desired.

**Students and staff returning from 5 day quarantine following a positive COVID test must follow strict mask use, other than when eating, drinking, or outside, and conduct active monitoring for symptoms, through day 10 of exposure.**

**Masks will be required in all school health offices.**

**By federal public health order, all students and staff are required to wear a mask on school buses.**

Guidance Statements: Massachusetts Department of Public Health

[https://www.mass.gov/info-details/covid-19-mask-requirements - mask-requirements-in-certain-locations-https://search.mass.gov/?q=school+health+offices](https://www.mass.gov/info-details/covid-19-mask-requirements-mask-requirements-in-certain-locations-https://search.mass.gov/?q=school+health+offices)

Center for Disease Control and Prevention – Guidance for Covid-19 Prevention in K-12 Schools Updated January 13, 2022.

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

Massachusetts Department of Elementary and Secondary Education – Fall 2021 Covid-19 Guidance Updated February 9, 2022

<https://www.doe.mass.edu/covid19/on-desktop/2022-0209mask-requirement-update.pdf>

SOURCE: MASC – February 10, 2022

ADOPTED: February 15, 2022

## **DISTRICT POLICIES AND PROCEDURES**

### **EQUAL EDUCATIONAL OPPORTUNITIES – File: JB**

In recognition of the diverse characteristics and needs of our students and with the keen desire to be responsive to them, the School Committee will make every effort to protect the dignity of the students as individuals. It also will offer careful consideration and sympathetic understanding of their personal feelings, particularly with reference to their race, color, sex, religion, national origin, sexual orientation or physical and intellectual differences.

To accomplish this, the Committee and its staff will make every effort to comply with the letter and the spirit of the Massachusetts equal educational opportunities law which prohibits discrimination in public school admissions and programs. The law reads as follows:

No child shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and course of study of such public school on account of race, color, sex, gender identity, religion, national origin or sexual orientation.

This will mean that every student will be given equal opportunity in school admission, admissions to courses, course content, guidance, and extracurricular and athletic activities.

All implementing provisions issued by the Board of Elementary and Secondary Education in compliance with this law will be followed.

SOURCE: MASC

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

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

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

Title IX, Education Amendments of 1972

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

Board of Education Chapter 622 Regulations Pertaining to Access to Equal Educational Opportunity, adopted 6/24/75, amended 10/24/78

Board of Education, Chapter 766 Regulations 10/74 - amended through 3/28/78  
603 CMR [26:00](#)

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



## **ENGLISH LANGUAGE LEARNERS – File: IHBEA**

The District shall provide suitable research-based language instructional programs for all identified English language learners in grades Kindergarten through 12 in accordance with the requirements of state and federal statutes and Massachusetts Dept. of Elementary and Secondary Education regulations and guidance.

The District shall identify students whose dominant language may not be English through home language surveys that identify a primary home language is other than English, observations, intake assessments, and recommendations of parents, teachers and other persons. Identified students shall be assessed annually to determine their level of proficiency in the English language.

The District shall certify to the Massachusetts Dept. of Elementary and Secondary Education each year those students whose dominant language is not English, including specification of the number of non-English languages identified as dominant languages and the number and percent of students who speak each non-English language as their dominant language.

The District shall provide additional information as required by the Massachusetts Dept. of Elementary and Secondary Education to comply with federal law.

SOURCE: MASC October 2016

LEGAL REFS.: PL114-95 Every Student Succeeds Act

42 U.S.C. 2000d (Title VI of the Civil Rights Act of 1964)

603 CMR [14.00](#)

## **STUDENT RIGHTS AND RESPONSIBILITIES – File: JI**

The Bellingham School Committee has the responsibility to afford students the rights that are theirs by virtue of guarantees offered under the Federal and State Constitutions and Statutes. In connection with rights there are responsibilities that must be assumed by the students. Among these rights and responsibilities are the following:

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

It is the Committee's belief that as part of the educational process, students should be made aware of their legal rights and of the legal authority of the School Committee to make, and delegate authority to the staff to make, rules regarding the orderly operation of the schools. Students have the right to know the standards of behavior that are expected of them, and the consequences of misbehavior. The rights and responsibilities of students, including standards of conduct, will be made available to students and their parents through handbooks distributed annually.

SOURCE: Bellingham

ADOPTED: Date of Manual Adoption

LEGAL REFS.: M.G.L. [71:37H](#); [71:82](#) through 71:86

CROSS REFERENCES: JICE, Student Publications

## **ALCOHOL, TOBACCO, AND DRUG USE BY STUDENTS PROHIBITED File: JICH**

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

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

The school district shall utilize, in accordance with law, a verbal screening tool approved by the Department of Elementary and Secondary Education to screen students for substance abuse disorders. The tool shall be administered by trained staff on an annual basis at grades 7 and 9.

Parents/guardians shall be notified prior to the opening of school each year. Parents/guardians shall have the right to opt out of the screening by written notice prior to or during the screening.

All statements made by a student during a screening are confidential and shall not be disclosed except in the event of immediate medical emergency or in accordance with law. De-identified results shall be reported to the Department of Public Health within 90 days of the completion of the screening process.

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

SOURCE: MASC February 2018

ADOPTED: June 4, 2019

LEGAL REF.: M.G.L. [71:2A](#); [71:96](#); 71:97; [272:40A](#)

CROSS REF.: [IHAMB](#), Teaching About Alcohol, Tobacco and Drugs

[GBEC](#), Drug Free Workplace Policy

## **BREATHALYZER POLICY - File: JICHA**

### **Use of Alcohol Detection Devices**

#### **A. Introduction**

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

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

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

#### **B. Prior Notification**

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

#### **C. Refusal to Submit to a Breathalyzer Test**

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

#### **D. Applying the Breathalyzer**

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

E. Students Testing Positive

Students who test positive for consumption of alcoholic and/or intoxication beverages will be subjected to disciplinary action consistent with Bellingham Public Schools Code of Conduct. Administrators will seek the assistance of the police if necessary, and release the students to parents or police.

F. Breathalyzers during the School Day

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

G. Equipment

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

SOURCE: Bellingham School Committee

ADOPTED: December 18, 2018

CROSS REF.: JICH, Alcohol, Tobacco, and Drug Use by Students Prohibited

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

[GBEC](#), Drug Free Workplace Policy

## **TEACHING ABOUT ALCOHOL, TOBACCO, AND DRUGS - File: IHAMB**

In accordance with state and federal law, the District shall provide age-appropriate, developmentally appropriate, evidence-based alcohol, tobacco, and drug prevention education programs in grades K-12.

The alcohol, tobacco, and drug prevention program shall address the legal, social, and health consequences of alcohol, tobacco, and drug use, with emphasis on nonuse by school-age children. The program also shall include information about effective techniques and skill development for delaying and abstaining from using, as well as skills for addressing peer pressure to use alcohol, tobacco, or drugs.

The objectives of this program, as stated below, are rooted in the Committee's belief that prevention requires education, and that the most important aspect of the policies and guidelines of the District should be the education of children and youth on healthy decision-making:

- To prevent, delay, and/or reduce alcohol, tobacco, and drug use among children and youth.
- To increase students' understanding of the legal, social, and health consequences of alcohol, tobacco, and drug use.
- To teach students self-management skills, social skills, negotiation skills, and refusal skills that will help them to make healthy decisions and avoid alcohol, tobacco, and drug use.

The curriculum, instructional materials, and outcomes used in this program shall be recommended by the Superintendent and approved by the School Committee.

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

SOURCE: MASC March 2016

LEGAL REFS.: M.G.L. [71:1](#); [71:96](#)

CROSS REFS: [GBEC](#), Drug Free Workplace Policy

[JCH](#), Drug and Alcohol Use by Students

## **SUBSTANCE USE PREVENTION AND EDUCATION PROCEDURE**

### **In Reference to File: IHAMB – Teaching About Alcohol, Tobacco and Drugs**

#### **Introduction**

The Bellingham Public Schools, in accordance with Mass General Laws (c.71, s.96) and with recommendations and guidance from the Massachusetts Department of Public Health and the Department of Elementary and Secondary Education has developed and will implement a policy regarding substance use prevention and education for our students. The Bellingham Public Schools will notify parents and guardians of all students in our district of the policy regarding substance use prevention and will post the policy on the schools' website.

#### **Goals**

Implementation of an evidence-based substance abuse curriculum for grades Pre K -12 that teaches self-management, social, legal, health consequences and refusal skills that will empower students to make healthy choices and avoid alcohol and substance use.

Provide parents, guardians and community members ongoing educational opportunities and resources to prevent substance use.

#### **Leadership**

Leadership at all levels will play a critical role in developing and implementing the substance use prevention and education policy. This is accomplished by utilizing a team approach involving school administrators, school committee, educators, nurses, counselors, resource officers, athletic director and coaches, students, families and outside community agencies. The BELLINGHAM PUBLIC SCHOOLS Wellness Advisory Committee, comprised of school and community leaders, will play a key role in implementing and overseeing these programs.

#### **Professional Development**

All BELLINGHAM Public Schools staff will be provided training opportunities to ensure they are aware of policies and procedures for alcohol and substance use prevention, education and intervention.

#### **Access to Resources and Services**

School counseling personnel, nursing services and contracted community agencies will work closely in identifying and referring students with substance abuse issues. Each school in the BELLINGHAM PUBLIC SCHOOLS district has an identified team of social-emotional support staff available for students in need of assessment, counseling and referral. Community based providers are available for referral and intervention as needed.

#### **Academic and Non-Academic Strategies**

In accordance with the Massachusetts Comprehensive Health Frameworks the BELLINGHAM PUBLIC SCHOOLS provide developmentally appropriate, evidenced based alcohol, tobacco and drug education and prevention programs in grades 6 -12.

Through collaboration with the Athletic and Nursing Departments, all student athletes, parents and coaches will attend a mandatory program on opiate misuse among athletes prior to each sport's season. They will also be provided with informational handouts provided by the MIAA - Substance Abuse Prevention Facts for Teens and Parents.

Students in grades 8 and 10 will participate in state mandated SBIRT (Student Brief Intervention Referral and Treatment). This verbal screening tool will be used to help keep all students healthy and provide appropriate prevention, intervention and referral for possible substance abuse by a trained screener.

### **Policies and Protocols**

The Bellingham Public Schools has policies in place for: voluntary admission of drug or alcohol problem, appearing under the influence, distribution or possession of drugs and prohibiting substance or tobacco use, on school property or at any school sponsored or school related activity, function or program whether on or off school property. Any student charged with a violation of these policies may be expelled or suspended in accordance with the district's Discipline Code (File JK). School staff discusses these policies annually with students and policies are posted on the district's web site and in the BELLINGHAM PUBLIC SCHOOLS Student Handbook which requires parents' signature to ensure they have received this handbook annually.

Narcan Administration and SBIRT Screening Protocols have been developed and approved by the Bellingham School Committee.

### **Collaboration with Families**

The Bellingham Public Schools believes that families are essential partners in our efforts to prevent substance abuse. Our district is committed to providing ongoing informational and educational parent programming throughout our district.



## **NONDISCRIMINATION - File: AC**

Public schools have the responsibility to overcome, insofar as possible, any barriers that prevent children from achieving their potential. The public school system will do its part. This commitment to the community is affirmed by the following statements that the School Committee intends to:

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

The Committee's policy of nondiscrimination will extend to students, staff, the general public, and individuals with whom it does business; No person shall be excluded from or discriminated against in admission to a public school of any town or in obtaining the advantages, privileges, and courses of study of such public school on account of race, color, sex, gender identity, religion, national origin, sexual orientation or disability. If someone has a complaint or feels that they have been discriminated against because of their race, color, sex, gender identity, religion, national origin, sexual orientation or disability, their complaint should be registered with the Title IX compliance officer.

SOURCE: MASC

LEGAL REFS.: Title VI, Title VII, Civil Rights Act of 1964 as amended by the Equal Employment

Opportunity Act of 1972

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

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

Title IX, Education Amendments of 1972

Rehabilitation Act of 1973

Education for All Handicapped Children Act of 1975

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

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

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

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

BESE Regulations 603 CMR [28:00](#)

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

**HOMELESS STUDENTS: ENROLLMENT RIGHTS AND SERVICES - File: JFABD**

As required by law, the district will work with homeless children and youth and unaccompanied youth (collectively, "homeless students") as well as their families or legal guardians to provide stability in school attendance and other services. Special attention will be given to ensuring the enrollment and attendance of homeless students not currently attending school. Homeless students will be provided district services for which they are eligible, including Head Start and comparable preschool programs, Title I, similar state programs, special education, bilingual education, vocational and technical education programs, gifted and talented programs, school nutrition programs, summer programming and extracurricular activities.

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

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

**Students Remaining in Schools of Origin**

It is presumed to be in the best interest of homeless students to remain in their schools of origin, i.e. the school that the student was attending at the time he or she became homeless, or the last school the student attended prior to becoming homeless. Homeless students may continue to attend their school of origin for as long as they remain homeless or until the end of the academic year in which they obtain permanent housing. For homeless students who complete the final grade level served by the school of origin, the term "school of origin" shall also include the receiving school at the next grade level. in the same school district.

Homeless students are entitled to transportation comparable to that provided for all other students attending school in the district. The district will transport students who are sheltered or temporarily residing within the district to the student's school of origin. For homeless students attending a school of origin located outside the district in which the student is sheltered or temporarily residing, the district in which the school of origin is located will coordinate with the district in which the student is sheltered or temporarily residing to provide the transportation services necessary for the student. The district of origin and district in which student reside should agree upon a method to apportion responsibility and costs for transportation to the school of origin. If the Districts cannot not agree on a method, the costs will be shared equally. Formerly homeless students who find permanent housing mid-school year will continue to receive transportation services until the end of the school year.

## **Students Enrolling in District Where Sheltered or Temporarily Residing**

Parents or guardians may elect to enroll homeless students in the school district in which the student is sheltered or temporarily residing, rather than having the student remain in the school of origin. Enrollment changes for homeless students should take place immediately.

If homeless students are unable to provide written proof of their shelter or temporary residence in the district, the homeless liaison will work with the family seeking enrollment to determine homelessness. Information regarding a homeless student's living arrangement shall be considered a student education record, and not directory information. Records containing information about the homeless student's living arrangement shall be considered a student education record.

If the student does not have immediate access to immunization records, the student shall be permitted to enroll. Students and families should be encouraged to obtain current immunization records or immunizations as soon as possible, and the district liaison is directed to assist. Emergency contact information is required at the time of enrollment consistent with district policies, including compliance with the state's address confidentiality program when necessary. After enrollment, the district will immediately request available records from the student's previous school.

The right to attend school based on residence, other student assignment policies, or intra and inter-district choice options are available to homeless families on the same terms as families who reside in the district. Accordingly, the district will provide transportation services to school in a manner comparable to the transportation provided for all other students in the district.

## **Dispute Resolution**

If the district disagrees with a parent or guardian's decision to keep a student enrolled in the school of origin and considers enrollment in the district where the student is sheltered or temporarily residing to be in the student's best interest, the district will explain to the parent, in writing in their primary language, the rationale for its determination and provide parent with written notice of their rights to appeal the district's determination to the Massachusetts Department of Elementary and Secondary Education.

During the pendency of any appeal, the student should remain enrolled in the school selected by the parent or guardian, receiving transportation to school and access to other available services and programs.

The Massachusetts Department of Elementary and Secondary Education's Advisory on Homeless Education Assistance contains additional information about educating homeless students and the appeal process. This advisory is available at the following link:

<http://www.doe.mass.edu/mv/haa/mckinney-vento.docx>

## **Homeless Liaison:**

The Superintendent shall designate an appropriate staff person to be the district's liaison for homeless students and their families. The district's liaison for homeless students and their families shall coordinate with local social service agencies that provide services to homeless children and youths and their families; other school districts on issues of transportation and records transfers; and state and local housing agencies responsible for comprehensive housing

affordability strategies. This coordination includes providing public notice of the educational rights of homeless students in locations such as schools, family shelters and soup kitchens. The district's liaison will also review and recommend amendments to district policies that may act as barriers to the enrollment of homeless students. The liaison shall ensure district staff receive professional development and other support on issues involving homeless students.

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

SOURCE: MASC October 2019

ADOPTED: August 25, 2020

## **EDUCATIONAL OPPORTUNITIES FOR MILITARY CHILDREN - FILE: JFABE**

To facilitate the placement, enrollment, graduation, data collection and provision of special services for students transferring into or out of the District because of their parents or guardians being on active duty in the U.S. Armed Services, the District supports and will implement its responsibilities as outlined in the Interstate Compact on Educational Opportunity for Military Children. The District believes it is appropriate to remove barriers to educational success imposed on children of military families resulting from frequent moves required by parents' or guardians' military deployment.

### **Definitions:**

**Children of military families:** School-aged children, enrolled in kindergarten through 12th grade, in the household of an active duty member of the uniformed service of the United States, including members of the National Guard and Reserve serving on active duty.

**Deployment:** The period one month before the service members' departure from their home station on military orders through six months after return to their home station.

**Education(al) records:** Official records, files, and data directly related to a student and maintained by the school including, but not limited to, records encompassing all the material kept in the student's cumulative folder.

Eligible students are children of military families as well as the children of veterans who have been severely injured and medically discharged or retired for a period of one year after medical discharge or retirement and children of a member of the uniformed services who died on active duty or as a result of injuries sustained on active duty for a period of one year after death. The Compact does not apply to children of inactive members of the National Guard or Military Reserves, veterans and retired personnel not included above, or U.S. Department of Defense personnel and other federal civil service employees and contracted employees not on active duty.

The District's responsibilities to eligible students include the following:

### **Sending School**

- Sending schools must send either official or unofficial records with the moving students and District receiving schools must use those records for immediate enrollment and educational placement.
- Upon enrollment of an eligible student, the receiving school must request academic records and the sending school shall respond within 10 days with the records.
- Immunization requirements of the sending District must be transferred within thirty (30) days from the date of enrollment (or be in progress).

### **Receiving School**

- Receiving schools must initially honor placement of students in all courses from the sending school. These include, but are not limited to, Honors, International Baccalaureate, Advanced Placement, vocational-technical, and career pathway courses if those courses are offered in the receiving school and space is available. The receiving

schools must also initially honor placement of like programs to those of the student in the sending state, including, but not limited to, Gifted and Talented programs, and English as a Second Language programs. Receiving schools are not precluded from performing subsequent evaluation to ensure the appropriate placement and continued enrollment of the student in courses and programs.

