

JONAS CLARKE MIDDLE SCHOOL STUDENT HANDBOOK

2021-2022



17 Stedman Road
Lexington, MA 02421
<http://clarke.lexingtonma.org>
Tel (781) 861-2450
Fax (781) 674-2043

Dane B. Despres
Principal

Mary B. Barry-Ng
Assistant Principal

Jonathan R. Wettstone
Assistant Principal

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STUDENT HANDBOOK 2021-2022
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Bring your B.A.R.K. to Clarke!

Clarke Middle School uses the **BARK** acronym as a memorable way to express our school's positive culture and values. Why BARK? Our school's mascot is Jonas Bark, a bulldog punningly named after our school's namesake, Reverend Jonas Clarke, who was a minister and community leader in Lexington who participated in the American Revolution. Each of the letters in the BARK acronym stands for a pro-social value that we promote for all members of the Clarke community:

Balance:

- We all have multiple areas in our lives -- not just academic and school-centered. These different areas deserve our care, thought, and attention! Being well-rounded helps each of us be our own BEST self. This means that we strive to **balance** the demands of school, family, friends, sports, hobbies, etc.
- We achieve this **balance** by prioritizing and setting goals.
- Being **balanced** helps us manage our stress.
- **Balance** also means recognizing that your needs versus may be different from the needs of others.

Acceptance:

- We **accept** differences between ourselves and others, while also recognizing commonalities in groups.
- We try to understand our own strengths and areas for growth, as well as our limitations.
- We look for ways to include others.
- **Accept** change and outcomes by developing flexibility and building tolerance.
- **Accept** what you know and what you don't know, and avoid making assumptions about others/situations.
- Embrace the wonderful diversity of our school!

Resilience:

- We have a growth mindset, embracing mistakes and learning from failure.
- We strive to manage and regulate our emotions. We have empathy for ourselves when we struggle.
- We take healthy risks.
- We also try to support others' risks, mistakes, and failures.
- We practice flexible thinking (i.e., not all-or-nothing)
- We develop an understanding of what is permanent and what is temporary
- We practice reflection, self-awareness, and mindfulness.

Kindness:

- We are **kind** to others, treating them as we would want to be treated.
- We are aware of how our actions affect others.
- We are **kind** to ourselves.
- We recognize the **kindness** in others
- We believe in "paying it forward"; starting a chain reaction of **kindness** can have a profound effect on the lives of others.
- We are mindful of what **kindness** looks like (e.g., tone, facial expression, including, positive statements/acknowledgement of strengths)

GENERAL INFORMATION

Main Office

The Main Office is the general information and administration center for the school. The school secretaries will be available to take messages for Mr. Despres, Mrs. Barry-Ng, Mr. Wettstone and teachers. In an emergency, students can be contacted through the Main Office. Since the public address system cannot be used when classes are in session, parents are asked to remember that it can sometimes be difficult to locate teachers and students quickly. For those parents who would find it convenient to use email, Mr. Despres's, Mrs. Barry-Ng's, and Mr. Wettstone's respective email addresses are noted below.

ddespres@lexingtonma.org
mbarryng@lexingtonma.org
jwettstone@lexingtonma.org

Our website address is <http://clarke.lexingtonma.org>. Here you can find additional contact information, frequently asked questions, important notices, links to teacher webpages, and other important information.

Health Office: Joyce Towle and Michelle Wright

Children who show signs of illness in the morning should be kept at home for their comfort and safety and for the protection of others. Students who become ill or who are injured during the school day should report to the Health Office. Parents should ensure that they provide up-to-date information about emergency telephone numbers and contacts.

If your child has a chronic health condition or disability, please be sure to speak with the school nurse to make any provisions necessary for their well-being in school.

Medication During School: If your child will need medication during the school day, whether a daily medication, an inhaler or Epipen, or simply an over-the-counter pain relief medicine, a new medication order for the 2021-2022 school year, written by your physician and signed by a parent, must be on file in the Health Office. A small supply of the medication in its original labeled container should be provided. The exception to this is acetaminophen (Tylenol) and ibuprofen (Advil, Motrin), which the Health Office stocks. Medications are administered by the School Nurse in the Health Office.