- In compliance with the federal requirements of the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. Section 1400 et seq, the receiving state shall initially provide comparable services to a student with disabilities based on: (i) the student's current individualized education program; (ii) the requirements of Section 504 of the Rehabilitation Act, 29 U.S.C. Section 794; and (iii) title II of the Americans with Disabilities Act, 42 U.S.C. Sections 12131-12165. The receiving state shall make reasonable accommodations and modifications to address the needs of incoming students with disabilities, subject to an existing 504 or title II plan, to provide the student with equal access to education. The school in the receiving state may perform subsequent evaluations to ensure appropriate placement of the student.
- In compliance with federal law, the District will assume responsibility for the special education programs of students based on their current IEPs.
- As appropriate, the District will exercise the right to waive prerequisites for any courses and programs, while also maintaining its right to ensure continued enrollment, as deemed appropriate.
- The District may grant additional excused absences to visit with a parent or guardian on military leave, preparing for or returning from deployment.
- An eligible student living with a noncustodial parent or other person standing in loco parentis, who lives in a jurisdiction other than that of the custodial parent shall be permitted to attend the school in which he or she was enrolled while living without the custodial parent/guardian and without any tuition fee charged.
- The District high school will accept exit or end-of-year exams required from the sending state, national norm-referenced tests, or alternate testing instead of testing requirements for graduation in the District. If this is not possible, the alternative provision of the Interstate Compact shall be followed in order to facilitate the on-time graduation of the student in accordance with the Interstate Compact on Educational Opportunity for Military Children.

LEGAL REFS: M.G. L. c. [15E](#);

Interstate Compact on Educational Opportunity for Military Children

SOURCE: MASC October 2019

ADOPTED: August 25, 2020

## **EDUCATIONAL OPPORTUNITIES FOR CHILDREN IN FOSTER CARE - FILE: JFABF**

The purpose of this policy is to ensure the educational stability of students in foster care. Educational stability has a lasting impact on students' academic achievement and wellbeing, and the School Committee is committed to supporting all efforts to ensure that students in foster care have equal access to high-quality, stable educational experiences through high school graduation.

Irrespective of the location of a foster care placement, students in foster care will continue to attend their school of origin, until after a collaborative decision-making process in accordance with guidance from Department of Elementary and Secondary Education and the Department of Children and Family Services (DCF) it is determined to be in the student's best interest to enroll in and attend school in the district in which the student resides in foster care. Enrollment of students in the district where they reside in foster care will take place immediately upon such a best interest determination, subject to the Foster Care Dispute Resolution process, if DCF and the School District do not agree on an appropriate placement.

The District has designated a point of contact for students in foster care. The District and the point of contact will collaborate with DCF to ensure that students can access transportation and other related services to which they may be entitled to.

### **Best Interest Determination**

Decisions about whether a student in foster care should continue to attend the school of origin should be made collaboratively by DCF, the student (as appropriate), the student's family and/or foster family (or, if different, the person authorized to make educational decisions on behalf of the student), the school and district of origin, and (when appropriate) the local district where the student is placed. Best interest determinations should focus on the needs of each individual student and account for unique needs and account for the benefits of educational stability for the student. Every effort should be made to reach agreement regarding the appropriate school placement of a student in foster care; however, DCF will make the final determination if the relevant parties cannot agree on the best school for the student to attend.

The district can seek review of DCF's decision by utilizing a Foster Care School Selection Dispute Resolution Process established by DESE and DCF. Decisions made through this process are not subject to review. To the extent feasible and appropriate, the District will ensure that the student remains in his or her school of origin while the disputes are being resolved to minimize disruptions and reduce the number of moves between schools.

### **Transportation**



The district of origin must collaborate with DCF on how transportation will be arranged and provided to ensure that students in foster care who need transportation to remain in their school of origin will receive such transportation while they are in foster care.

Transportation options may include using Title I funds, establishing regional collaborations among districts, coordinating with existing routes for transportation, seeking help from foster parent(s), etc. Absent other agreements between the district and DCF, the district of origin is responsible for providing transportation to and from the school of origin.

### **Immediate Enrollment**

If it is in the best interest of a student in foster care to leave the school of origin, the student must be immediately enrolled in the district in which he or she resides in foster care. During enrollment of students in foster care, DCF representatives will present the district with a form indicating that the student is in foster care, along with a state-agency identification badge.

If the student does not have immediate access to immunization records, the student shall be permitted to enroll under a personal exception. Students and families should be encouraged to obtain current immunization records or immunizations as soon as possible, and the district liaison is directed to assist. Emergency contact information is required at the time of enrollment consistent with district policies, including compliance with the state's address confidentiality program when necessary. After enrollment, the district will immediately request available records from the student's previous school. The district will provide transportation services to school in a manner comparable to the transportation provided for all other students in the district.

LEGAL REFS: Every Student Succeeds Act (ESSA);

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

SOURCE: MASC October 2019

ADOPTED: August 25, 2020



## **PROHIBITION OF HAZING - File: JICFA**

In accordance with Massachusetts General Laws, Chapter 536 of the Acts of 1985, the School Committee hereby deems that no student, employee or school organization under the control of the School Committee shall engage in the activity of hazing a student while on or off school property, or at a school sponsored event regardless of the location. No organization that uses the facilities or grounds under the control of the School Committee shall engage in the activity of hazing any person while on school property.

Any student who observes what appears to them to be the activity of hazing another student or person should report such information to the Principal including the time, date, location, names of identifiable participants and the types of behavior exhibited. Students and employees of the District are obligated by law to report incidents of hazing to the police department.

Any student who is present at a hazing has the obligation to report such an incident. Failure to do so may result in disciplinary action by the school against that student and could involve suspension from school for up to three days.

Any student who participates in the hazing of another student or other person may, upon the approval of the Superintendent of Schools, be suspended from school for up to ten (10) school days.

Any student determined by the Principal to be the organizer of a hazing activity may be recommended for expulsion from school but will receive no less disciplinary action than that of a participant.

In all cases relating to hazing, students will receive procedural due process.

SOURCE: MASC

LEGAL REF.: M.G.L. [269:17](#), [18](#), [19](#)

## **HAZING - File: JICFA-E**

### **CH. 269, S.17. CRIME OF HAZING; DEFINITION; PENALTY**

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

The term "hazing" as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation. Notwithstanding any other provisions of this section to be contrary, consent shall not be available as a defense to any prosecution under this action.

### **CH. 269, S.18. DUTY TO REPORT HAZING**

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

### **CH. 269, S.19. HAZING STATUTES TO BE PROVIDED; STATEMENT OF COMPLIANCE AND DISCIPLINE POLICY REQUIRED**

Each secondary school and each public and private school or college shall issue to every group or organization under its authority or operating on or in conjunction with its campus or school, and to every member, plebe, pledge or applicant for membership in such group or organization, a copy of this section and sections seventeen and eighteen. An officer of each such group or organization, and each individual receiving a copy of said sections seventeen and eighteen shall sign an acknowledgment stating that such group, organization or individual has received a copy of said sections seventeen and eighteen.

Each secondary school and each public or private school or college shall file, at least annually, a report with the regents of higher education and in the case of secondary schools, the Board of Education, certifying that such institution has complied with the provisions of this section and also certifying that said school has adopted a disciplinary policy with regards to the organizers and participants of hazing. The Board of Regents and, in the case of secondary schools, the Board of Education shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general any such institution which fails to make such a report.

SOURCE: MASC

## **HARASSMENT - School Committee Policy File: ACAB**

Harassment of students by other students, employees, vendors and other 3<sup>rd</sup> parties will not be tolerated in the Bellingham Public Schools. The alleged harassment must involve conduct that occurred within the school's own program or activity, such as whether the harassment occurred at a location or under circumstances where the school owned, or substantially controlled the premises, exercised oversight, supervision or discipline over the location or participants, or funded, sponsored, promoted or endorsed the event where the alleged harassment occurred, against a person in the United States.\_ This policy is in effect while students are on school grounds, School District property or property within the jurisdiction of the School District, school buses, or attending or engaging in school sponsored activities.

Harassment prohibited by the District includes, but is not limited to, harassment on the basis of race, sex, gender identity, creed, color, national origin, sexual orientation, religion, marital status or disability. Students whose behavior is found to be in violation of this policy will be subject to disciplinary action up to and including suspension or expulsion pursuant to disciplinary codes. Employees who have been found to violate this policy will be subject to discipline up to and including termination of employment, subject to contractual disciplinary obligations.

**Employee-to-Student Harassment** means conduct of a written, verbal or physical nature that is designed to embarrass distress, agitate, disturb or trouble students when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of a student's education or of a student's participation in school programs or activities; or
- Submission to or rejection of such conduct by a student is used as the basis for decisions affecting the student.

**Student- to-Student Harassment** means conduct of a written, verbal, or physical nature that is designed to embarrass, distress, agitate, disturb or trouble students, when:

- Such conduct has the purpose or effect of unreasonably interfering with a student's performance or creating an intimidating or hostile learning environment.

Harassment as described above may include, but is not limited to:

- Written, verbal, or physical (including texting, blogging, or other technological methods) harassment or abuse;
- Repeated remarks of a demeaning nature;
- Implied or explicit threats concerning one's grades, achievements, or other school matter.
- Demeaning jokes, stories, or activities directed at the student.

By law, what constitutes harassment is determined from the perspective of a reasonable person with the characteristic on which the harassment is based. Individuals should consider how their words and actions might reasonably be viewed by others.

The District will promptly and reasonably investigate allegations of harassment through designation of Title IX Coordinator or building based employees, who may include principals or their designees. The superintendent will recommend, in consultation with the principals, opportunities to the designated recipients for appropriate training.

**Sexual harassment** is unwelcome conduct of a sexual nature. The definition includes unwelcome conduct on the basis of sex that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity it also, includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment includes conduct by an employee conditioning an educational benefit or service upon a person's participation in unwelcome sexual conduct, often called quid pro quo harassment and, sexual assault as the Federal Clery Act defines that crime. Sexual violence is a form of sexual harassment. Sexual violence, as the Office of Civil Rights (OCR) uses the term, refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse and sexual coercion. Massachusetts General Laws Ch. 119, Section 51 A, requires that public schools report cases of suspected child abuse, immediately orally and file a report within 48 hours detailing the suspected abuse to the Department of Children and Families. For the category of sexual violence, in addition to Section 51A referrals these offences and any other serious matters shall be referred to local law enforcement. Schools must treat seriously all reports of sexual harassment that meet the definition of sexual harassment and the conditions of actual notice and jurisdiction as noted above. Holding a school liable under Title IX can occur only when the school knows of sexual harassment allegations and responds in a way that is deliberately indifferent (clearly unreasonable in light of known circumstance).

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

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

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

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

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

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

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

### **NOTICE OF SEXUAL HARASSMENT**

The regulations require a school district to respond when the district has actual notice of sexual harassment. School districts have actual notice when an allegation is made known to any school employee. Schools must treat seriously all reports of sexual harassment that meet the definition of harassment and the conditions of actual notice and jurisdiction as noted whether or not the complainant files a formal complaint. Holding a school liable under Title IX can occur only when the school knows of sexual harassment allegations and responds in a way that is deliberately indifferent (clearly unreasonable in light of known circumstances). Schools are required to investigate every formal complaint and respond meaningfully to every known report of sexual harassment.

The regulation highlights the importance of supportive measures designed to preserve or restore access to the school's education program or activity, with or without a formal complaint. Where there has been a finding of responsibility, the regulation would require remedies designed to restore or preserve access to the school's education program or activity.

### **DUE PROCESS PROTECTIONS**

Due process protections include the following:

- 1) A presumption of innocence throughout the grievance process, with the burden of proof on the school;
- 2) A prohibition of the single investigator model, instead requiring a decision-maker separate from the Title IX Coordinator or investigator;
- 3) The clear and convincing evidence or preponderance of the evidence, subject to limitations;
- 4) The opportunity to test the credibility of parties and witnesses through cross examination, subject to "rape shield" protections;
- 5) Written notice of allegations and an equal opportunity to review the evidence;
- 6) Title IX Coordinators, investigators, and decision-makers must be free from bias or conflict of interest;
- 7) Equal opportunity for parties to appeal, where schools offer appeals;
- 8) Upon filing a formal complaint the school must give written notice to the parties containing sufficient details to permit a party to prepare for any initial interview and proceed with a factual investigation. For K-12 schools a hearing is optional but the parties must be allowed to

submit written questions to challenge each other's credibility before the decision-maker makes a determination. After the investigation, a written determination must be sent to both parties explaining each allegation, whether the respondent is responsible or not responsible, including the facts and evidence on which the conclusion was based by applying either the preponderance of the evidence or the clear and convincing standard; however, a school can use the lower preponderance standards only if it uses that standard for conduct code violations that do not involve sexual harassment but carry the same maximum disciplinary sanction. As long as the process is voluntary for all parties, after being fully informed and written consent is provided by both parties, a school may facilitate informal resolution of a sexual complaint.

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

The Superintendent in consultation with the Title IX Coordinator shall designate the principal of each school in the district, or their designee (or some other appropriate employee(s)) as the initial entity to receive the sexual harassment complaint. Also, in a matter of sexual harassment, the district shall require that the Title IX Coordinator be informed, as soon as possible, of the filing of the complaint. Nothing in this policy shall prevent any person from reporting the prohibited conduct to someone other than those above designated complaint recipients. The investigating officer may receive the complaint orally or in writing, and the investigation shall be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances and in compliance with applicable law. The investigation will be prompt, thorough, and impartial, and will include, at least, a private interview with the person filing the complaint and with witnesses. Also, the alleged harasser will be interviewed. When the investigation is completed, the complaint recipient will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

## **RECORD KEEPING REQUIREMENTS**

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

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

List the name and phone number of the District's Title IX Coordinator

List the appropriate party by name and phone number to receive a complaint in each District School

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

The Complainant may also file a complaint with:

- The Mass. Commission Against Discrimination, 1 Ashburton Place, Room 601  
Boston, MA 02108  
Phone: 617-994-6000
- Office for Civil Rights (U.S. Department of Education)

5 Post Office Square, 8th Floor

Boston, MA 02109

Phone: 617-289-0111

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

LEGAL REF.: M.G.L. 151B:3A  
Title IX of the Education Amendments of 1972  
BESE 603 CMR 26:00  
34 CFR 106.44 (a), (a)-(b)  
34 CFR 106.45 (a)-(b) (1)  
34 CFR 106.45 (b)(2)-(b)(3,4,5,6,7) as revised through June 2020

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

SOURCE: MASC July 2020

ADOPTED: August 10, 2021

## **COMPLAINTS OF DISCRIMINATION, HARASSMENT, BULLYING GRIEVANCE PROCEDURES**

The Bellingham Public School District utilizes the procedures outlined in this policy to investigate and resolve reports of alleged violations of the district's Nondiscrimination Policy. The policy and procedures are intended to be interpreted and enforced as an integrated document. These procedures are designed to facilitate a prompt and effective internal review and resolution of allegations of bias-based conduct, discrimination on the basis of race, color, sex, gender identity, religion, national origin, sexual orientation, disability, age or homelessness.

### **Reporting Complaints of Discrimination and Harassment**

If any Bellingham Public School District ("District") student, parent/guardian of the student believes that the he/she has been subjected to discrimination or harassment, the Complainant has the right to file a complaint with the District. This may be done informally or formally, and verbally or in writing. District employees who observe incidents of harassment involving students are encouraged to report such complaints or incidents immediately to the student's Principal or to the Grievance Officer.

#### Student Reports of Discrimination and Harassment:

Students and/or parents/guardians may report complaints of discrimination and harassment to the student's teacher, Principal, guidance counselor, the Grievance Officer, or the Superintendent.

### **Complaint Investigation**

When the District receives a complaint of discrimination or harassment, it will investigate the allegation in a timely and thorough manner. If the complaint involves conduct that occurred off school grounds, outside of a school's education program or activity, the District will, as part of its investigation, consider the effects of the off-school grounds conduct when evaluating whether there is a hostile environment on school grounds. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. If the individual filing the complaint of discrimination or harassment is under eighteen (18), the school will notify the parents or guardians of the student before beginning the investigation.

The investigation will include an interview with the person filing the complaint and also may include interviews with witnesses or other individuals who the District believes would be useful to the investigation. The District also will interview the person alleged to have committed the discrimination or harassment. When the District has concluded its investigation, the District will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the outcome of the investigation.

The procedures are designed to promote the sensitive handling of student issues, the thorough investigation of complaints, and to facilitate a prompt and expeditious internal review and a fair and equitable resolution of all complaints.



Please note that while these procedures relate to the Bellingham Public School's policy of promoting a workplace and educational setting free from discrimination and harassment, including sexual harassment, these procedures do not limit the District's authority to discipline or take remedial action for conduct which the Bellingham Public School District deems unacceptable.

The District will take steps to prevent the recurrence of any harassment and to correct any discriminatory effects on the Complainant and others, if appropriate.

### **General Policies**

1. No retaliation shall be invoked against any person for filing a complaint, either on an informal or formal basis, or for participating in an investigation.
2. No retaliation shall be invoked against any student, parent/guardian, or any third party, who, in good faith, has testified, assisted or participated in any manner in any investigation, proceeding, or hearing of a complaint.
3. The District will work with an individual who files a complaint of discrimination or harassment, in order to fairly, impartially and expeditiously investigate the complaint.
4. Whenever possible, a conference should be scheduled during a time that does not conflict with regularly scheduled work and/or school programs.

### **Procedures**

#### **Informal Resolution of Discrimination and Harassment Concerns (Informal Complaint Process)**

1. Before initiating the formal complaint process, the Complainant may elect to resolve any complaint regarding an alleged discriminatory practice on an informal basis.
2. The student or parent/guardian can bring an informal complaint to his or her teacher, principal, guidance counselor, the Grievance Officer, or the Superintendent.

The District shall attempt to work with the individual to resolve the complaint.

If the Complainant is not satisfied with the resolution of an informal complaint, or does not choose informal resolution, the Complainant may proceed with a formal complaint.

#### **Formal Resolution of Discrimination and Harassment Concerns (Formal Complaint Process)**

Students, parents/guardians and third parties should file their complaint with Grievance Officer:

Suzanne Michel  
Director of Student Services  
Grievance Officer  
4 Mechanic Street  
Bellingham, MA 02019  
508-883-1706

Students or parent/guardians are encouraged to file their complaint no later than twenty (20) working days after the alleged discriminatory practice occurred in order for an investigation to be conducted in a timely manner. (The District will accept complaints filed later on a case-by-case basis.) The student or parent/guardian will be asked to fill out a reporting form that will state the name of the individual(s) who engaged in discrimination or harassment, the location of the incident(s), the basis for the complaint and the corrective action the student or parent/guardian is seeking. The student or parent/guardian will have the opportunity to present witnesses and other evidence.

After filing the written complaint, the Grievance Officer shall promptly give written notification to the appropriate school/department identified in the complaint. This written notification shall be a copy of the complaint filed. The Grievance Officer or his/her designee, will conduct the necessary investigation promptly after receiving the complaint. In the course of its investigation, the Grievance Officer or his/her designee shall contact those individuals that have been referred to as having pertinent information related to the complaint. This process shall include contacting the Complainant, the Complainant's parent/guardian if the Complainant is under the age of 18, and the person against whom the complaint was filed and/or the principal or appropriate supervisor involved. The Complainant and the subject of the complaint, will be interviewed and given a full opportunity to state his or her case through the presentation of witnesses and other evidence. Witnesses and other persons relevant to the complaint will also be interviewed. The investigation will also include a review of any documents or other information relevant to the complaint.