Physical Examinations: All students new to Clarke Middle School must submit a current physical examination report accompanied by an immunization summary. The physical exam should have been within the past 12 months. This applies to all incoming 6th grade students, as well as students new to the Lexington Public Schools. Any student who wishes to participate in interscholastic sports must have a new physical exam on file in the Health Office each year. Students may not begin try-outs/practices until their exams have been received at school.

Vaccinations: All eligible students are highly encouraged to receive the COVID vaccination as well as a yearly Flu vaccination. In order to enter **grade 7**, all students must have received a Tdap booster and 1 dose of the Meningococcal vaccine. Please forward documentation to the school nurses with this information. Please refer to the [MA School Vaccination Requirements](#) document for up-to-date vaccination information during the 2021-2022 school year.

School Counseling Office

The school counselor, functioning as part of an academic team, is the central coordinator for student, parent and teacher communication. Meetings with the counselors or social workers may be arranged by calling the School Counseling

Office. Students and parents are encouraged to make appointments to meet with a school counselor or social worker if they wish to discuss matters related to a student's social, emotional, or academic growth.

The Cafeteria

Breakfast is available to all students between 7:30am and 7:50am daily. Students who eat breakfast must remain in the cafeteria until 7:50am.

Students are assigned to a lunch period with other students in their class. Assigned lunch periods vary daily. Hot and cold lunch, healthy drinks and snacks may be bought in the cafeteria. In August, ***Free and Reduced Lunch Applications*** are emailed to all registered student households. In order to receive Free or Reduced Lunch meals, a Free and Reduced Lunch Application must be completed and returned to the Operations Office. For eligibility Information as well as applications for Lexington's Free & Reduced Lunch program, please visit the link provided here: [Free & Reduced Lunch Applications](#)

LUNCH RULES	
Students have the responsibility:	
1.	to respond respectfully to all adults
2.	to form orderly lines
3.	to leave the food serving area and adjacent corridor as quickly as possible after making their purchase
4.	to be sure that their tables and the surrounding areas are clean and that waste materials are placed in the appropriate receptacles
5.	to remain seated throughout their meals, to refrain from disturbing others and to wait quietly for a faculty member to dismiss them

All books and other school materials must be stored on shelves provided. To help keep the building clean, students are reminded that food and drinks may be consumed only in the cafeteria.

Outdoor Lunch

On days when the weather permits, we will eat outside. When eating outside, all students are expected to clean up their trash, recycling, and composting.

Instructional Materials Center (IMC)

The Library at JCMS is a 21st Century learning environment that encourages inquiry and innovation. We offer a variety of print and digital resources in support of our middle school curriculum. We also provide students with access to technology (desktop and laptop computers, Chromebooks, green screen film-making, eBooks, downloadable audiobooks, etc.) to support their learning. Students often come in with their classes to research or select fiction reading. Many staff refer to the library as the "IMC". This acronym was created by the librarian who first worked in this building. IMC stands for *Instructional Materials Center*. We call the space both IMC and Library so don't get confused; both refer to the same awesome spot in the school building! Take a few minutes and explore our [website](#) as many resources can be found there. Let us know how we can help!

Cancellations and Delayed Openings

In case of inclement weather, school may be canceled or the opening delayed by one or two hours, depending upon conditions. Announcements in this regard are made beginning around 5:30 a.m.. A posting is also made on the LPS website: <http://lps.lexingtonma.org>.

PTO – Parent Teacher Organization

The Clarke PTO is a group of parents and teachers dedicated to our children's education. Their function is to support teachers and staff, fund cultural programs and grants, interface with other school programs, and help provide a rich and inviting environment for the Clarke community. They aim to provide communication among teachers and parents through our monthly meetings, periodic newsletters, a weekly calendar, the publishing of our student directory, weekly emails, and parent group meetings. We provide various forms on the school website that may be downloaded and printed for your convenience. We encourage families to join the PTO! Find out more information by accessing the [Clarke website](#) or going directly to the Clarke PTO website: <http://clarkepto.org>.

ACADEMIC AND EXTRACURRICULAR PROGRAMS

Academic Teams

Each student is a member of an academic team that will serve as the focal point of their middle school experience for the year. Students will meet with groups of students from their teams for English, mathematics, science, and social studies classes, as well as in homeroom and for a variety of other activities such as assemblies and field trips. Classes for other subjects will be composed of students from two or more academic teams. With the exception of 8th grade mathematics courses, classes are grouped heterogeneously.