The Grievance Officer will make sure that the complaint is resolved as quickly as is feasible and will strive to complete the investigation **within thirty (30) working days** after the complaint is filed. When more than thirty (30) working days is required for the investigation, the Grievance Officer shall inform the student or parent/guardian who filed the complaint, in writing, that the investigation is still ongoing and, if practicable, the anticipated timeline for completion of the investigation.

If the Grievance Officer finds that there is reasonable cause, based upon a preponderance of the evidence (i.e., more likely than not) that a discriminatory or harassing practice has occurred, or there is a violation of school district policy, the Grievance Officer will refer the matter to the Superintendent for appropriate corrective action.

The Grievance Officer will notify, in writing, the Complainant and, where applicable, the individual against whom the complaint was filed, of the outcome of the investigation. Notification of the outcome will be **completed within ten (10) working days** of the conclusion of the investigation.

If no satisfactory resolution can be reached through either the informal or formal resolution procedures detailed above, the student or parent/guardian has the right to take the complaint to an appropriate state or federal agency. Moreover, it should be noted that using the Bellingham

Public School District's complaint process does not prohibit a student or parent/guardian from filing a complaint with the appropriate agency.

### **Disciplinary Action**

Discipline of students will be imposed consistent with the student code of conduct set forth in the Student Handbook and state laws and regulations. Such action may include suspension, expulsion, or other action deemed appropriate under the circumstances.

The District may also address concerns regarding discrimination/harassment by applying such approaches as alternate dispute resolution, restorative justice, professional development, training, or coaching. Responsive measures will include any steps necessary to prevent the recurrence of any discrimination and/or harassment in the future and will include corrective action aimed at eliminating any discriminatory effects on the Complainant and others.

In certain cases, harassment and/or sexual harassment of a student may constitute child abuse under Massachusetts law. The District will comply with all legal requirements governing the mandatory reporting of suspected cases of child abuse or neglect.

### **Appeal**

If a Complainant or subject of a Complainant disputes the findings of the investigation or resolution, he or she may further appeal to the Superintendent within ten (10) school days of the Grievance Officer's decision. Any request for appeal shall be made in writing.

The Superintendent shall meet with the parties to hear the appeal, and shall review the records of the investigation. The Superintendent shall issue a decision within ten (10) business days of the hearing. The Superintendent's decision shall be final.

### **State and Federal Remedies**

Nothing in this policy or procedure shall be deemed to affect a Complainant's right to pursue other remedies at law, including administrative appeals. Administrative agencies with jurisdiction in these matters include:

Massachusetts Commission Against Discrimination  
One Ashburton Place, Room 601  
Boston, MA 02108  
(617) 944-6000

U.S. Department of Education, Office for Civil Rights  
5 Post Office Square 8th Floor  
Boston, MA 02109-3921  
(617) 289-0111

Massachusetts Department of Education  
75 Pleasant Street  
Malden, MA 02148

U.S. Equal Employment Opportunity Commission  
John F. Kennedy Federal Building  
475 Government Center

## **PHYSICAL RESTRAINT OF STUDENTS - File: JKAA**

Maintaining an orderly, safe environment conducive to learning is an expectation of all staff members of the school district. Further, students of the district are protected by law from the unreasonable use of physical restraint. Such restraint shall be used only in emergency situations as a last resort and with extreme caution after other lawful and less intrusive alternatives have failed or been deemed inappropriate.

When an emergency situation arises, and physical restraint is the only option deemed appropriate to prevent a student from injuring himself or herself, another student or school community member, a teacher or employee or agent of the school district may use such reasonable force needed to protect students, other persons or themselves from assault or imminent, serious, physical harm.

The definitions of forms of restraint shall be as defined in 603 CMR [46.02](#).

The use of mechanical restraint, medical restraint, and seclusion is prohibited.

Physical restraint, including prone restraint where permitted under 603 CMR [46.03](#), shall be considered an emergency procedure of last resort and shall be prohibited except when a student's behavior poses a threat of assault, or imminent, serious, physical harm to themselves and/or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions are deemed inappropriate.

The Superintendent will develop procedures identifying:

- Appropriate responses to student behavior that may require immediate intervention;
- Methods of preventing student violence, self-injurious behavior, and suicide including crisis planning and de-escalation of potentially dangerous behaviors among groups of students or individuals;
- Descriptions and explanations of alternatives to physical restraint as well as the school's method of physical restraint for use in emergency situations;
- Descriptions of the school's training and procedures to comply with reporting requirements including, but not limited to making reasonable efforts to orally notify a parent of the use of restraint within 24 hours of its imposition;
- Procedures for receiving and investigating complaints;
- Methods for engaging parents in discussions about restraint prevention and use of restraint solely as an emergency procedure;
- A statement prohibiting: medication restraint, mechanical restraint, prone restraint unless permitted by 603 CMR [46.03](#)(1)(b), seclusion, and the use of physical restraint in a manner inconsistent with 603 CMR [46.00](#);
- A process for obtaining Principal approval for a time out exceeding 30 minutes.

Each building Principal will identify staff members to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. These staff members will participate in an in-depth training program in the use of physical restraint.

In addition, each staff member will be trained regarding the school's physical restraint policy and accompanying procedures. The Principal will arrange training to occur in the first month of each school year, or for staff hired after the beginning of the school year, within a month of their employment.

Physical restraint is prohibited as a means of punishment, or as a response to destruction of property, disruption of school order, a student's refusal to comply with a school rule or staff directive, or verbal threats that do not constitute a threat of imminent, serious physical harm to the student or others.

Physical restraint is prohibited when it is medically contraindicated for reasons including, but not limited to, asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting;

The use of "time out" procedures during which a staff member remains accessible to the student shall not be considered "seclusion restraint."

This policy and its accompanying procedures shall be reviewed and disseminated to staff annually and made available to parents of enrolled students. The Superintendent shall provide a copy of the Physical Restraint regulations to each Principal, who shall sign a form acknowledging receipt thereof.

SOURCE: MASC

ADOPTED: September 22, 2015

LEGAL REF.: M.G.L. [71:37G](#); 603 CMR [46.00](#)

## **STUDENT DISCIPLINE - School Committee Policy - File: JIC**

The School Committee believes that all students deserve every opportunity to achieve academic success in a safe, secure learning environment. Good citizenship in schools is based on respect and consideration for the rights of others. Students will be expected to conduct themselves in a way that the rights and privileges of others are not violated. They will be required to respect constituted authority, to conform to school rules and to those provisions of law that apply to their conduct.

Each Principal shall include prohibited actions in the student handbook or other publication and made available to students and parents.

Principals and staff shall not use academic punishment of any form as a consequence of inappropriate behaviors/actions by students.

The Principal may, as a disciplinary measure, remove a student from privileges, such as extracurricular activities and attendance at school-sponsored events, based on the student's misconduct. Such a removal is not subject to the remainder of this policy, law, or regulation.

### **Suspension**

In every case of student misconduct for which suspension may be imposed, a Principal shall consider ways to re-engage the student in learning; and avoid using long-term suspension from school as a consequence until alternatives have been tried. Alternatives may include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and positive behavioral interventions and supports.

### **Notice of Suspension**

Except for emergency removal or an in-school suspension of less than 10 days, a Principal must provide the student and the parent oral and written notice, and provide the student an opportunity for a hearing and the parent an opportunity to participate in such hearing before imposing suspension as a consequence for misconduct. The Principal shall provide both oral and written notice to the student and parent(s) in English and in the primary language of the home if other than English. The notice shall include the rights enumerated in law and regulation. To conduct a hearing without a parent present, the Principal must be able to document reasonable efforts to include the parent.

### **Emergency Removal**

A Principal may remove a student from school temporarily when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the Principal's judgment, there is no alternative available to alleviate the danger or disruption.

The Principal shall immediately notify the Superintendent in writing of the removal including a description of the danger presented by the student.

The temporary removal shall not exceed two (2) school days following the day of the emergency removal, during which time the Principal shall: Make immediate and reasonable efforts to orally notify the student and the student's parent of the emergency removal, the reason for the need for emergency removal, and the other matters required in the notice; Provide written notice to the student and parent as required above; Provide the student an opportunity for a hearing with the Principal that complies with applicable regulations, and the parent an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing

is otherwise agreed to by the Principal, student, and parent; Render a decision orally on the same day as the hearing, and in writing no later than the following school day, which meets the requirements of applicable law and regulation.

A Principal shall also ensure adequate provisions have been made for the student's safety and transportation prior to removal.

### **In School Suspension - Not More Than 10 Days Consecutively or Cumulatively**

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

The Principal may impose an in-school suspension for a disciplinary offense under this provision, provided that the Principal follows the process set forth in regulation and the student has the opportunity to make academic progress as required by law and regulation.

### **Principal's Hearing - Short Term Suspension of up to 10 Days**

The hearing with the Principal shall be to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction.

At a minimum, the Principal shall discuss the disciplinary offense, the basis for the charge, and any other pertinent information.

The student also shall have an opportunity to present information, including mitigating facts, that the Principal should consider in determining whether other remedies and consequences may be appropriate as set forth in law and regulation.

The Principal shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the Principal should consider in determining consequences for the student.

The Principal shall, based on the available information, including mitigating circumstances, determine whether the student committed the disciplinary offense, and, if so, what remedy or consequence will be imposed.

The Principal shall notify the student and parent of the determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal, as required by law and regulation. The determination shall be in writing and may be in the form of an update to the original written notice.

If the student is in a public preschool program or in grades K through 3, the Principal shall send a copy of the written determination to the Superintendent and explain the reasons for imposing an out-of-school suspension, before the short-term suspension takes effect.

### **Principal's Hearing - Long Term Suspension. Removal of a student from the school premises and regular classroom activities for more than ten (10) consecutive school days or for more than ten (10) school days cumulatively for multiple disciplinary offenses in any school year.**

The hearing with the Principal shall be to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute

the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction.

At a minimum, in addition to the rights afforded a student in a short-term suspension hearing, the student shall have the following rights: In advance of the hearing, the opportunity to review the student's record and the documents upon which the Principal may rely in making a determination to suspend the student or not; The right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense; The right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so; The right to cross-examine witnesses presented by the school district; The right to request that the hearing be recorded by the Principal, and to receive a copy of the audio recording upon request. If the student or parent 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 upon request.

The Principal shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the Principal should consider in determining consequences for the student.

The Principal shall, based on the evidence, determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension as required by law and regulation, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension. The Principal shall send the written determination to the student and parent by hand-delivery, certified mail, first-class mail, email to the address provided by the parent for school communications, or any other method of delivery agreed to by the Principal and the parent.

If the Principal decides to suspend the student, the written determination shall: Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing; Set out the key facts and conclusions reached by the Principal; Identify the length and effective date of the suspension, as well as a date of return to school; Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school as required by law and regulation; Inform the student of the right to appeal the Principal's decision to the Superintendent or designee, but only if the Principal has imposed a long-term suspension. Notice of the right of appeal shall be in English and the primary language of the home if other than English, and shall include the following information: The process for appealing the decision, including that the student or parent must file a written notice of appeal with the Superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent may request and receive from the Superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days; and that the long-term suspension will remain in effect unless and until the Superintendent decides to reverse the Principal's determination on appeal.

If the student is in a public preschool program or in grades K through 3, the Principal shall send a copy of the written determination to the Superintendent and explain the reasons for imposing an out-of-school suspension before the suspension takes effect.

### **Superintendent's Hearing**

A student who is placed on long-term suspension following a hearing with the Principal shall have the right to appeal the Principal's decision to the Superintendent.



The student or parent shall file a notice of appeal with the Superintendent within the time period noted above (see Principal's hearing - Suspension of more than 10 days). If the appeal is not timely filed, the Superintendent may deny the appeal, or may allow the appeal in his or her discretion, for good cause.

The Superintendent shall hold the hearing within three (3) school days of the student's request, unless the student or parent requests an extension of up to seven (7) additional calendar days, in which case the Superintendent shall grant the extension.

The Superintendent shall make a good faith effort to include the parent in the hearing. The Superintendent shall be presumed to have made a good faith effort if he or she has made efforts to find a day and time for the hearing that would allow the parent and Superintendent to participate. The Superintendent shall send written notice to the parent of the date, time, and location of the hearing.

The Superintendent shall conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence shall be. The Superintendent shall arrange for an audio recording of the hearing, a copy of which shall be provided to the student or parent 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 upon request. The student shall have all the rights afforded the student at the Principal's hearing for long-term suspension.

The Superintendent shall issue a written decision within five (5) calendar days of the hearing which meets the requirements of law and regulation. If the Superintendent determines that the student committed the disciplinary offense, the Superintendent may impose the same or a lesser consequence than the Principal, but shall not impose a suspension greater than that imposed by the Principal's decision. The decision of the Superintendent shall be the final decision of the school district with regard to the suspension.

### **Expulsion**

Expulsion is defined as the removal of a student from school for more than ninety (90) school days, indefinitely, or permanently as allowed by law for possession of a dangerous weapon; possession of a controlled substance; assault on a member of the educational staff; or a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a Principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

Any student expelled from school for such an offense shall be afforded an opportunity to receive educational services and make academic progress.

Any student who is expelled or suspended from school for more than ten (10) consecutive days shall have an opportunity to receive education services and to make academic progress through the school-wide education service plan.

### **Academic Progress**

Any student who is suspended or expelled shall have the opportunity to earn credits, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal from the classroom or school. The Principal shall inform the student and parent of this opportunity in writing, in English and in the primary language of the home, when such suspension or expulsion is imposed.

Any student who is expelled or suspended from school for more than ten (10) consecutive days, whether in school or out of school, shall have an opportunity to receive education services and make academic progress toward meeting state and local requirements, through the school-wide education service plan.

The Principal shall develop a school-wide education service plan describing the education services that the school district will make available to students who are expelled or suspended from school for more than ten (10) consecutive days. The plan shall include the process for notifying such students and their parents of the services and arranging such services. Education services shall be based on, and be provided in a manner consistent with, the academic standards and curriculum frameworks established for all students under the law.

The Principal shall notify the parent and student of the opportunity to receive education services at the time the student is expelled or placed on long-term suspension. Notice shall be provided in English and in the primary language spoken in the student's home if other than English, or other means of communication where appropriate. The notice shall include a list of the specific education services that are available to the student and contact information for a school district staff member who can provide more detailed information.

For each student expelled or suspended from school for more than ten (10) consecutive days, whether in-school or out-of-school, the school district shall document the student's enrollment in education services. For data reporting purposes, the school shall track and report attendance, academic progress, and such other data as directed by the Department of Elementary and Secondary Education.

### **Reporting**

The school district shall collect and annually report data to the DESE regarding in-school suspensions, short- and long-term suspensions, expulsions, emergency removals, access to education services, and such other information as may be required by the DESE.

The Principal of each school shall periodically review discipline data by selected student populations, including but not limited to race and ethnicity, gender, socioeconomic status, English language learner status, and student with a disability status in accordance with law and regulation.

LEGAL REF.: M.G.L. [71:37H](#); [71:37H ½](#); [71:37H3/4](#); [76:17](#); 603 CMR [53.00](#)

SOURCE: MASC

ADOPTED: August 10, 2021

## **PROCEDURES FOR DISCIPLINING STUDENTS WITH DISABILITIES**

In general, all students are expected to meet the requirements for behavior as set forth in the student handbook and the school's code of conduct. In accordance with Chapter 71B of the Massachusetts General Laws and with federal law IDEA 2004: Section 615 (k), and with Section 504 of the Rehabilitation Act of 1973: 29 U.S.C. Section 794 (A), the school may suspend or remove your child from his or her current placement for no more than ten (10) school days. Special provisions are outlined below for students with a documented disability who have an Individualized Education Program (IEP) or a Section 504 Plan.

### **Discipline Procedures for Students with Disabilities**

**Case-by case determination:** School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order a change in placement for a student with a disability who, after disciplinary actions, has been found to have violated the school code of conduct. (IDEA Regulations: 34 CFR Part 300, M.G.L. c71, §§ 37H, 37H/2, 37H3/4)

#### **Procedures for suspension(s) not exceeding ten (10) school days:**

- Any student with a disability may be suspended for up to ten (10) days during a school year.
- Special circumstances exist if your child: possesses, uses, sells or solicits illegal drugs on school grounds or at a school-sponsored event; carries a weapon to school or a school-sponsored event; or inflicts serious bodily harm upon another person at school or a school-sponsored event. Under these circumstances, the principal may place your child in an interim alternative educational setting (IAES) for up to 45 school days. Your child may remain in this IAES for a period of time not to exceed 45 school days. Thereafter, your child will return to the previously agreed-upon placement unless a hearing officer has ordered another placement or you and the school agree to another placement.

#### **Procedures for suspension of students with a disability when suspension exceeds ten (10) school days:**

- If your child is suspended for more than ten (10) school days in a school year, this removal is considered a “change of placement.” A change of placement invokes certain procedural protections under federal special education law and Section 504.
- Prior to any removal that constitutes a change of placement, the school will convene a Team meeting to develop a plan for conducting a functional behavioral assessment (FBA) that will be used as the basis for developing specific strategies to address your child's problematic behavior.
- Prior to any removal that constitutes a change in placement, the school must inform you that the law requires the school district consider whether or not the behavior that forms the basis of the disciplinary action is related to your child's disability. This consideration is called a “manifestation determination.” Parents have a right to participate in this process. All relevant information will be considered including the IEP or Section 504 Plan, teacher observations, and evaluation reports.

- At a manifestation determination meeting, the Team will consider:
  - Did the student's disability *cause* or have a *direct and substantial relationship* to the conduct in question?
  - Was the conduct a *direct result* of the district's failure to implement the IEP?
- If the manifestation determination decision is that the disciplinary action *was* related to the disability, then your child may not be removed from the current educational placement (unless under the special circumstances). The Team will review the IEP or Section 504 Plan and any behavioral intervention plans.
- If the manifestation determination decision is that the disciplinary action *was not* related to the disability, then the school may suspend or otherwise discipline your child according to the school's code of conduct. For students with IEPs, during the period of time of removal from school that exceeds ten (10) school days, the school district must provide educational services that allow your child to continue to make educational progress. For students with Section 504 Plans, there is no automatic right to receive educational services beyond the 10th school day of suspension.

### **Special circumstances for exclusion**

- Special circumstances exist if your child: possesses, uses, sells or solicits illegal drugs on school grounds or at a school-sponsored event; carries a weapon to school or a school-sponsored event; or inflicts serious bodily harm upon another person at school or a school-sponsored event. Under these circumstances, the principal may place your child in an interim alternative educational setting (IAES) for up to 45 school days. Your child may remain in this IAES for a period of time not to exceed 45 school days. Thereafter, your child will return to the previously agreed-upon placement unless a hearing officer has ordered another placement or you and the school agree to another placement. For students with Section 504 Plans, there is no automatic right to receive educational services beyond the 10th school day of suspension.

School personnel will provide Parent's Notice of Procedural Safeguards (Special Education) or Notice of Parent and Student Rights under Section 504 for students with disabilities prior to any suspension exceeding ten (10) school days in one school year. These notices will provide an explanation of the process should there be disagreement regarding the manifestation determination or any placement decision. Parent, guardian and/or student may petition the Bureau of Special Education Appeals for a hearing or the Office of Civil Rights (Section 504). Until issues are resolved, the student remains in his or her current placement.

SOURCE: Bellingham Public Schools

## **STUDENT ABSENCES AND EXCUSES – File: JH**

Regular and punctual school attendance is essential for success in school. The Committee recognizes that parents of children attending our schools have special rights as well as responsibilities, one of which is to ensure that their children attend school regularly, in accordance with state law.

Therefore, students may be excused temporarily from school attendance for the following reasons: illness or quarantine; bereavement or serious illness in family; weather so inclement as to endanger the health of the child; and observance of major religious holidays.

A child may also be excused for other exceptional reasons with approval of the Principal or designee.

A student's understanding of the importance of day-to-day schoolwork is an important factor in the shaping of his character. Parents can help their children by not allowing them to miss school needlessly.

Accordingly, parents will provide a written explanation for the absence or tardiness of a child. This will be required in advance for types of absences where advance notice is possible.

In instances of chronic or irregular absence reportedly due to illness, the school administration may request a physician's statement certifying such absences to be justified.

### **Student Absence Notification Program**

Each Principal will notify a student's parent/guardian within 3 days of the student's absence in the event the parent/guardian has not informed the school of the absence.

Each Principal or designee shall meet with any student, and that student's parent/guardian, who has missed five (5) or more unexcused school days (a school day shall be equal to two (2) or more class periods in the same day) in a school year. The meeting shall be to develop action steps to improve student attendance and shall be developed jointly by the Principal or designee, the student, and the student's parent/guardian. The parties may seek input from other relevant school staff and/or officials from relevant public safety, health and human service, housing, and nonprofit agencies.

### **Dropout Prevention**

No student who has not graduated from high school shall be considered permanently removed from school unless the Principal has sent notice to a student, and that student's parent/guardian, who has been absent from school for ten (10) consecutive days of unexcused absence. The notice shall be sent within five (5) days of the tenth consecutive day of absence and shall offer at least 2 dates and times within the next ten (10) days for an exit interview with the Superintendent or designee, the student, and the student's parent/guardian. The notice shall be in both English and the primary language of the home, if applicable. The notice shall include contact information for scheduling the exit interview and shall indicate the parties shall reach an agreement on the date/time of the interview within the ten (10) day timeframe. The timeframe may be extended at the request of the parent/guardian and no extension shall exceed 14 days.

The Superintendent or designee may proceed with any interview without a parent/guardian present, provided the Superintendent has documented a good faith effort to include the parent/guardian.

The Superintendent or designee shall convene a team of school staff to participate in the exit interview and shall provide information to the student and, if applicable, the student's parent/guardian on the detrimental effects of early withdrawal from school and the alternative education programs and services available to the student.

SOURCE: MASC

LEGAL REFS.: M.G.L. [76:1](#); [76:1B](#); [76:16](#); [76:18](#); [76:20](#)

## **STUDENT COMPLAINTS AND GRIEVANCES - File: JII**

The School Committee recognizes that there may be conditions in the school system that are in need of improvement and that students should have some means by which their concerns may be effectively expressed, considered, and dealt with fairly. Such means, if well conceived and understood in advance, can do much to maintain harmonious relationships among the schools and the students and community. Every attempt will be made to seek a satisfactory solution to any concerns in a friendly and informal manner.

Students, and their parents and/or guardians, who believe that a student has received unfair treatment may bring forward their grievance through the appropriate channels. Appeals of disciplinary cases will be required to follow the district's policy on student discipline. Any applicable provisions of the Massachusetts General Laws or federal law will be followed by school officials in conducting hearings.

SOURCE: MASC October 2016

CROSS REF: [JIC](#) Student Discipline

## **STUDENT CONDUCT - File: JK**

The Massachusetts General Laws require the School Committee to adopt written policies, rules and regulations not inconsistent with law, which may relate to study, discipline, conduct, safety and welfare of all students, or any classification thereof, enrolled in the public schools of the District.

The implementation of the general rules of conduct is the responsibility of the Principal and the professional staff of the building. In order to do this, each school staff in the District shall develop specific rules not inconsistent with the law nor in conflict with School Committee policy. These building rules shall be an extension of the District policies by being more specific as they relate to the individual schools.

The purpose of disciplinary action is to restore acceptable behavior. When disciplinary action is necessary, it shall be administered with fairness and shall relate to the individual needs and the individual circumstances.

Students violating any of the policies on student conduct and control will be subject to disciplinary action. The degree, frequency, and circumstances surrounding each incident shall determine the method used in enforcing these policies. Most of the situations which require disciplinary action can be resolved within the confines of the classroom or as they occur by reasonable but firm reprimand, and/or by teacher conferences with the student and/or parents or guardians.

If a situation should arise in which there is no applicable written policy, the staff member shall be expected to exercise reasonable and professional judgment.

SOURCE: MASC

LEGAL REFS.: M.G.L. [71:37H](#); [71:37H1/2](#); [71:37H3/4](#); [71:37L](#); [76:16](#) and [17](#) 603 CMR [53.00](#)



## **DISTRICT BULLYING POLICY - File: JFB**

### **I. INTRODUCTION:**

The Bellingham Public Schools are committed to maintaining a school environment free of bullying. Bullying of students and staff by other students and/or staff will not be tolerated by the Bellingham Public Schools. This is enforced while students and staff are on school grounds or property within the jurisdiction of the School District such as on school buses, or attending or engaging in school-related activities. It will also be enforced in situations where bullying occurs at non-school related locations or through non-school technology if the bullying affects the school environment.

To safeguard against discrimination of any kind, the Bellingham School District previously established a policy that prohibits harassment based upon race, color, sex, religion, natural origin, limited English proficiency, sexual orientation, gender identity, disability, or housing status. In addition, the Sexual Harassment Policy (Section [ACAB](#)) prohibits behaviors, or actions which are unwanted, offensive, or intimidating.

While these policies remain in effect, it is recognized that occasionally harmful behavior may not be covered by these policies. The purpose of this policy is to prohibit bullying, as defined below, which may not be related to race, color, sex, religion, natural origin, limited English proficiency, sexual orientation, gender identity, disability, or housing status.

The Bullying Prevention and Intervention Plan is a comprehensive approach to addressing bullying and cyberbullying, and the school or district is committed to working with students, staff, families, law enforcement agencies, and the community to prevent issues of violence. In consultation with these constituencies, we have established this Plan for preventing, intervening, and responding to incidents of bullying, cyberbullying, and retaliation. The Plan recognizes that certain students may be more vulnerable to becoming a target of bullying or harassment based on actual or perceived differentiating characteristics including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical, developmental or sensory disability or by association with a person who has or is perceived to have one (1) or more of these characteristics. The principal of each school is responsible for the implementation and oversight of the Plan.

Staff and students of Bellingham Public Schools are personally responsible for ensuring that his/her conduct is not intimidating to any other staff and/or students. Staff or students exhibiting intimidating behavior are required to cooperate in any investigation of alleged bullying if requested to do so by the person conducting the investigation. Any individual who prevents or attempts to prevent an individual from making a complaint of bullying or fails to cooperate with, or interferes in any way with the investigation of such a complaint will be subject to disciplinary action.

**Bullying Prohibited:** It is a violation for anyone, including staff and/or student, to bully or intimidate a staff member and/or student through conduct or communication as defined below.

## II. DEFINITIONS:

Bullying is characterized by aggression used within a relationship where the aggressor(s) has more real or perceived power than the target, and the aggression is repeated, or has the potential to be repeated over time. Bullying can involve overt physical behavior or verbal, emotional, or social behaviors and can range from blatant aggression to subtle and covert behaviors. Cyberbullying can include offensive text messages, emails, rumors or embarrassing photos/videos posted on social networking sites or fake online profiles.

**Bullying:** Bullying is defined as the severe or repeated use of a written, verbal, or electronic communication, or a physical act or gesture, or any combination thereof, by one or more students and/or staff directed at another student and/or staff that has the effect of:

- causing physical or emotional harm to the other student or staff or damage to his or her property;
- placing the other student or staff in reasonable fear of harm to him or herself or of damage to his or her property;
- creating a hostile environment at school for the bullied student or staff;
- infringing on the rights of the other student or staff at school; or materially and substantially disrupting the education process or the orderly operation of a school.

Cyber-bullying is bullying through the use of technology or any electronic means.

*Bullying may include indirect, direct and repetitive:*

- tripping • hitting • shoving • spitting • punching • pinching
- blocking an entrance/exit or passageway
- excluding or leaving others out • spreading hurtful or untrue stories
- abusive name-calling • harassment • threats or trying to scare someone
- threats to control another student or their friendship with someone else
- disrespect for a student's family members • disrespect for the property of others

What constitutes bullying is determined by the perspective of a reasonable person being made fearful. Therefore, students and staff should consider how their behavior might reasonably be viewed by other individuals. It is also important for students and staff to make it clear to others when a particular behavior or communication is unwelcome, intimidating, hostile or offensive.

### **What Bullying is Not:**

It is equally important for all members of the school community to understand that conflict is not automatically synonymous with bullying. Arguing, bantering back-and-forth, ignoring, roughhousing and fighting, while potentially serious forms of conflict, are not necessarily instances of bullying. Bullying is characterized by intention, repetition and a power imbalance. Not every conflict meets these criteria.

**Aggressor** is a student or staff who engages in bullying, cyber bullying, or retaliation.

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

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

**Staff** includes, but is not limited to, educators, administrators, counselors, school nurses, contracted service providers (cafeteria workers, bus drivers, etc.), custodians, athletic coaches, advisors to extracurricular activities, support staff, and paraprofessionals.

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

### III. LEADERSHIP PRIORITY STATEMENTS

#### Scope of the Definition of Bullying

Acts of bullying, cyber bullying, and retaliation shall be prohibited: (i) on school grounds, property immediately adjacent to school grounds, 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 a school district or school, or through the use of technology or an electronic device owned, leased or used by a school district or school and (ii) 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 victim, infringes on the rights of the victim at school or materially and substantially disrupts the education process or the orderly operation of a school.

#### Priority Statement

Schools are meant to be safe and caring places where students can learn. As such, bullying in any form, as described above, will not be tolerated. It is the responsibility of the entire school community to ensure that bullying is not allowed.

### IV. TRAINING

#### Ongoing Professional Development

The goal of professional development is to establish a common understanding of tools necessary for staff to create a school climate that promotes safety, civil communication, and respect for differences. Professional development will build the skills of staff members to prevent, identify, and respond to bullying.

As required by M.G.L. c. 71, § 37O, the content of school wide and district wide professional development will be informed by research and will include information on:

- (i) developmentally (or age-) appropriate strategies to prevent bullying;

- (ii) developmentally (or age-) appropriate strategies for immediate, effective interventions to stop bullying incidents;
- (iii) information regarding the complex interaction and power differential that can take place between and among an aggressor, target, and witnesses to the bullying;
- (iv) 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;
- (v) information on the incidence and nature of cyberbullying; and
- (vi) internet safety issues as they relate to cyberbullying.

Additional areas identified by the school or district for professional development may include but are not limited to:

- promoting and modeling the use of respectful language;
- fostering an understanding of and respect for diversity and difference;
- building relationships and communicating with families;
- constructively managing classroom behaviors;
- using positive behavioral intervention strategies;
- applying constructive disciplinary practices;
- teaching students skills including positive communication, anger management, and empathy for others;
- engaging students in school or classroom planning and decision-making; and
- maintaining a safe and caring classroom for all students.

Professional development will also address ways to prevent and respond to bullying or retaliation for students with disabilities that must be considered when developing students' Individualized Education Programs (IEPs). This will include a particular focus on the needs of students with autism or students whose disability affects social skills development. An integrated approach requiring communication, coordination, and cross training between general and special education staff, and between staff and parents, to ensure that the school wide efforts address the needs of students with all types of disabilities will be utilized.

## **V. POLICIES AND PROCEDURES FOR REPORTING AND RESPONDING TO BULLYING AND RETALIATION**

### **Reporting Bullying**

Reports of bullying or retaliation may be made by staff, students, parents or guardians, or others, and may be oral or written. Oral reports made by or to a staff member shall be recorded in writing. A school or district staff member is required to report immediately to the principal or designee any instance of bullying or retaliation the staff member becomes aware of or witnesses. Reports made by students, parents or guardians, or other individuals who are not school or district staff members, may be made anonymously. The school or district will make a variety of reporting resources available to the school community including, but not limited to, a Critical Incident Reporting/Complaint Form available on the District website and in each of the school's

main offices. Additionally, members of the school community may also contact the principal by phone or school email.

Students and/or staff who witness bullying are strongly encouraged to report incidents to a teacher, administrator, or guidance counselor. An administrator will investigate all reports and make a determination regarding steps to be taken. Students involved in bullying may be required to meet regularly with a guidance counselor or administrator. Many consequences for bullying may include disciplinary action and/or referral to the Bellingham Police Department. Knowingly or intentionally making false accusations about bullying will result in disciplinary action.

### **Bullying and Retaliation Prohibited**

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

Retaliation is defined as any form of intimidation, reprisal, or harassment directed against a student who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying. Behavior that is interpreted as retaliatory in response to a bullying complaint being filed is in violation of this policy and subject to the same reporting and investigative procedures as the initial complaint. Filing of false reports is also in violation of this policy. Persons found to be filing false reports or accusations about bullying or harassment will be subject to appropriate disciplinary action. Disciplinary actions will be consistent with this Plan and the Code of Conduct.

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

Retaliation is defined as any form of intimidation, reprisal, or harassment directed against a student who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying. Behavior that is interpreted as retaliatory in response to a bullying complaint being filed is in violation of this policy and subject to the same reporting and investigative procedures as the initial complaint. Filing of false reports is also in violation of this policy. Persons found to be filing false reports or accusations about bullying or harassment will be subject to appropriate disciplinary action. Disciplinary actions will be consistent with this Plan and the Code of Conduct.

Retaliation against a student or staff member who has brought a bullying complaint to the attention of the School District or who has cooperated in an investigation of a complaint under this policy is also prohibited and will not be tolerated by the Bellingham Public Schools.

Students, whose behavior is found to be in violation, will be subject to disciplinary action which may include detention, suspension and police notification.

Staff, whose behavior is found to be in violation, will be subject to disciplinary action which may lead to suspension, dismissal and police notification.

All students and staff are responsible for adhering to the current rules and regulations set forth by the state of Massachusetts.

### **Complaint Resolution**

All incidents of bullying must be documented and reported directly to the building principal or his/her designee, who will have the primary responsibility for resolving complaints.

If at any time during this process a school official is made aware of behavior which may constitute a criminal offense, he/she is obliged by law to report such actions to the legal authorities.

In addition, any behavior which is identified as being so harmful as to suggest a personal threat or assault, will receive immediate disciplinary consequences according to the discipline code, and will result in an immediate suspension, or possible expulsion or dismissal.

We will investigate promptly all reports and complaints of bullying, cyberbullying, and retaliation, and take prompt action to end that behavior and restore the target's sense of safety. We will support this commitment in all aspects of our school community, including curricula, instructional programs, staff development, extracurricular activities, and parent or guardian involvement.

We understand that certain students may be more vulnerable to becoming a target of bullying or harassment based on actual or perceived differentiating characteristics including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical, developmental or sensory disability or by association with a person who has or is perceived to have one (1) or more of these characteristics.

## **Procedures for Reporting and Investigating Alleged Bullying/Harassment**

### **I. First Incident:**

If a teacher or other staff person recognizes, or perceives a report from a student regarding behavior of a relatively minor nature, such as mild teasing, name calling, or excluding a student from group activities, etc. the student or students involved will be warned that such behavior is not allowed. The student should be told that, if this behavior occurs again the student would be sent to the principal or designee for further action.

When bullying is reported to a staff member, it is important to ask whether or not this behavior has happened previously. If there has been a history of chronic bullying, the staff member will skip Step One and consult with the principal /designee.

When a warning is given, the staff member should document that such a warning has taken place. A teacher reporting bullying to the office should use the Critical Incident Reporting/Complaint Form, completing the identifying information.

### **II. Second Incident:**

The principal/designee will review school expectations and rules with the student, and a problem solving conference is held. The parents of the student will be called and notified. The student and parents are told that any subsequent referrals for bullying or any retaliation against those who brought the matter to the attention of staff, will be followed by disciplinary consequences. If the bullying behavior is judged to be severe, the principal/designee always has the option to dispense a disciplinary consequence, even upon the initial referral to the office.

### **III. Third Incident:**



The principal/designee will contact the parents to set up a parental conference. The student will receive a disciplinary consequence which could range from detention to out of school suspension, depending upon the severity of the behavior. At the parental conference, bullying will be addressed, and a remedial plan may be formulated. Appropriate community-based interventions or counseling will also be considered.

#### **IV. Fourth Incident: Sent to the Principal or Designee**

Following a comprehensive investigation, the student will be immediately suspended. A parental conference will be arranged to create/review a remedial plan. Following a student's fourth bullying incident investigation the student and the parent will be provided oral and written notice. The student will have an opportunity for a hearing on the charge and the parent an opportunity to participate in such hearing in accordance with 603 CMR 53.08. Additional alternatives, such as referral for expulsion could be considered.\*

#### **Data Collection, Reporting, Record Keeping**

The principal/designee will keep a written record of any and all children referred to the office for bullying behavior utilizing the Bellingham Critical Incident Form. In addition, the school district will collect data regarding the number of reported incidents of bullying or retaliation; the number and nature of substantiated incidents of bullying or retaliation; number of students disciplined for engaging in bullying or retaliation; and any other information required by the Massachusetts Department of Elementary and Secondary Education (DESE). Each school will report data annually to the DESE.

In cases where disciplinary action becomes necessary, a due process investigation will precede any such action.

#### **Student Surveys**

Effective in 2016, the District will administer the anonymous student survey developed by the DESE which will assess school climate and the prevalence, nature and severity of bullying in schools. The survey will be administered once every four years thereafter.

#### **Investigation by DESE**

The District will enable the DESE to investigate certain alleged incidents of bullying and to implement any actions resulting from a DESE investigation.

#### **Principal's contact with parents, 603 CMR 49.05**

Upon investigation and determination that bullying or retaliation has occurred, the principal shall promptly notify the parents of the target and the aggressor of the determination and the school district or school's procedures for responding to the bullying or retaliation. The principal shall inform the target's parent of actions that school officials will take to prevent further acts of bullying or retaliation.

#### **Confidentiality with regard to record/information release**

- (1) A principal may not disclose information from a student record of a target or aggressor to a parent unless the information is about the parent's own child.
- (2) A principal may disclose a determination of bullying or retaliation to a local law enforcement agency under 603 CMR 49.06 without the consent of a student or his or her parent. The principal shall communicate with law enforcement officials in a manner that protects the privacy of targets, student witnesses, and aggressors to the extent practicable

under the circumstances.