Extra Help and Make-up Work

Teachers make themselves available for extra help and make-up work during WIN blocks. Students should take advantage of this opportunity whenever they need to meet with a teacher or have been requested to do so. Students should be sure to make arrangements with teachers during the school day to determine the location of extra help sessions. Clarke's Homework Club is open to all students and typically meets twice weekly after school.

WIN Block

Clarke has an Intervention/Enrichment program entitled WIN (What I Need). Our WIN block occurs three times each six-day cycle of our schedule. At the beginning of each six-day cycle, with the help of Clarke staff, students will have the opportunity to sign up for intervention or enrichment opportunities. Teachers will also have the opportunity to assign students to an intervention block if needed. For more information see the [WIN student guide](#) found on our website.

Standards-Based Assessment and Reporting

Clarke Middle School uses a standards-based report card. The purpose of standards-based instruction, assessment, and reporting is to communicate feedback to students and families about progress towards academic and process (non-academic) standards in a way that is equitable, clear, and consistent. Standards based instruction, assessment and reporting separates academic standards from non-academic standards, is measurable, and focuses on growth, reflection, and revision.

Each trimester, report cards are posted online for parents and students in the Otus family portal. In addition, progress reports are also posted at the midpoint of each term. Additional updates on student performance may also be issued whenever a teacher feels such communication is necessary.

Student Records

State and federal laws and regulations ensure parents' and eligible students' rights of confidentiality, inspection, amendment and destruction of student records. Copies of the Massachusetts Student Records Regulations are available from the Counseling Office. Please see Appendix 8 for additional information.

Standardized Testing and Research Studies

Students at Jonas Clarke Middle School participate in the MCAS at appropriate grade levels as required by the Massachusetts Department of Elementary and Secondary Education. Every other year, Clarke 8th graders are randomly selected to participate in the National Assessment of Educational Progress (NAEP) test, organized by the U.S. Department of Education.

Observations

Jonas Clarke Middle School appreciates and welcomes visitors; however, it is our practice that anyone requesting the opportunity to observe must submit a written request to the principal in advance of the date of the observation. Specific guidelines concerning observation protocols are on file in the office.

Release of Directory Information

- **What is directory information?**

Directory information is information that is generally not considered harmful or an invasion of privacy if released. Directory information, as defined by the Lexington Public Schools, includes the following:

Student name
Parent/Guardian name
Homeroom
Street address
Phone number
e-mail address
Date of birth
Major field of study
Dates of attendance
Weight and height of members of athletic teams
Class/year of graduation
Participation in officially recognized activities and sports
Degrees, honors and awards
Post-high school plans

- **What does the school/district do with this information?**

The school/district may include this information in certain school publications, such as a yearbook, newsletter, playbill, or honor roll, as appropriate. Occasionally, family contact information may be provided to outside agencies and community groups, such as the PTO or the Lexington Education Fund (LEF), at their request. This information is generally used to create family directories for outreach.

The district reserves the right to withhold any information if the district believes it is in the best interest of our students. However, the district will disclose information as required by law.

- **When is the school/district allowed to distribute directory information?**

The district may release student “directory information” without written consent, **unless you indicate that you do not want this information released. Each school will provide you with an online permission form to complete each year when your children begin school.**

Transfer of Student Records

Authorized school personnel of any school to which a student seeks or intends to transfer will have access to such student's complete record without further notice to, or receipt from, the eligible student or parents.

The Lexington Public Schools Homework Policy:

Introduction

As outlined in the Homework Policy approved by the School Committee on June 28, 2018, Lexington Public Schools defines homework as work that supports and enhances the learning of the curriculum. Educators use their professional judgment to ensure that homework assigned is meaningful, manageable, and developmentally appropriate. Educators recognize the variety of student learning styles and working pace, and take this into consideration when designing and assigning work. Within and across classrooms at a given grade, homework assignments may appear to be different in order to address individual student needs.

Cumulative demands of homework, especially for students at middle school and high school who regularly have homework assigned by multiple educators (who are not always able to coordinate with each other) can create unmanageable situations even for diligent learners. Changes to our district homework policy were informed by feedback from all stakeholders, and a general concern around student wellness.