- (3) If the reported incident involves students from more than one school district, charter school, non-public school, approved special education day or residential school, or collaborative school, the principal or designee will notify the principal or designee of the other school(s) of the incident so that each school may take appropriate action. All communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR 49.00.
- (4) A principal may disclose student record information about a target or aggressor to appropriate parties, in addition to law enforcement, 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 provided in 603 CMR 23.07(4)(e) and 34 CFR 99.31(a)(10) and 99.36.603 CMR 49.07(3) is limited to instances in which the principal has determined there is an immediate and significant threat to the health or safety of the student or other individuals. It is limited to the period of emergency and does not allow for blanket disclosure of student record information.
- (5) The principal must document the disclosures and the reasons that the principal determined that a health or safety emergency exists.

## **VI. ACCESS TO RESOURCES AND SERVICES**

Promoting a positive school climate and ensuring that the underlying emotional needs of targets, aggressors, families, and others are addressed is critical. In order to enhance the district's capacity to prevent, intervene early, and respond effectively to bullying, school administrators/designees will access available services with an understanding of the dynamics of bullying and in an effort to provide approaches to address the needs of targets and aggressors.

### **A. Identifying Resources**

Annually, the district will review staffing and counseling services to ensure access for targets, aggressors, and their families. Recommendations may include reorganizing staff, establishing safety planning teams, and identification and partnership with local or community mental health service providers. The safety team will focus on early intervention and intensive services to maintain a positive school environment for all students.

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*The student record shall consist of the transcript and the temporary record, including all information recording and computer tapes, microfilm, microfiche, or any other materials regardless of physical form or characteristics concerning a student that is organized on the basis of the student's name or in a way that such student may be individually identified, and that is kept by the public schools of the Commonwealth. The term as used in 603 CMR 23.00 shall mean all such information and materials regardless of where they are located, except for the information and materials specifically exempted by 603 CMR 23.04. 603 CMR 23.02*

### **B. Counseling and Other Services**

The local police and safety officers as well as outside consultants will assist schools in developing safety plans for students who have been targets of bullying or retaliation, providing



social skills programs to prevent bullying, and offering education and/or intervention services for students exhibiting bullying behaviors. Board Certified Behavior Analyst and counseling staff will work with school staff to develop strategies and implement current tools including, but not limited to, behavioral intervention plans, social skills groups, and individually focused curricula.

### **C. Students with Disabilities**

2014 Amendment of Massachusetts Anti-Bully Law: Chapter 86 An Act Relative to Bullying in Schools:

In accordance with the 2014 Amendment, the Bellingham Public School District recognizes that certain students may be more vulnerable to becoming a target of bullying or harassment based on actual or perceived differentiating characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical development or sensory disability or by association with a person who has or is perceived to have one (1) or more of these characteristics.

In addition, the District recognizes that students with disabilities are disproportionately affected by bullying. The District has adopted these steps described in the plan to support vulnerable students and to provide all students with the skills, knowledge and strategies needed to prevent or respond to bullying or harassment.

Bellingham Public School District will ensure that a student with a disability who is a target of bullying behavior continues to receive Free and Appropriate Education (FAPE) in accordance with his/her IEP through the implementation of the following process:

- IEP Team will reconvene to determine whether or not the effects of the bullying resulted in a change in the student's needs to the degree that an amendment or revision to the IEP must be made to ensure FAPE within the least restrictive environment (LRE)
- During the investigation process, the District will inform the parent/guardian that they have the right to request an IEP Team meeting
- IEP Team will exercise caution if it is considering a change in placement of the location of where IEP services are to be delivered to the student with a disability
- Change in placement will be considered when the student can no longer receive FAPE in his/her current LRE placement
- If the student who engaged in the bullying behavior is a student with a disability, the IEP Team will reconvene to determine if additional supports and/or services are required to address the inappropriate behavior
- A Functional Behavioral Assessment may be proposed and subsequent development and implementation of a Behavioral Intervention Plan may be a result of the IEP Team meeting conducted to address the inappropriate behavior of a student with a disability
- IEP Team along with other school personnel will examine the environment in which the bullying occurred to determine if changes to the environment are warranted.

IEP Teams will carefully consider if a student's disability makes a child vulnerable to bullying, harassment, and teasing and will address the skills and proficiencies needed to avoid and respond to bullying, harassment, and teasing.

### **D. Referral to Outside Services**

Annually, the district will establish and review a referral protocol for referring students and families to outside services. Protocols will help students and families access appropriate and timely services. All referrals must comply with relevant laws and policies.

The protections provided under this policy are afforded to all students and staff.

ADOPTED: August 25, 2020

## **CODE OF DISCIPLINE**

### **RIGHTS AND RESPONSIBILITIES**

#### **RIGHTS OF PARENTS AND GUARDIANS**

Parents, guardians, and families have the right to be included in all aspects of their child's education. This includes the following:

- The right to a free public school education for their child in a safe and supportive learning environment.
- The right to access information about their child's educational records, disciplinary data – as authorized by law – and any available information on educational programs and opportunities
- The right to be given every available opportunity for meaningful participation in their child's education.
- The right to file complaints and/or appeals regarding matters affecting their child's education.
- Participation in decision-making processes affecting school policies and procedures.
- Monitoring and evaluation of school policies and practices, including but not limited to the right to visit schools and classrooms.
- Access to student disciplinary data as authorized by law

#### **RESPONSIBILITIES OF PARENTS AND GUARDIANS**

- Share the responsibility for the behavior of their child in school, at school-sponsored activities, and on the way to and from school.
- Prepare the child to arrive to school in a timely manner
- Prepare the child to assume responsibility for attending school, and for his or her own behavior.
- Foster in the child positive attitudes toward himself or herself, others, school, and the community.
- Communicate with school personnel about the child.
- Attend individual or group conferences and educational team meetings
- Recognize that the school staff has the right to enforce the policies, rules, and regulations of the Bellingham School Committee.
- Behave in a respectful and non-disruptive manner when visiting the school.
- Assure that their child brings to school only those things that are appropriate in a school setting.

#### **RESPONSIBILITIES OF ADMINISTRATION**

Administrators have the responsibility to:

- Create supportive school environments and promote collaborative services to improve educational outcomes for all students, including students with behavioral health needs.
- Protect the mental health and physical well-being of all students and staff.
- Protect the legal rights of teachers, students, and parents/guardians.
- Support school personnel in the fulfillment of their disciplinary responsibilities as defined by the Code of Discipline and individual school-based rules
- Provide a broad-based and varied curriculum that is consistent with the Massachusetts Curricular requirements and that meets individual needs.

- Develop and implement preventive and positive disciplinary policies in cooperation with students, parents/guardians, and teachers and in conformance with School Committee policy and the Code of Discipline
- Contact and involve parents/guardians in dealing with disciplinary matters. Inform the community, students, parents/guardians, and school staff about policies relating to student conduct in schools, at school-sponsored activities, and on school-provided transportation.
- Collect the appropriate information on student discipline, provide the proper Information Management custodianship so the information can be made available to parents/guardians upon request or as otherwise required by law.
- Provide qualified staff to meet the needs of students and to accomplish school goals and objectives.
- Collaborate with community and government agencies on programs that promote safe, healthy and supportive learning environments.
- Consistently maintain a fair, equitable and individualized approach with all students.

### RESPONSIBILITIES OF TEACHERS

Teachers have the responsibility to:

- Maintain a safe and supportive learning atmosphere.
- Exhibit qualities of professionalism, competency, creativity, and self-control.
- Respect each student as a person.
- Demonstrate understanding and concern for the individual pupil and his or her needs, including referring pupils for special education or 504 evaluations in accordance with the requirements of state and federal special education and 504 laws.
- Promote students personal growth.
- Guide students toward the development of self-discipline.
- Keep informed about current rules and policies and implement them as relevant to teaching roles and responsibilities.
- Enforce the policies, rules, and regulations of the School Committee and Code of Discipline, including proactive and positive disciplinary policies and practices in cooperation with students, parents/guardians, and administrators.
- Record data on student discipline as required by the administration.
- Communicate with students and their parents or guardians.
- Adhere to professional ethics in relationships with students, fellow teachers, administrators and staff.

REMOVAL, SUSPENSION OR EXPULSION IN ACCORDANCE TO:  
 MASSACHUSETTS GENERAL LAWS CHAPTER 71 SECTION 37GH ¾; CHAPTER 222  
 OF THE ACTS OF 2012  
 MASSACHUSETTS REGULATIONS 603 CMR 53:00

### **DUE PROCESS**

In accordance to Massachusetts Regulations 603 CMR 53:06(1)(2)(3)(4), the principal may not impose a suspension as a consequence for a disciplinary offence without first providing the student and the parent:

- oral and written notice
- provide the student an opportunity for a hearing on the charge

- provide the parent an opportunity to participate in such hearing

The principal shall provide oral and written notice to the student and the parent in English and in the primary language of the home if other than English, or other means of communication where appropriate. The notice will include the following:

- (a) the disciplinary offense;
- (b) the basis for the charge;
- (c) the potential consequences, including the potential length of the student's suspension;
- (d) the opportunity for the student to have a hearing with the principal concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident, and for the parent to attend the hearing;
- (e) the date, time, and location of the hearing;
- (f) the right of the student and the student's parent to interpreter services at the hearing if needed to participate;
- (g) if the student may be placed on long-term suspension following the hearing with the principal according to the rights set forth in 603 CMR 53.08 (3)(b); and the right to appeal the principal's decision to the superintendent.

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

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

The system of due process under Chapter 222 of the Acts of 2012 assure that:

- Students who are excluded for a non-serious offense shall receive notification and have the opportunity to meet with the principal prior to the exclusion taking effect.
- Principals must make every effort to ensure that parents are included in such student exclusion meetings. The department will promulgate regulations regarding the principal's duties and the procedures for including parents in such meetings.
- Students excluded for more than 10 school days (for a non-serious offense) shall have the right to appeal the decision to the superintendent.
- No student shall be excluded (for a non-serious offense) for a time period that exceeds 90 school days.
- Principals must notify the district superintendent before imposing an out-of-school suspension on any student in grades k-3.
- Principals must exercise discretion when making disciplinary decisions, consider ways to re-engage the student in the learning process, and avoid using expulsion as a consequence until other remedies and consequences have been employed.

## **DEFINITIONS**

### **Massachusetts Regulations 603 CMR 53:02**

**"Disciplinary offense"** means any alleged or determined disciplinary infraction by a student, *except for*: a) possession of a dangerous weapon; b) possession of a controlled substance; c) assault on a member of the educational staff; or d) a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school, as provided in G.L. c. 71, §§37H or 37H½. A disciplinary offense, as defined, is subject to the provisions of G.L. c. 71, § 37H¾ and these regulations.

Disciplinary offense under G.L. c. 71, §§37H or 37H½ " means one or more of the following alleged or determined disciplinary infractions: a) possession of a dangerous weapon; b) possession of a controlled substance; c) assault on a member of the educational staff; and d) a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school, as provided in G.L. c. 71, §§37H or 37H½.

**"Expulsion"** means the removal of a student from the school premises, regular classroom activities, and school activities for more than ninety (90) school days, indefinitely, or permanently, as permitted under G.L. c. 71, §§37H or 37H½ for: a) possession of a dangerous weapon; b) possession of a controlled substance; c) assault on a member of the educational staff; or d) a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school, as provided in G.L. c. 71, §§37H or 37H½.

**Expulsion is defined at 603 CMR 53:02 as more than 90 school days. A description of the educational service that will be made available for a student to make academic progress during the period of expulsion.**

**"In-school suspension"** means removal of a student from regular classroom activities, but not from the school premises, for no more than (10) consecutive school days, or no more than ten (10) school days cumulatively for multiple infractions during the school year. Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days. In-school suspension for ten (10) days or less, consecutively or cumulatively during a school year, shall not be considered a short-term suspension under these regulations. If a student is placed in in-school suspension for more than ten (10) days, consecutively or cumulatively during a school year, such suspension shall be deemed a long-term suspension for due process, appeal, and reporting purposes under 603 CMR 53.00.

**"Long-term suspension"** means the removal of a student from the school premises and regular classroom activities for more than ten (10) consecutive school days, or for more than ten (10) school days cumulatively for multiple disciplinary offenses in any school year. A principal may, in his or her discretion, allow a student to serve a long-term suspension in school. Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days. Except for students who are charged with a disciplinary offense set forth in subsections (a) or (b) of G.L. c. 71, §37 H, or in section 37H ½

of G.L. c. 71, no student may be placed on long-term suspension for one or more disciplinary offenses for more than ninety (90) school days in a school year beginning with the first day that the student is removed from school. No long-term suspension shall extend beyond the end of the school year in which such suspension is imposed.

**"Short-term suspension"** means the removal of a student from the school premises and regular classroom activities for ten (10) consecutive school days or less. A principal may, in his or her discretion, allow a student to serve a short-term suspension in school. Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days.

## **REMOVAL FROM CLASSROOM / SCHOOL**

### IN-SCHOOL SUSPENSION UNDER SECTION 37H¾ & 603 CMR 53:10

In-school suspension may serve as an alternative to short-term suspension for disciplinary offenses.

The principal may impose an in-school suspension for a disciplinary offense under this provision in accordance to CMR 53.10(3) through 603 CMR 53.10(5) and the student has the opportunity to make academic progress as set forth in 603 CMR 53.13(1).

The principal shall inform the student of the disciplinary offense charged and the basis for the charge, and provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident.

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, which shall not exceed 10 days, cumulatively or consecutively, in a school year.

On the same day as the in-school suspension decision, the principal shall make reasonable efforts to notify the parent orally of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension.

The principal shall also invite the parent to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior.

Such meeting shall be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the principal is unable to reach the parent after making and documenting at least (2) attempts to do so, such attempts shall constitute reasonable efforts for purposes of orally informing the parent of the in-school suspension.

The principal shall send written notice to the student and parent about the in-school suspension, including the reason and the length of the in-school suspension, and inviting the parent to a meeting with the principal for the purpose set forth in 603 CMR 53.10(4), 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 for school communications, or by other method of delivery agreed to by the principal and the parent.

#### EMERGENCY REMOVAL UNDER 37H ¾ & 603 CMR 53:07

The principal may from remove a student from school temporarily when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the principal's judgment, there is no alternative available to alleviate the danger or disruption.

The principal shall immediately notify the superintendent in writing of the removal and the reason for it, and describe the danger presented by the student. The temporary removal shall not exceed two (2) school days following the day of the emergency removal, during which time the principal shall:

- (a) Make immediate and reasonable efforts to orally notify the student and the student's parent of the emergency removal, the reason for the need for emergency removal, and the other matters set forth in 603 CMR 53.06(2);
- (b) Provide written notice to the student and parent as provided in 603 CMR 53.06(2);
- (c) Provide the student an opportunity for a hearing with the principal that complies with 603 CMR 53.08(2) or 53.08(3), as applicable, and the parent an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the principal, student, and parent.
- (d) Render a decision orally on the same day as the hearing, and in writing no later than the following school day, which meets the requirements of 603 CMR 53.08(2)(c) and 53.08(2)(d) or 603 CMR 53.08(3)(c) and 53.08(3)(d), as applicable.

Adequate provisions have been made for the student's safety and transportation must be made prior to the removal.

#### SHORT-TERM SUSPENSIONS–PRINCIPAL HEARING (603 CMR 53:08(2))

The purpose of the hearing with the principal is to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction. At a minimum, the principal shall discuss the disciplinary offense, the basis for the charge, and any other pertinent information.

The student also shall have an opportunity to present information, including mitigating facts, that the principal should consider in determining whether other remedies and consequences may be appropriate as set forth in 603 CMR 53.05.

The principal shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the principal should consider in determining consequences for the student.

Based on the available information, including mitigating circumstances, the principal shall determine whether the student committed the disciplinary offense, and, if so, what remedy or consequence will be imposed.

The principal shall notify the student and parent of the determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period



of removal, as provided in 603 CMR 53.13(1). The determination shall be in writing and may be in the form of an update to the original written notice.

If the student is in a public preschool program or in grades K through 3, the principal shall send a copy of the written determination to the superintendent and explain the reasons for imposing an out-of-school suspension, before the short-term suspension takes effect.

#### LONG-TERM SUSPENSIONS- PRINCIPAL HEARING (603 CMR 53:08(3))

The purpose of the hearing is the same as the purpose of a short-term suspension hearing.

At a minimum, in addition to the rights afforded a student in a short-term suspension hearing, the student shall have the following rights:

1. In advance of the hearing, the opportunity to review the student's record and the documents upon which the principal may rely in making a determination to suspend the student or not;
2. the right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense;
3. 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;
4. the right to cross-examine witnesses presented by the school district;
5. the right to request that the hearing be recorded by the principal, and to receive a copy of the audio recording upon request. If the student or parent 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 upon request.

The principal shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the principal should consider in determining consequences for the student.

Based on the evidence, the principal shall determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension as set forth in 603 CMR 53.05, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension. The principal shall send the written determination to the student and parent by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or any other method of delivery agreed to by the principal and the parent. If the principal decides to suspend the student, the written determination shall:

1. Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing;
2. Set out the key facts and conclusions reached by the principal;
3. Identify the length and effective date of the suspension, as well as a date of return to school;
4. Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school as provided in 603 CMR 53.13(4)(a);
5. Inform the student of the right to appeal the principal's decision to the superintendent or designee, but only if the principal has imposed a long-term suspension. Notice of the

right of appeal shall be in English and the primary language of the home if other than English, or other means of communication where appropriate, and shall include the following information stated in plain language:

- a) the process for appealing the decision, including that the student or parent must file a written notice of appeal with the superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent may request and receive from the superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days; and that
- b) the long-term suspension will remain in effect unless and until the superintendent decides to reverse the principal's determination on appeal.

If the student is in a public preschool program or in grades K through 3, the principal shall send a copy of the written determination to the superintendent and explain the reasons for imposing an out-of-school suspension, whether short-term or long-term, before the suspension takes effect.

### **SUPERINTENDENT'S HEARING UNDER SECTION 37H3/4 & 603 CMR 53:09**

A student who is placed on long-term suspension following a hearing with the principal shall have the right to appeal the principal's decision to the superintendent.

The student or parent shall file a notice of appeal with the superintendent within the time period set forth 603 CMR 53.08 (3) (c) 5.a). If the appeal is not timely filed, the superintendent may deny the appeal, or may allow the appeal in his or her discretion, for good cause.

The superintendent shall hold the hearing within three (3) school days of the student's request, unless the student or parent requests an extension of up to seven (7) additional calendar days, in which case the superintendent shall grant the extension.

The superintendent shall make a good faith effort to include the parent in the hearing. The superintendent shall be presumed to have made a good faith effort if he or she has made efforts to find a day and time for the hearing that would allow the parent and superintendent to participate. The superintendent shall send written notice to the parent of the date, time, and location of the hearing.

The superintendent shall conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence shall be. The superintendent shall arrange for an audio recording of the hearing, a copy of which shall be provided to the student or parent 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 upon request.

The student shall have all the rights afforded the student at the principal's hearing for long-term suspension under 603 CMR 53.08(3)(b).