Homework is not required, but when assigned, educators, students, and parents will follow this guide to ensure that the homework policy is effectively implemented.

Definitions of Types of Homework

Homework may take a variety of forms. The descriptions below are examples of the types of homework your child may be assigned during the year. Please note that the list below is not an exhaustive one, and that homework assignments often encompass multiple types and a variety of purposes.

- **Reading:** There is vast, conclusive research that reports a direct correlation between the amount of time students spend reading and their growth as learners. Although reading may be assigned as homework, it is also an essential life-long habit that helps students develop their vocabulary, improve fluency and comprehension, increase background knowledge, and expand the content to which they are exposed. Beyond reading for homework, we recognize the importance of reading for enjoyment and encourage all students and families to read for pleasure.
- **Completion:** This is work that helps students keep up with the classwork by allowing students the opportunity to finish work outside of the school day.
- **Practice:** This is work that reviews and reinforces skills and concepts taught in class. It helps students practice newly acquired skills to develop proficiency and confidence.
- **Preparation:** This is work that helps students develop confidence, encourages the acquisition of

background information, supports executive functioning skills, and prepares students to more fully participate in upcoming lessons, projects, or assessments.

- **Extension:** This is work that helps students take what they learn in class and connect it with real life. It requires students to transfer specific skills and concepts to new situations.
- **Creative:** This is work that helps students integrate multiple concepts and promotes the development of critical thinking and problem solving skills. This work gives students opportunities to “investigate and respond to an authentic, engaging, and complex question, problem, or challenge” (source: Buck Institute, www.bie.org).

1. Portions of the above definitions have been excerpted from the following sources: Toronto (Canada) School District, Wellesley (MA) High School, and Needham (MA) High School, as cited in Needham High School Handbook; Zervas Elementary School Handbook (Newton, MA); Buck Institute for Education, Project-Based Learning (www.bie.org).

Due Dates for Assignments Abutting School Vacations

When educators feel it is necessary to assign homework that has a due date near a school vacation (Thanksgiving, December, February, and April breaks), they must allow students adequate time to complete the assignment excluding the break period. Educators will adhere to the following guidelines when assigning the work and choosing a due date:

- Short term assignments (typically a one-night assignment) must be assigned at least two days/class periods before the break and may not be due the first day back from the break.
- Long term assignments must be assigned at least 5 days before the school break and not due at least until the 3rd day back after the break. Source: Needham (MA) High School

Homework Missed as a Result of Absence

Upon return to school from an absence, students--with the support of educators and parents--will develop a plan to complete make-up work within a reasonable amount of time. Assignments and due dates will be determined at the discretion of the educator, but will allow the student a minimum of two days to complete homework missed due to absence.

Roles and Guidance for Educators, Students, and Parents

Educators will:

- Adhere to Lexington Public Schools’ “No Homework” dates
- Post homework in classrooms and/or online before the school day is over and ensure that students know their homework assignment before leaving class
- Coordinate dates for tests or long-term projects with other educators when possible
- Communicate promptly with students, and when appropriate, with parents, when students are struggling to complete assignments
- Make assignments that are given over a weekend to be equivalent in length to a daily assignment
- Differentiate homework where needed
- Break long-term assignments into “chunks” and provide frequent check-ins
- Provide appropriate and timely response to all homework assignments
- Give clear, concise directions; allow time for students’ clarifying questions during class time

- Ensure that students who are absent know how they may make up homework

Students will:

- Record the directions for homework and learn where educators post assignments
- Ask questions, as necessary, to clarify directions for assignments
- Establish a routine for completing assignments and keeping materials in order
- Complete assignments neatly, on time, and accurately, to the best of their ability
- Plan time for the completion of long-term assignments
- When making course selections, consider ability to realistically complete assignments in a healthy manner

Parents will:

- Provide a suitable place for study
- Help students develop routine home study habits
- Limit assistance on assignments to ensure that the student's work is his/her own
- Encourage students to notify educators if they are experiencing difficulty completing assignments
- Be aware of long-term assignments and assist students in learning to budget their time accordingly
- Assist students in making wise and healthy course and course level choices

The Lexington School Committee Homework Policy approved on June 29, 2017 and the language in the implementation guidelines above replace all previous language relative to homework in all LPS student handbooks.