The superintendent shall issue a written decision within five (5) calendar days of the hearing which meets the requirements of 603 CMR 53.08(3)(c)1 through 5. If the superintendent determines that the student committed the disciplinary offense, the superintendent may impose

the same or a lesser consequence than the principal, but shall not impose a suspension greater than that imposed by the principal's decision.

The decision of the superintendent shall be the final decision of the school district.

### **EDUCATIONAL SERVICES AND ACADEMIC PROGRESS UNDER SECTIONS 37H, 37H1/2, 37H3/4 & 603 CMR 53:13**

Any student who is serving an in-school suspension, short-term suspension, long-term suspension, or expulsion shall have the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal from the classroom or school. The principal shall inform the student and parent of this opportunity in writing when such suspension or expulsion is imposed.

Any student who is expelled or suspended from school for more than ten (10) consecutive days, whether in school or out of school, shall have an opportunity to receive education services and make academic progress toward meeting state and local requirements, through the school-wide education service plan.

The principal shall develop a school-wide education service plan describing the education services that the school district will make available to students who are expelled or suspended from school for more than ten (10) consecutive days. The plan shall include the process for notifying such students and their parents of the services and arranging such services. Education services shall be based on, and be provided in a manner consistent with, the academic standards and curriculum frameworks established for all students under G.L. c 69, §§ 1D and 1F.

Notice of Education Services for Students in Long-Term Suspension and Expulsion; Enrollment Reporting.

- (a) The principal shall notify the parent and student of the opportunity to receive education services at the time the student is expelled or placed on long-term suspension. Notice shall be provided in English and in the primary language spoken in the student's home if other than English, or other means of communication where appropriate. The notice shall include a list of the specific education services that are available to the student and contact information for a school district staff member who can provide more detailed information.
- (b) For each student expelled or suspended from school for more than ten (10) consecutive days, whether in-school or out-of-school, the school district shall document the student's enrollment in education services. For data reporting purposes, the school shall track and report attendance, academic progress, and such other data as directed by the Department.

### **FIREARMS POLICY**

In compliance with the Federal Gun-Free Schools Act of 1994:

Any student who is determined to have brought a firearm to school may be expelled from school for a period of not less than one year.

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

## **SECTION 3: HEALTH SERVICES**

The school health service does not replace the medical service rendered by the family physician in the diagnosis and treatment of diseases. Students who become ill while in school are to go to the school nurse and are not to go to the lavatory.

### **School Nurse**

The School Nurse promotes and maintains the health of the school child by appraising the health status of each child, providing health counseling where necessary, preventing and controlling disease, and providing emergency services for any injury or sudden illness. Some of the responsibilities of the School Nurse include conducting vision, hearing, and height and weight screenings; dispensing medications; conducting periodic health and hygiene assessments; facilitating individual and classroom discussions on health-related issues; and maintaining and updating health and immunization records on each student. Immunization Requirements (Chapter 76, Section 15)

Entry into Massachusetts Public Schools requires proof of immunization against diphtheria, pertussis, tetanus, poliomyelitis, measles, mumps and rubella. Parents/students should see their physician for immunization certification.

### **Medication Policy**

The Bellingham School Committee adopts the policies promulgated by the Massachusetts Department of Public Health relative to the administration of medicines to students. The school nurse shall be the supervisor of medication administration to students in conformity with the published Department of Public Health regulations and procedures. Any student who needs to take prescribed medication during the school day must adhere to the following conditions:

1. The medication must be in the original bottle with the child's name on the label.
2. Doctor's orders, with instruction from a physician for dispensing of the medication, are provided.
3. Signed Parent Permission form (available in the nurse's office)

If your child is allergic to insect stings, food items and/or latex OR requires medication for any other reason, it is the responsibility of the parent to inform the school nurse and supply the school with the necessary medication.

### **Medical Guidelines Regarding Students Who Bleed in an Uncontrollable Fashion in a School Setting**

A number of serious infectious diseases are spread by contact with human blood. Among these blood-borne infections are the Hepatitis B virus and HIV (the virus that causes AIDS). Consequently, students who bleed uncontrollably should not have routine contact with other individuals in school settings. As a public health measure, students who exhibit the following conditions should be advised not to attend school until such time as these conditions are resolved:

- A. If a student has weeping or bloody skin or mouth sores that cannot be successfully covered or controlled with medications.
- B. If the student exhibits biting of an unusual frequency or severity that would be accompanied by actual transfer of blood from the biter, as might happen only from a student with chronically bloody gums or mouth.
- C. If the student exhibits bloody diarrhea.

These conditions are grounds for the exclusion of any student from a school setting regardless of whether she/he is known or suspected to harbor a blood-borne infection.

### **Guidelines for Disclosure**

The student's parent(s) or guardian(s) are the gatekeepers of information relating to the student's AIDS/HIV status.

A student who is diagnosed with AIDS or presents evidence of being immunocompromised is at a greater risk of contracting infections. This means there may be good reasons to inform the school nurse or school physician of a student's AIDS diagnosis or HIV infection status. This student's parent(s) or guardian(s) would benefit from information from the school nurse or school physician about the occurrence of threatening contagious diseases (such as chicken pox or influenza) when making a decision regarding school attendance. The school nurse or school physician may also need to attend to the particular needs of HIV-infected students regarding immunization schedules and medications.

In consultation with the student's primary care physician, the student's parent(s) or guardian(s) may decide to inform certain school personnel about the student's AIDS/HIV status, particularly the school nurse or school physician. If they so choose, the following guidelines are recommended:

- The student's parent(s) or guardian(s) may inform the school nurse or school physician directly.
- Alternatively, the student's parent(s) or guardian(s) may request that their primary care physician make the disclosure. In this case, specific informed written consent of the student's parent(s) or guardian(s) is required.
- Further disclosure of a student's HIV status by the school nurse or school physician to other school personnel requires the specific, informed, written consent of the student's parent(s) or guardian(s).

Students with AIDS/HIV infection have the same right to attend classes or participate in school programs and activities as any other student.

### **Statutes Governing Disclosure**

As a general rule, a student's health records related to AIDS/HIV should be regarded as confidential. The Massachusetts General Laws prohibit health care providers, physicians and health care facilities (including school-based clinics) from disclosing HIV test results, or even the fact that a test has been performed, without the specific, informed, written consent of the person who has been tested. This statute prohibits testing persons for HIV antibodies without their permission, and protects against the nonconsensual release of medical records (including school health records) which contain such information.

These statutory requirements apply specifically to health care providers. However, case law in Massachusetts and other states leads to the conclusion that other school staff members beside health care providers may be liable for civil damages in the event of nonconsensual disclosure of information related to HIV status or AIDS diagnosis. In short, information about an individual's AIDS/HIV status should be treated as highly confidential, and released only with the specific, informed, written consent of the individual's parent(s) or guardian(s).

Under state public health statute M.G.L. c. 112 s.12F minors may consent to their own dental care and medical testing, diagnosis and treatment in certain circumstances (including HIV infection). This law mandates confidentiality of medical information and records except when an attending physician or dentist reasonably believes that the condition of the minor is so serious that the minor's life or limb is endangered.

Accordingly, if an adolescent student has sought HIV antibody testing independent of parental consent, the student has the right to keep this information confidential, and any disclosure of this information would require the student's specific, informed, written consent.

### **Keeping Students Home from School**

If you child has a fever (a temperature of 100 degrees or above), vomiting and/or diarrhea, please keep them home until they are symptom free for 24 hours *without medication*.

## SECTION 4: SCHOOL NUTRITION



PLEASE NOTE THAT ALL STUDENT MEALS ARE FREE FOR THE 2021-2022 SCHOOL YEAR! Our School District wants to provide a healthy school environment for all students. That means offering nourishing food and drink choices that will promote students' growth and development, learning, and healthy lifelong habits.

The nutrition standards support our goals for student health and academic achievement by concentrating on serving nutrient-rich, minimally processed foods, such as fruits, vegetables, whole grains, lean protein and low-fat dairy products.

The Massachusetts Dept. of Public Health and Dept. of Elementary and Secondary Education law states that the following items are NOT allowed to be offered 30 minutes before the beginning of the school day until 30 minutes after the school day ends unless they meet the nutrition standards of the law:

- School cafeteria a la carte items and vending machines
- School stores, snack bars, and concession stands
- School booster sales, fund-raising activities and other school-sponsored or school-related events (*includes but not limited to: bake sales, incentive prizes such as pizza parties, food given for participation in classroom activities & clubs and food rewards*)
- School buildings and any other location on school property, including classrooms and hallways (*includes but not limited to: birthdays, holiday celebrations, grade level snack sales, MCAS snacks and food-based incentives*)

In order to simplify the process of what items are acceptable, a link to the new standards and list of food items that meet these standards is available on the Food Service site, which is accessible on the District website, under the "School Nutrition" Tab.

We welcome your ideas and support in creating a healthier school environment for our students. Please feel free to contact the School Nutrition office with any questions and ideas you may have.

### **National School Lunch Program**

The National School Lunch Program makes it possible for schools throughout the nation to serve wholesome, low-cost lunches to children each school day. Lunches provided through this program make an important contribution to the mental and physical wellness of Bellingham school children.



## **Meal Components**

The school lunch pattern is designed to provide one-third of the daily nutritional needs for children.

## **Offer versus Serve**

"Offer versus Serve" is a method of service designed to reduce plate waste and food costs in the National School Lunch Program without jeopardizing the nutritional integrity of the lunches served. Students at all grade levels now have the option of choosing three, four or five food items. They also have the choice of accepting smaller portions of one or two items, provided they accept full portions of at least three items. It is required that the whole lunch--all five components--be offered to all students.

1. The complete school lunch must be planned and offered to students and consist of at least the following five food components:
  - a. meat or meat alternate
  - b. vegetable
  - c. fruit or fruit juice
  - d. whole grain bread or bread alternate
  - e. milk
2. The student must take at least three of the five food components for lunch and two of the five for breakfast. If not enough components are taken, the meal is not reimbursable and the student will be charged an a la carte price for each item.
3. Substitutes are not provided. For example, you are not required to provide another drink if the student does not take the milk.
4. The student pays the established lunch price determined by his or her eligibility--full or reduced. A child eligible for a free meal must also select food to meet the "Offer versus Serve" requirements.

## **Bellingham School Nutrition Policies**

The traditional price of lunch for the school year is \$2.75 for DiPietro & Stall Brook Elementary, \$3.00 for Bellingham Memorial School, \$3.25 for Bellingham High School and Keough Memorial Academy (\$.40 reduced for all). The traditional price of breakfast is \$1.50 (\$.30 reduced) at all schools. Students are expected to pay for their meals at the time of service. Students paying full and reduced prices are encouraged to prepay by the week or month. This may be done online through [www.myschoolbucks.com](http://www.myschoolbucks.com), at the school office or at the point of service.

Students with a negative balance are not allowed to charge snacks/a la carte items. Students with a negative balance of three meals at the elementary schools and Memorial School or a negative balance of one meal at High School or Keough Memorial Academy may be offered an alternative lunch of a sandwich, milk and fruit. Café leads will receive a bi-weekly report of all students with a negative balance of more than \$4.50. They will work directly with the building principal to contact the parents and correct the situation. For charges of more than (\$15.00) the school lunch office along with the school will be responsible for collection of monies due.

To access the My School Bucks pre-pay system:

1. Simply go to the district website at [www.bellinghamk12.org](http://www.bellinghamk12.org).
2. Click on the Parents tab, then click on School Nutrition.

3. Click on the **My School Bucks link**. From this site you will create your account and add money to your child's school meal account. All you need is your child's name, student ID number, and school ZIP code.

Things to know:

- You can sign up at no cost to pre-pay accounts, set up email notifications, and view your child's purchases.
- You will first need your child's student ID number (this number remains the same for the 12 years your student is in the district.) You may obtain this number by calling the school. The number must be seven digits, if needed, you would add leading 00's at the beginning of the number.
- If you have more than one child in the District, you can handle all online prepayments from the same online account.
- Payments may be made through an existing PayPal account or with a major credit or debit card.
- In order to use the online prepayment service, a small convenience fee for each transaction will be assessed to cover the bank fees. The convenience fee is \$2.25 per deposit transaction. This fee will be charged to any of the online payment options. Parents placing money into multiple meal accounts will only be assessed the fee once. The School District will not profit from the use of this site. The amount of the prepayment deposit is entirely up to you; it can range from one day to a month, or even a year.

### **Collection of Payment for School Meals**

The purpose of this policy is to establish consistent meal account procedures throughout the district.

#### **1. Free and Reduced Lunch Students:**

Free lunch status students will not be allowed to have a negative account balance. Free lunch status allows a student to receive a free meal every day. A la carte items are not part of the USDA program.

- a. Reduced lunch status students will be allowed to have a negative account balance up to a maximum dollar equivalent of six reduced priced meals which will be known as the "account cap." Reduced lunch status allows a student to receive reduced priced meals at \$0.40.

#### **2. All Other Students:**

- a. **Elementary School** students will be allowed to charge up to a maximum dollar equivalent of three meals which will be known as the "account cap."
- b. **Memorial School** students will be allowed to charge up to a maximum dollar equivalent of three meals which will be known as the "account cap."
- c. **High School and Keough Memorial Academy** students will be allowed to charge up to a maximum dollar equivalent of one meal. After that one charge, they will not be allowed to charge any school meals which cause their school lunch account to go into a deficit balance.

- These meals will include anything on the menu.
- Notices of low or deficit balances will be sent to parents/guardians at regular intervals during the school year.
- When the student reaches the “account cap” they will only be offered a designated menu alternative. Example: Sunbutter sandwich + veggie sticks + fruit + milk.
- This designated menu alternate will be charged to the student’s lunch account at the standard lunch rate. It will be reported as a meal to the state and federal school lunch authorities and thus will be eligible for reimbursement. Parents/Guardians are responsible for payment of these meals to the School Nutrition program.
- Once the student reaches the maximum meal charge, no a la carte items will be sold to the child and all transactions may become a cash basis transaction.

### 3. **Balances Owed:**

Collection of balances owed will follow School Committee’s policy on student fees, fines, and charges. This policy will apply to any account balances above the “account cap” at any time and any payments made by check that are returned to the district by the bank with notice of “insufficient funds.”

Balances may be checked at any time by logging into the MYSCHOOLBUCKS system at <https://www.MySchoolBucks.com> or e-mailing the School Nutrition director. All accounts must be settled at the end of a school year. Letters will be sent home approximately four to five days before the last day of school for elementary students whose accounts are low.

- a) **Checks Returned for Non-Sufficient Funds (NSF):** When a check is returned to the Treasurer’s Office for “NSF,” a letter will be sent to inform the parent(s) from the Food Service Director. Payment for the NSF check must be in the form of cash, cashier’s check, or money order. Payment must be received within ten (10) days of the date of the letter. The amount of the check will be deducted from the child(ren)’s lunch account immediately upon notice from the bank and the above mentioned rules will take effect. Second requests will follow M.G.L. Chapter 93 § 40A.
- b) **Balances Owed with no response by Parent/Guardian:** If the payment is not received, the Superintendent or his/her designee may take one or more of the following actions, unless or until prohibited by state law or regulation:
  - 1) Delay the issuance of report cards, transfer cards, and class assignments until obligations are met.
  - 2) Prohibit participation of the student in the program.
  - 3) Prohibit participation of student or other students in the student’s household from participating in any future fee-based program until or unless outstanding balances are resolved.
  - 4) Prohibit student participation in senior activities or graduation exercises.

- 5) Referral to small claims court, collection agency and/or District Attorney's office.
4. On the first of May the School Nutrition program must begin to close the books for the school year. As a result, the point of sale system will be blocked from accepting deficit account balances including the account cap limits.
- a. Parents/Guardians will be sent a written request for "Payment in Full." (The deposit requests will be mailed home.)
  - b. Students who forget money or have a zero balance will only be offered a designated menu alternative. Example: Cheese sandwich + veggie sticks + fruit + milk.
  - c. This designated menu alternate will be charged to the child's lunch account at the standard lunch rate. It will be reported as a meal to the state and federal school lunch authorities and thus will be eligible for reimbursement. Parents/guardians are responsible for payment of these meals to the School Nutrition program.
  - d. All charges not paid before the end of the school year will be carried forward into the next school year.
  - e. Seniors must pay all charges before receiving their cap and gown.
5. All school cafeterias possess computerized point of sale/cash register systems that maintain a record of all monies deposited and spent for each student and said record will be made available to the parent upon request. The School Nutrition Department shall inform parents that meals can be paid for in advance and the balances maintained in their child's account to minimize the possibility that the child may be without meal money on any given day. If a student is without meal money on a consistent basis, the School Nutrition Office will investigate the situation more closely, including contacting the parent/guardian to bring money to the school and/or encouraging the parent to apply for free or reduced price meals.
- a) **Blocks on Accounts:** A parent may contact the School Nutrition Director to place a block on their child's account to prohibit the purchase of a la carte items.
  - b) **Refunds:**
    - i. Withdrawn Students: For any student who is withdrawn, a written request for a refund of any money remaining in their account must be submitted. An e-mail request is also acceptable.
    - ii. Graduating Students: Students who are graduating at the end of the year will be given a refund if requested. Alternatively, funds can also be transferred to a sibling's account.
  - c) **Unclaimed Funds:** All refunds must be requested within one year. Unclaimed funds will then become the property of the Bellingham Public Schools Nutrition Program.

M.G.L. Chapter 71: Section 68. Duties of towns to maintain schools; transportation of children; school building committee representation  
M.G.L. Chapter 71: Section 37K. Business demonstration projects; disposition of proceeds  
M.G.L. Chapter 44: Section 69. Municipal or district services, fees or charges; insufficient funds checks; penalty  
M.G.L. Chapter 60: Section 57A. Payment by check not duly paid; penalty  
M.G.L. Chapter 93: Section 40A. Dishonored checks; demand for payment

## **SECTION 5: SPECIAL EDUCATION SERVICES**

The Student Services Department supports the overall mission of the Bellingham Public Schools by collaborating, providing personnel, staff development and leadership to meet students' learning needs in a single system of education that maximizes the resources of the entire system.

The Bellingham Public Schools Student Services Department provides resources and strategies that ensure all students are afforded the opportunity to meet District learner and individual goals. We are a community of parents, students, teachers, and administrators committed to excellence and accountability. We recognize that teamwork is integral to our efforts and that effective collaboration maximizes our resources so that our students are well prepared for the future.

### **Staffing**

Special Education services at each school are facilitated by the School Psychologist and/or Team Chair. Under the combined direction of the Director of Student Services, Assistant Director of Student Services, the School Psychologist and Team Chair process will be implemented, assessments scheduled, and timelines adhered to in alignment with all aspects of regulatory compliance. Teachers and other special education staff will assist the School Psychologist in evaluating and providing services to children who have special needs. Team meetings are chaired by the identified and designated building based Team Chairs. As a result of the Team review of assessments, eligibility will be determined. If a finding of special needs is determined, the Team will collaborate in creating an Individualized Education Plan (IEP). Once the IEP is accepted with signatures, the services/program and placement will commence.

The Special Education process may be summarized as follows:

- I. Referral / Identification
- II. Assessment
- III. TEAM Meeting
- IV. Eligibility Determination
- V. Developing Individualized Educational Plan
- VI. Programming

### **Referral and Identification**

- A. Screening - The District conducts annual screening for three and four year olds in compliance with providing child find activities. Additional screenings of three and four years olds can occur upon request. Pre-kindergarten students will also be screened prior to their entrance into kindergarten. Screenings are designed, with the exception of the health assessment, to provide a non-extensive scan of the children to identify those who should be referred for a further evaluation.
- B. The Response to Intervention Team (RTI) is a general education initiative designed to allow teachers to receive support from professional peers when they have questions about a student's progress. Members of the RTI may include the Principal, general classroom

teachers, a special education teacher, guidance counselor, nurse and any other building personnel. Parents are welcome to join RTI meetings to participate in the process.

RTI members listen to the concerns of a teacher regarding a specific student. Instructional strategies are offered through a brainstorming format and then considered by the classroom teacher for implementation. Because of the varied expertise of the RTI members, instructional strategies often reflect alternative methods of instruction not yet explored by the classroom teacher. In-house consultation services are also an option to consider. The Reading Specialist, School Psychologist, Occupational Therapist, Physical Therapist, Adjustment Counselors and Behavior Specialists are resource personnel available to deliver consultation services.

Within 6 to 8 weeks, the RTI members reconvene to assess the student's progress. At this time the Team determines if:

- The strategies are effective and the student has made adequate progress, no longer needing the RTI process.
- The strategies are effective and there is evidence of some progress. The RTI process should continue, meeting again in 6 weeks, to carefully monitor progress.

If strategies have not been effective and adequate progress is not evident. The RTI members suspect there may be a disability impeding the student's progress. The student is referred for a special education referral.

C. Referral - A child may be referred for an evaluation by any of the following: administrator, teacher, RtI Team, parent, guardian, judicial officer, social worker, physician, or the child may request any of the above to make a referral.

D. Disability Categories - Upon completion of the referral and assessment process, the IEP Team meeting is scheduled to determine eligibility for special education and if determined, develop an Individualized Educational Program (IEP). Eligibility is determined when a student has one or more disabilities in the following categories:

Autism	Developmental Delay (Children 3-9 yrs-old)	Sensory Impairment
Neurological	Communication	Physical Health
Disability		Specific Learning
Intellectual		

### **Assessment**

Multidisciplinary assessments for an evaluation are conducted in the area(s) of suspected need, are multidisciplinary, and consist of some combination of the following: educational history, classroom performance, current grade level functioning, psychological, academic, family history, medical, and specialist assessments when necessary.

### **TEAM Meeting**

After completion of the assessments, the TEAM meets to analyze the results, determine eligibility for special education and if eligibility is established, the Team will develop an appropriate Individualized Educational Plan (IEP). The IEP TEAM is comprised of the parent(s)/guardian(s), Team Chair, general education teacher, special education teacher, specialists involved with the assessment, building administration, and student when appropriate.

## **Individualized Educational Plan - IEP**

The IEP will include the following information: Student's current performance levels, description of learning style, goals, and objectives, teaching approaches and materials to be used, any accommodations or modifications required, types and amounts of services to be provided, personnel to be working with child, location of where services will be provided, special transportation arrangements if needed, and criteria for movement to a less restrictive environment, if warranted. Progress reports will be submitted during the IEP period in alignment with the District calendar. IEPs will be reviewed annually and re-evaluations will be conducted at least once every three years. The parents must sign the IEP or give their written consent before the child can start receiving services. The parents also have the right to challenge all or any part of the assessment process or IEP in a formal appeal process.

## **Programming**

### **1. School Psychologist Services**

The School Psychologist is responsible for all psychological evaluations that are requested through the Special Education Department. The psychologist administers assessments in the following areas: cognitive, social/emotional and behavioral needs. The psychologist attempts to uncover and analyze the reasons surrounding a student's difficulty within the school environment. Recommendations following evaluations may include: school counseling, outside psychotherapy, family counseling, as well as a wide variety of special education programs. Positive Behavioral Interventions may also be recommended to assist students to cope more effectively. The School Psychologist may also provide consultation with teachers and parents.

### **2. Speech and Language Services**

Language development is fundamental and essential to academic success; therefore, it is important for a child to acquire the necessary and appropriate language skills.

The three areas of language that are addressed by the Speech and Language Pathologist are: auditory processing, receptive/expressive language skills, and speech disorders. If a child demonstrates difficulty in any of these areas, he or she may experience difficulty in learning to read, spell, follow directions, or understanding messages.

The role of the Speech and Language Pathologist, within the school, is to identify children who may have a disability in the area of communication and language development, determine the child's strengths and weaknesses in language skills, and provide the necessary and appropriate services for that individual.

### **3. Social Skills/ Behavior Intervention/Supports**

A School Psychologist, School Adjustment Counselor, Board Certified Behavior Analyst (BCBA), and Behavior Specialist are available with the Bellingham School District.

### **4. Instructional Supports and Services**

Whenever possible, students having Individual Education Plans (IEP) are supported in the Least Restrictive Environment (LRE) as required under IDEA 2004. Many students are provided services from special education staff in their general education classroom. The special education staff also work with the classroom teachers to provide any necessary accommodations or modifications for special education students. Some students may require services in a small-group setting for individual or specialized instruction.

Services are also provided to students within a sub-separate program designed to address their specific learning needs. Students receiving services within these specialized programs also participate within the general education setting. These programs allow the children to develop academic and social skills with age appropriate peers.

## **5. Related Services**

Related Services means transportation, and developmental, corrective, and other supportive services, such as Speech-Language Pathology, Occupational Therapy, Physical Therapy, Adaptive Physical Education, counseling, interpreting services, psychological services, and school nurse services designed to enable a child with a disability to receive a free appropriate public education as described in the individualized education program of the child.

### **Special Education Grievance Procedures:**

Parents have the right to disagree with the school's decisions concerning your child. This includes decisions about:

- Your child's eligibility for special education;
- Your child's special education evaluation;
- The special education and related services that the school provides to your child; or
- Your child's educational placement.

Parents have several options. The first option is to meet with the principal and/or the special education administrator at your school and try to reach an agreement about your child's needs and services.

The law provides for a Problem Resolution System at the state level. In Massachusetts, the Problem Resolution System is administered by the office of Program Quality Assurance (PQA) at the Department of Education. Parents can call PQA to ask a question regarding the laws and regulations pertaining to a specific concern. In order to have a complaint formally reviewed by PQA staff, a complaint must be filed in writing. The PQA education specialist will review your complaint to determine if education laws and regulations are being followed. At the completion of the review, a letter explaining the results of the review and the actions taken to resolve the issue(s) is sent to the parents.

Parents may contact PQA (as described above) or the Bureau of Special Education Appeals (BSEA) about any matter concerning the identification, evaluation services, or placement of their child. The BSEA is an independent organization located with the Massachusetts Department of Education. It is notified by the school system of all signed rejected IEPs.

The BSEA offers several dispute resolution options. These options include:

- **Mediation:** a voluntary and informal process where you and the school meet with an impartial mediator to talk openly about the areas where you disagree and to try to reach an agreement.
- **Advisory Opinion:** a process where you and the school agree to each present information in a limited amount of time to an impartial Hearing Officer, who will give an opinion as to how the law would apply to the situation as presented.
- **Hearing:** a process where you and the district each present your case to an impartial Hearing Officer for a written binding decision on the best outcome for the student. A hearing is a fairly complex legal proceeding and averages three to five days in length.



Contact Information:

- Program Quality Assurance System  
Massachusetts Department of Elementary & Secondary Education  
75 Pleasant Street  
Malden, MA 02148  
781-338-3799
- Bureau of Special Education Appeals  
14 Summer Street, 4th Floor  
Malden, MA 02148  
781-397-4750

## **SECTION 6: STUDENT SUPPORT SERVICES**

### **COUNSELING SERVICES**

The Bellingham Public School District ensures that counseling and counseling materials are free from bias and stereotypes on the basis of race, color, sex, gender identity, religion, sexual orientation, disability and homelessness.

#### **Mission Statement**

The Counselors' Mission is to support students, families, faculty, staff and administrators through various activities and services with the ultimate goal of helping students take full advantage of the academic and social experiences and opportunities of the Bellingham Public School District.

#### **Role**

The role of School Counselor is to provide the vital link between home, school and community resources. As members of a multidisciplinary educational team, we provide both direct and indirect services to support and help students manage a rigorous and challenging academic program while developing the personal and interpersonal skills necessary to be successful in a diverse and dynamic society.

#### **Code of Ethics**

All counselors adhere to the code ethical standards of the American Council of School Counselors, National Association of School Psychologists, Massachusetts Mental Health Association and/or the National Association of Social Workers.

Counselors are licensed by the Massachusetts division of Professional Licensure Board of Registration and/or the Department of Elementary and Secondary Education. School Counselors provide educational and therapeutic services through a tiered system of support.

#### **Services**

Students have access to School Counselors to improve academic performance, develop social skills, decision making skills and mature coping skills. School Counselors have specialized training in the areas of:

- Individual, Group and Family Counseling
- Crisis Prevention, Intervention, Assessment and Management
- Implementation of curriculum on topics including: Self-Regulation/Managing Emotions, Social Skills, Social Pragmatics, mental health issues (symptom management and symptom reduction), drug and alcohol use-abuse-addiction
- Assessment and Intervention
- Consultation and Collaboration
- Conflict Resolution
- Anger Management
- Grief Counseling
- School Counselors access outside agencies and resources and make referrals as needed.

All counselors will encourage students to consider programs of study, courses, extracurricular activities, and occupational opportunities on the basis of individual interests, abilities, and skills, and examine testing materials for bias and counteract any found bias when administering tests and interpreting test results. Additionally, counselors will communicate effectively with

Limited-English-proficient and disabled students and facilitate their access to all programs and services offered by the district, provide Limited-English-proficient students with the opportunity to receive guidance and counseling in a language they understand, and support students in educational and occupational pursuits that are nontraditional for their gender

### **SECTION 504 OF THE REHABILITATION ACT OF 1973**

Section 504 of the Rehabilitation Act of 1973 is a federal law designed to protect the rights of individuals with disabilities. Section 504 covers qualified students with disabilities who attend schools and determined to:

- (1) have a physical or mental impairment that substantially limits one or more major life activities; or
- (2) have a record of such an impairment; or
- (3) be regarded as having such an impairment.

A major life activity includes: caring for one's self; performing manual tasks; walking; seeing; hearing; speaking; breathing; learning; working; eating; sleeping; standing; lifting; bending; reading; concentrating; thinking; communicating; major bodily functions; immune system; normal cell growth; digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions

Section 504 requires that school districts provide a free appropriate public education (FAPE) to qualified students who have a physical or mental impairment that substantially limits one or more major life activities noted above.

If a student is thought to have a disability under Section 504, they have a right to an evaluation and determination made by persons knowledgeable about the student. A written plan, (504 Plan) must be developed documenting the presence of a disability which substantially limits a major life activity and a statement of the accommodations and/or related services that will be made. The building principal is directly responsible for 504 coordination in their individual school and will review and update 504 plans on a yearly basis.

The Bellingham Public School District has specific responsibilities under the Section 504, which include the responsibility to identify, evaluate, and if the child is determined to be eligible under Section 504, to afford access to appropriate educational services. If the parent or guardian disagrees with the determination made by the professional staff of the school district, he/she has a right to a hearing with an impartial hearing office.

### **SECTION 504 DUE PROCESS RIGHTS**

#### **STUDENT AND PARENT RIGHTS IN IDENTIFICATION, EVALUATION AND PLACEMENT**

The following is a description of student and parent rights granted by federal law. The law requires that we keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions.

#### **YOU HAVE THE RIGHT TO:**

1. Have your child take part in and receive benefits from public education programs without discrimination based on disability.
2. Have the school district advise you as to your rights under federal law.

3. Receive notice with respect to identification, evaluation, or placement of your child.
4. Have your child receive a free appropriate public education. This includes the right to be educated with other students to the maximum extent appropriate. It also includes the right to have the school district make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities.
5. Have your child educated in facilities and receive services comparable to those provided to students without disabilities.
6. Have your child receive special education and related services if he/she is found to be eligible under the Individuals with Disabilities Act (IDEA) (PL 101-476), or to receive reasonable accommodations under Section 504 of the Rehabilitation Act.
7. Have evaluation, education, and placement decisions made based upon a variety of information sources and by individuals who know the student, the evaluation data, and placement options.
8. Have transportation provided to a school placement setting at no greater cost to you than would be incurred if the student were placed in a program operated by the school district.
9. Have your child given an equal opportunity to participate in nonacademic and extracurricular activities offered by the school district.
10. Examine all relevant records relating to decisions regarding your child's identification, educational program, and placement.
11. Obtain copies of educational records at a reasonable cost if the fee would effectively deny you access to the records.
12. Receive a response from the school district to reasonable requests for explanation and interpretations of your child's records.
13. Request an amendment of your child's educational records if there is reasonable cause to believe that they are inaccurate, misleading or otherwise in violation of the privacy rights of your child. If the school district refuses this request, it shall notify you within a reasonable time and advise you of the right to a hearing.
14. File a local grievance through your building principal.
15. Request an impartial due process hearing to decisions regarding your child's identification, education program or placement. You and your child may take part in the hearing and have an attorney represent you. Hearing requests must be made to the Commonwealth of Massachusetts, Department of Education, Bureau of Special Education Appeals, 350 Main Street, Malden, MA 02148-5023.
16. Appeal to the Office of Civil Rights (OCR), Region I, U.S. Department of Education, John W. McCormack Post Office and Courthouse Square, Room 222, Boston, MA 02700.
17. Ask for payment for reasonable attorney fees if you are successful on your claim.

The building principal is responsible at each school for Section 504 compliance. On the district level, Suzanne Michel serves as Section 504 coordinator and can be contacted at Bellingham School District, 4 Mechanic Street, Bellingham, MA 02019, telephone number 508-883-1706.

## **SECTION 504/ADA GRIEVANCE PROCEDURES**

The Bellingham Public Schools does not discriminate and will not tolerate discrimination on the basis of disability with regard to admission, access to aids, benefits and services, treatment, or employment in its programs or activities. Disability discrimination includes harassment based on disability or retaliation against a complainant or individual who has cooperated with the investigation of a complaint. These grievance procedures apply to conduct directed toward students, employees, or third parties by students, employees, or third parties. District employees

are obligated to intervene and stop any discrimination they witness or otherwise learn of and to immediately report the incident to the principal or Section 504/ADA Coordinator. Please note that during the investigation and until resolution of the matter, interim measures may be issued, such as restrictions on contact between the complainant and the accused or changes in academic schedule. Where there is a finding of discrimination, the District will take prompt and effective steps to end the discrimination, prevent its recurrence, and remedy its effects.

Any alleged discriminatory practices within the scope of Section 504 or the Americans with Disabilities Act should be addressed through the grievance procedures which follows:

#### Step 1 (Informal Process)

A complainant who believes he/she has a valid basis for grievance under Section 504 or the Americans with Disabilities Act may informally discuss the complaint with the principal. In the event that the complaint is against the principal or main administration staff, the complainant will proceed to Step 2. The principal may pursue an informal resolution of the complaint with the agreement of the parties involved. Alternatively, in the event that the complaint addresses a district-wide issue or informal resolution is not appropriate, the principal will refer the matter to the District 504/ADA Coordinator to proceed under Step 2. The principal will have ten (10) school days to complete Step 1 unless the District 504/ADA Coordinator grants a reasonable extension. The complainant may end the informal process at any point.

#### Step 2 (Formal Process)

If the complainant is not satisfied with the resolution under Step 1 or chooses not to pursue the informal process, the complainant may file the grievance in writing, using the complaint form available in every main office, with the District 504/ADA Coordinator within ten (10) school days of disposition at Step 1 or 90 school days from the incident. In the event that the complaint is against the District 504/ADA Coordinator, the Superintendent will replace the District 504/ADA Coordinator for Step 2. The District 504/ADA Coordinator will assist the complainant with reducing a verbal complaint to writing as needed.

The District 504/ADA Coordinator (or designee, e.g., principal) will conduct an impartial investigation and document the investigation (including dates of meetings/interviews with the parties and other individuals who may have pertinent information, disposition, reasoning behind the disposition and dates of disposition). The District 504/ADA Coordinator will give both parties the opportunity to present witnesses and other evidence. If the investigation requires additional time due to the complexity of the issues, availability of witnesses, or any other reason, the District 504/ADA Coordinator (or designee) will communicate regularly with the complainant and conclude the investigation in a reasonable time period.

The District 504/ADA Coordinator (or designee) will give a written reply to the complainant and accused within ten (10) school days of the conclusion of the investigation that explains whether the allegation, based on a preponderance of the evidence, was supported or not supported and, as permitted under privacy laws, actions taken if relevant. The District 504/ADA Coordinator will present a full report of the investigation and disposition to the Superintendent within twenty (20) school days of the conclusion of the investigation.

#### Step 3 (Formal Appeal Process)

If the complaint is not satisfactorily resolved through Step 2, the complainant or accused may file a written appeal to the Superintendent. To be considered, the written appeal must fully set out

the circumstances giving rise to the alleged grievance and should be filed with the Superintendent's Office within ten (10) school days of the date of the written reply to the complainant and the accused at Step 2. The Superintendent will review the investigatory record and findings and gather any further evidence as deemed necessary within ten (10) school days after receipt of the grievance. Within another ten (10) school days, the Superintendent will issue a written disposition of the alleged grievance.

#### Step 4 (Alternatives)

At any time, a complainant may choose to file a complaint with the Office for Civil Rights of the U.S. Department of Education, Region I, 5 Post Office Square, 8th Floor, Boston, MA 02109-3921, (617) 289-0111.

### **TITLE 1**

Title 1 is a federal grant that provides resources for eligible schools to use to support students at risk of not meeting the academic standards. Under Title 1, the Bellingham School District will:

- Identify students who are at academic risk
  - Provide individual or small group instruction for identified students
  - Deliver instruction within the general education classroom
  - Provide instruction through a variety of teaching methods, strategies, and materials
  - Work closely with school personnel to provide collaboration and consultation regarding the student's progress.
- a. Informal and benchmarks assessments are conducted to determine which students would benefit from services provided through Title 1. These assessments include: teacher input, informal/benchmark reading assessments, emergent reader assessment, informal/benchmark math assessments, checklists and review of school records.

The school district has specific responsibilities under the Act, which include the responsibility to identify, evaluate, and if the child is determined to be eligible under Section 504, to afford access to appropriate educational services. If the parent or guardian disagrees with the determination made by the professional staff of the school district, he/she has a right to a hearing with an impartial hearing office.

The Title 1 staff work closely with the classroom teachers, and reading and math specialists.

### **BELLINGHAM EARLY CHILDHOOD PROGRAM (BECP)**

Bellingham Early Childhood Program, housed at Stall Brook and DiPietro Elementary Schools, is a developmentally appropriate program for three and four year-old children. BECP is a full inclusion preschool program that recognizes that parents are the first teachers of their children. The program follows the Massachusetts Preschool Curriculum Standards and the Massachusetts Preschool Social Emotional Learning Standards.

The BECP works with families of children ages three to five to form a partnership for quality education and care. The staff values the uniqueness of each child and is committed to providing a safe, nurturing, positive learning environment. Focusing on a balance of activities developmentally appropriate for young children, the curriculum gives equal regard to all areas of development: cognitive, social, emotional, communication, physical and aesthetic.



## SECTION 7: TECHNOLOGY

### ACCEPTABLE USE POLICY - School Committee Policy File: IJNDB

#### **Purpose**

The purpose of the Bellingham Public Schools computer network is to advance and promote educational opportunities, innovation, and educational excellence, and to provide users access to a worldwide array of educational resources. Access to the resources of the network will improve learning and teaching through research, access to information, teacher training, collaboration, and dissemination of successful educational practices, methods, and materials.

#### **The Internet**

The Internet is a vast, global network, linking computers with universities, schools, laboratories, and other sites. Through the Internet, one can communicate with people all over the world through discussion forums and electronic mail. In addition, many educationally valuable files may be downloaded from the Internet. Due to its enormous size and resources, the Internet's educational potential is boundless. Via its broad reach, however, the Internet also contains the potential for abuse. Bellingham Public Schools is not responsible for ensuring the accuracy or usability of any information found on external networks. For safety and security purposes, Bellingham Public Schools employs both a filter and firewall. **Bellingham Public Schools maintains compliance with the Children's Internet Protection Act (CIPA).**

#### User Access

Internet access is provided through the Bellingham Public Schools network system. All users will have access to the Internet. **The use of the Internet and Bellingham network is a privilege, not a right, thus all users are required to sign the Acceptable Use Policy to gain access to the Internet and network.**

- ***Grades K-4:*** Students in Grades K-4 will gain access to the Internet after they take part in a discussion of this policy with a parent or guardian. A parent or guardian is required to sign the Acceptable Use Policy.
- ***Grades 5-12:*** Students in Grades 5-12 will gain access to the Internet once the student and student's parent or guardian are required to sign the Acceptable Use Policy.
- ***Bellingham Public School Staff and visitors*** will gain access to the Internet once they have submitted a signed Acceptable Use Policy.

**The Student Handbook/AUP will be distributed online using the "FAMILY ID" system or other approved District distribution methods. All staff and teachers will receive a packet at the beginning of the year with the expectation of reading, understanding and signing off on the Staff Handbook/AUP.**



## **Users' Responsibility**

Your right to free speech applies to communication on the Internet. Employees are expected to act professionally when posting any information online.

All student use of the Internet will be conducted under District supervision. Each student is expected to take individual responsibility for his or her appropriate use of the Internet.

Individual users shall at all times be responsible for the appropriate use of all District accounts. Users shall not share their account information with anyone or leave their account open or unattended. If a user violates this policy, including but not limited to inappropriately accessing information, the District reserves the right to modify, suspend or revoke the User's privileges.

Passwords are confidential. All passwords should be protected by the user and not shared or displayed.

Users are responsible for making backup copies of documents that are critical.

Subscriptions to Listservs, bulletin boards, and online services must be pre-approved by the systems Director of Technology.

Users are responsible for immediately notifying the Technology Department of any possible security problems or of damage to the computer to which they are assigned.

The District reserves the right to collect from Users any charges or costs incurred, without District approval. The District may suspend or revoke a User's account until payment is received.

## **Internet Access**

Inappropriate conduct in violation of this policy may result in disciplinary action, and/or in accordance with the Bellingham Public School Policy on Student Conduct and Discipline (which is published in school handbooks).

## **Wi-Fi Access**

Users who have been issued a network account may gain access to the school Wi-Fi network system. Wi-Fi is monitored under CIPA, as well as monitoring for performance and accessibility for all applications. The use of unauthorized applications during scheduled class time may result in the suspension or loss of Wi-Fi privileges. All devices whether personally or district-owned are covered under this policy. Personally owned devices such as laptops, Chromebooks, cell/smartphones using district Wi-Fi are expected to abide by the same regulations and guidelines as district-owned equipment when operated in district buildings (including schools and administrative buildings).

Any personal laptop, Windows or Apple/Macintosh operating system must have a current/operable antivirus program and/or firewall per IT instructions. **Due to the increase in security breaches and ransomware attacks, the District has adopted Sophos Security Software. Any personally owned laptop will require the user to purchase and install Sophos Security Software before connecting to the BPSD network.** Any personally

owned Chromebook will require the purchase of a \$25 management license by the owner before being allowed to use district resources. IT must confirm and approve before any personal laptop is allowed on the school network. Contact the IT department for further information.

### **Use of Electronic Mail (email) and Internet Chat**

Only approved electronic mail and chat communication is allowed between students and the following groups: teachers, administrators, clerical staff, and any other employee of the Bellingham Public School District. When electronic communication is necessary to address school-related matters, legitimate student requests, or other business-related issues including athletic or school-sponsored extracurricular activities, communications are required to be through the Bellingham school Gmail account using the @bpsdk12.org domain.

### **School-issued Google Accounts**

All students in Grades K-12 will be issued a school Google account to access the suite of apps. Grades K-3 will not have access to the GMAIL email app. Grades 4-8 will only be able to send/receive email within the @bpsdk12.org domain. Grades 9-12 will be treated the same as teacher/staff Gmail accounts with the ability to send/receive globally. **NOTE: All District Google/Gmail accounts residing in the domain @bpsdk12.org are continually monitored on and off school property. This is in accordance with the CIPA (Children's Internet Protection Act) of 2000. Additionally, all school-related email accounts are considered public domain.**

### **Use of Social Networking sites, Texting and Tools**

Social networking platforms are acceptable after the approval of the IT Department. Teachers, administrators, clerical staff, and any other employee of the Bellingham Public School District may use social networking sites, texting, Google Chat, or tools with prior written consent from the Director of Technology. *Examples of social network sites include (but not limited to) Facebook, Instagram, Snapchat, Twitter, Skype, Wiki's, etc. **Note: Texting is prohibited between teachers, administrators, coaches or other district employees and ALL students.** (This is not an exhaustive list and may be amended as needed and without notice by the Bellingham School Committee.)*

\*\*\* Note: It is prohibited to use any/all Proxy sites that allow users to bypass filtering and blocking technology implemented by the school district.

### **POLICY ON FACEBOOK AND SOCIAL NETWORKING WEBSITES**

The Superintendent and the School Principals will annually remind staff members and orient new staff members concerning the importance of maintaining proper decorum in the online, digital world as well as in person. Employees must conduct themselves in ways that do not distract from or disrupt the educational process.

The orientation and reminders will give special emphasis to:

1. Improper fraternization with students using Facebook and similar internet sites or social networks, or via cell phone, texting, or telephone;
  - a. Teachers may not list current students as "friends" on networking sites,
  - b. All e-contacts with students should be through the district's computer and telephone system, except in emergency situations,

- c. All contact and messages by coaches with team members shall be sent to all team members, except for messages concerning medical or academic privacy matters, in which case the messages will be copied to the athletic director and the school principal,
  - d. Teachers will not give out their private cell phone or home phone numbers without prior approval of the district,
  - e. Inappropriate contact via email or phone is prohibited.
2. Inappropriateness of posting items with sexual content;
- a. Inappropriateness of posting items exhibiting or advocating the use of drugs and alcohol,
  - b. Examples of inappropriate behavior from other districts, as behavior to avoid,
  - c. Monitoring and penalties for improper use of district computers and technology,
  - d. The possibility of penalties, including dismissal from employment, for failure to exercise good judgment in online conduct.

The Superintendent or designees will periodically conduct internet searches to see if teachers have posted inappropriate materials online. When inappropriate use of computers and websites is discovered, the School Principals and Superintendent will promptly bring that inappropriate use to the attention of the staff member and may consider and apply disciplinary action up to and including termination.

### **Privacy and Administrators' Access to User Files**

Bellingham Public Schools is a public entity, therefore, all records whether in electronic or hardcopy form, are a public record, subject to any applicable exemptions. The District reserves the right to review and search all electronic accounts maintained by Users, with appropriate authorization. All users are expected to use appropriate judgment in communications concerning students and staff to ensure that personally identifiable information remains confidential.

### **Personal Safety for Students**

The Internet is accessible to the public. Unfortunately, this includes people who may want to make contact with students for inappropriate purposes or under false pretenses. Although Bellingham Public Schools employs both a filter and firewall, screening the Internet for such inappropriate use is still difficult. Therefore, student users should never reveal their full name, address, or telephone number, nor should they arrange a meeting with a person who was met online. Users should promptly inform the Director of Technology of any online communication that they believe is threatening, harassing, or otherwise inappropriate.

### **Network Etiquette**

**Users** are expected to learn and abide by generally accepted rules of Internet network etiquette, as well as rules of school decorum. These include common courtesy, politeness, and the avoidance of vulgar language.

## **Unacceptable Uses of the Bellingham Public Schools Network**

The following are unacceptable uses of the Bellingham Public Schools network:

- Cyberbullying; the use of electronic communication to bully a person, which may include sending chain letters or engaging in "spamming." ("Spamming" means sending annoying or unnecessary messages to large numbers of people.)
- Engaging in any conduct in violation of the District's Sexual Harassment Policy.
- Participating in any communications that are related to illegal or criminal activity, including but not limited to the sale or use of drugs or alcohol; that facilitates criminal gang activity; that threaten, intimidate, or harass any other person; that facilitates gambling. The system/network may not be used for illegal purposes, in support of illegal activities or for any activity prohibited by district policy.
- Communications. Users are responsible for the content of all text, audio or images that they place or send over the Internet. Fraudulent, harassing or obscene messages are prohibited. No abusive, profane or offensive language should be used to communicate on the Bellingham Public Schools Network.
- No user shall engage in any inappropriate communications with students.
- Infringing intellectual property rights. One copy of copyrighted material may be downloaded for a user's personal use. Copyright infringement occurs when a person inappropriately reproduces or transmits material that is protected by copyright. For example, most software is protected by copyright and may not be copied without the permission of the copyright owner and Director of Technology.
- Messages of an intimidating or threatening nature.
- Posting private or personal information about another person.
- Attempting to access system files, security files, or another person's files, without authorization.
- Accessing or transmitting obscene or sexually inappropriate material.
- Posting Activities that disrupt the educational environment.
- Participating in private or commercial activities that are not directly related to educational purposes of the Bellingham Public Schools.
- No user shall engage in communication that misrepresents personal views as those of the Bellingham Public Schools or tampering with computer security systems, applications, documents or equipment will be considered vandalism, destruction, and defacement of school property (see school handbook).
- Vandalism is defined as any malicious attempt to harm or destroy data of another user, the Internet, hardware, software, or the network. This includes, but is not limited to, the uploading or creating of computer viruses. Vandalism will result in cancellation of privileges, disciplinary action, and restitution for costs associated with hardware, software, and system restoration.

If a user violates the District's Acceptable Use Policy, they may be subject to disciplinary action.

A violation of any state or federal law may result in legal liability.

## **Notifications**

Any student, teacher, staff member, or volunteer must notify the systems administrator or designee if they have identified a possible security problem. **Users should report encounters with inappropriate material to their school administrator immediately.**

### **Changes in Bellingham Acceptable Use Policy**

The Bellingham Public Schools reserve the right to change this policy at any time. Students, parents, and/or guardians will receive written notification of any changes.

**Please note: A copy of this policy will be distributed to all employees of the District and will be incorporated into all student handbooks.**

### **Limitations of Liability**

Bellingham Public Schools will not be liable for the conduct of any user connecting to the Internet through the District's network. All users shall assume full liability, legal, financial, or otherwise for their actions while connected to the school's network. The District assumes no responsibility for any information accessed or transferred from the Internet.

### **District 1:1 Initiative**

#### **Preface**

The integrated use of technology is essential for aligning our standards and goals with the demands of the 21st century. Students must be able to access electronic devices for research, documentation, communication, and other educational purposes. It is imperative that they acquire the technology skills that will most likely be demanded in their future careers. In order to be productive members of society in this new age of technology, they must have essential practice of these very important skills.

In our efforts to provide an environment that fosters and supports learning and the exchange of ideas, the Bellingham Public School District has implemented a 1:1 Chromebook initiative in grades 6-12. In addition, grades K and 1 have Android tablets in the classroom, and grades 2-5 have carts of Chromebooks available in classes.

#### **Availability of Access**

Access to the Bellingham Public School District's filtered wireless network utilizing personal wireless devices shall be made available to students, employees, and guests primarily for instructional and administrative purposes, in accordance with the Acceptable Use Policy for Technology and this Agreement. **The use of private (3G/4G/5G, etc.) network access (i.e., Verizon, Sprint, etc.) on school grounds is prohibited. Users are prohibited from disabling, overriding, or circumventing district technology filters and protection measures.** Teachers, administrators, staff, and students are required to use the "BPSD" wireless network.

All Bellingham students and employees including staff, teachers, administration, etc are only authorized to use the "BPSD" Wireless network while in Bellingham school/admin buildings. Guests may request access from a school main office. Unless previously directed, no personal devices including all cell phones will use any other Wi-Fi network in Bellingham school/admin buildings. The BPSD-AppleTV Wi-Fi network is designated for specific, academic use and will not be used for personal use such as cell phones and personally-owned computers brought in from the outside.

Access to the District's electronic communications system is a privilege, not a right. All users shall be required to acknowledge receipt and understanding of all administrative regulations governing use of the system and shall agree in writing to comply with such regulations and guidelines.

### **Parent and Student Signature Page for Loan of Technology Form**

Any parent permitting their child to participate in the Bellingham Public Schools 1:1 initiative, must read, sign, and return this agreement that states family responsibility in regards to the device. Any parent permitting their child to use a school-owned technology device off campus will take full responsibility for the safety and security of that device, while it is in their possession off campus. Insurance options to cover the cost of replacement of school-issued equipment will be made available to parents.

1. The student is responsible for keeping his or her school issued device in their possession or properly securing it, at all times. The student is responsible for the proper care of school issued technology.
2. **The District reserves the right to confiscate and/or inspect school issued technology devices** if there is reason to believe that it was used to violate District policies, administrative procedures, school rules, or for general misconduct. Confiscated devices will be returned to the student at the end of the school day.
3. **Violations may result in the loss of privilege** to use technology in school, and/or disciplinary and legal action, as appropriate.
4. The student must comply with the teachers' request to refrain from using a device, verify/display the authentication login screen, or power down (turn off) the device.
5. The student may not use any devices to record, transmit or post photos or videos of a person without their knowledge and consent. Images, video, and audio files recorded at school may not be transmitted or posted at any time, without the expressed permission of a District faculty member. No student may record, in any manner, any school material, including but not limited to quizzes or tests, provided in School without permission of a teacher. Use of device to cheat or allow others to cheat on any school material is prohibited.
6. **The student should only use technology devices with consent and under the supervision of a District faculty member.**
7. **All users are required to utilize the District's secured wireless network to access the Internet.** Access to other networks, including but not limited to through a wireless Hotspot is prohibited.
8. Failure to comply with this policy may result in limitation, suspension, or termination of privileges, and other disciplinary action consistent with District policies.

### **Virtual Private Network (VPN) usage**

VPN usage on the Bellingham Public School District network (wired or wireless) is strictly prohibited without prior consent from the Director of Technology. While most VPN usage is typically useful and safe, the District wants to ensure VPN usage is for academic use only. Additionally, the District wants to ensure the VPN usage has been properly configured using data encryption and other security measures. The IT Department will offer pre-approved VPN applications upon approval of individual requests.

If a user is using a non-approved VPN, they may lose their privilege of using the school

network system including Wi-Fi access. The amount of time the student will lose access will be determined on a case-by-case basis between the building Principal and the Director of Technology. Generally, the loss of access will be a minimum of 30 days and a maximum of the remaining school year.

### **Mobile Hotspot usage**

Mobile Hotspots are intended to provide shared Internet access. All personal cellular phones or other devices capable of enabling a Hotspot are strictly prohibited without prior approval from the Director of Technology. While Hotspots can be very useful when regular Wi-Fi access is not available, there is no known academic value or use while inside school buildings where District Wi-Fi access is provided. Additionally, cellular-based Hotspots can create interference on WiFi networks.

If a user is using a Hotspot without prior consent from the Director of Technology, they may lose their privilege of using the school network system including Wi-Fi access.

### **Streaming Audio or Video**

The streaming of any online/Internet-based **music/audio streaming** (i.e., iTunes, Pandora, Spotify, Internet radio, etc.) is strictly prohibited for all users unless prior approval has been given by the Director of Technology. Approval will be considered based on the academic value of the content. This would include accessing iTunes for the purpose of updating approved apps and software for district-owned devices (i.e., iPads, etc.) Other exceptions may be considered on a case-by-case basis.

The streaming of any online/Internet based **video streaming** (i.e., Netflix, Hulu, etc.) is strictly prohibited for all users unless prior approval has been given by the Director of Technology. Approval will be considered based on the academic value of the content. Other exceptions may be considered on a case-by-case basis.

### **DOS (Denial of Service) Attacks**

Any device that has been determined to be involved in a Denial of Service Attack (DOS) will be immediately removed from the Wi-Fi network. Anyone using any software including a VPN that is involved with a Denial of Service Attack (DOS) will lose their Wi-Fi privileges and/or other punishment to be determined by the school administration. This may result in a loss of Wi-Fi privileges for the remainder of the school year. Before any device that has been determined to be involved in a Denial of Service Attack (DOS) is allowed to use District resources, the device must be wiped clean by way of factory reset or other means acceptable to the IT department. Refusal to do so will result in the device not being allowed to use District resources.

### **Bellingham High School student cell phone use policy**

Effective 8/31/2020, all Bellingham High school students will be allowed to bring cell phones to school; however, they will be required to shut their phones off while in class and put them in a holder, located in each classroom. Students will carry their phones between classes and repeat this for every academic period of the day. Failure or refusal to do so may result in the loss of phone privileges altogether.

### **Bellingham Memorial School student cell phone/personal device use policy**

The use of personally owned electronic devices is strictly prohibited at Bellingham Memorial School from the hours 7:45am - 3:05pm unless otherwise requested by a teacher for a specific learning activity, students who choose to bring personal electronic devices to include cell phones and personally owned tablets, must remember to turn them off when they enter the the school building in the morning and place the device(s) in their locker. **Due to the increase in security breaches and ransomware attacks, the District has adopted the use of Sophos Security Software. Any personally owned laptop will require the user to purchase and install Sophos Security Software before connecting to the BPSD network.**

Failure or refusal to do so may result in the loss of phone privileges altogether.

*Please remember that BMS is not responsible for lost, damaged or missing property.*

### **Adoption**

**This Acceptable Use Policy was adopted by the Bellingham School Committee at a public meeting, following normal public notice on August 10, 2021.**

**Updated and approved January 11, 2022.**