Conferences

Formal parent-teacher conferences will be scheduled in the fall only. Due to scheduling limitations, not all families will be guaranteed a conference. Parents who have specific concerns about a student's progress are encouraged to contact the academic team leader or teacher directly by leaving a message either via email or voicemail.

Human Sexuality Education

The Lexington Public Schools provides a comprehensive health education curriculum designed to provide students with the knowledge and skills to make responsible, well-informed personal health decisions. The health education curriculum in grades 5, 7, 8, and 9 covers a wide variety of topics, including human sexuality issues.

Under Massachusetts law and School Committee policy, parents or guardians have the right to exempt their children from any portion of a curriculum that primarily involves human sexual education or human sexuality issues by submitting written notification to the school principal. The written notification should specify the course/class from which the child is to be exempted. A child who is exempted will not be penalized because of the exemption. We may provide an alternative assignment for exempted students. A copy of the health education curricula and related materials is available in the school library. Please contact the Coordinator of Health Education with any specific questions.

Academic Integrity

Cheating of any form is strictly prohibited and any student involved is subject to disciplinary action. This includes, but is not limited to homework, class work, papers, reports, projects, tests, etc. Plagiarism is presenting someone else's words, opinions, or work as your own without appropriate acknowledgement. Please refer to Appendix 1 for more information regarding computer use.

Extracurricular Activities

A wide variety of athletic and extracurricular activities complement the academic program. In addition to those activities mentioned here, activities may be offered depending on interest and need. Extracurricular activities are announced in the morning and afternoon and posted on our website under ***Daily Announcements***.

In order to be eligible to participate in any extracurricular organization (including athletics) a student must secure a passing grade in all subjects during the last marking period preceding the activity. In addition, a student must be present in school on the day immediately preceding the event. This includes athletic events, extracurricular clubs, and school sponsored dances. The administration may restrict or deny participation to any student involved in serious or repeated infractions of the school's disciplinary code.

Athletics

The Lexington Public Schools has membership in the Massachusetts Interscholastic Athletic Association (MIAA) and subscribes to all policies and procedures of this association. Competition in the Middlesex Junior High School League will take place in field hockey, boys' and girls' soccer, boys' and girls' basketball, baseball and softball, boys' and girls' track and field, and cross country. Daily attendance at practices and games is required at this level.

General information about the intramural and interscholastic athletic program is available on our website. Further details will be available at the beginning of each season. Parents who are in need of financial assistance or who have further questions in this regard should contact the administration.

Student Government

SGA (Student Government Association) is the student council group at Clarke. Meetings are held throughout the school year and are mostly held before the school day. The SGA's function is to provide a channel for student suggestions, a group to organize student-initiated activities, and a link between faculty, students, and administration.

Math Team

Our math team competes throughout the year at school, local, state and national levels. ALL students are given several chances to try out for our various competitions and teams and practice materials are provided for any student interested in exploring mathematics competitions.

Drama Productions

Throughout the school year, students are given the opportunity to audition for roles in the two productions (drama and musical). Students also participate as actors and directors in student-directed scenes.

Community Service

Students are provided many opportunities to help others by participating in community service activities throughout the school year. Opportunities are often announced during morning and afternoon announcements and more information can be found on our website under ***Daily Announcements***.

SCHOOL RULES AND POLICIES

FOR A DETAILED EXPLANATION OF ALL LEXINGTON PUBLIC SCHOOLS POLICIES, VISIT
<https://z2policy.ctspublish.com/masc/browse/lexingtonset/welcome/root>

Information regarding applicable statutes and the full text of certain policies adopted by the Lexington Public Schools, including policies regarding discrimination, student conduct and discipline, sexual harassment, hazing, drugs and alcohol, tobacco, parent/guardian notification relative to sex education, student Internet use, life threatening food policy, wellness policy, and school records, are set forth in the Appendix included as part of the complete version of the Student Handbook. Parents/guardians and students should carefully review these policies.

MIDDLE SCHOOL STUDENT ATTENDANCE POLICY

Massachusetts Law requires compulsory attendance for all students. Chapter 76, section 1 of the Massachusetts General Laws requires all children between the ages of six and sixteen to attend school. The school must uphold state laws relative to student attendance.

We strongly discourage family vacations when school is in session. In addition to compromising the attendance law, family vacations interrupt the educational process of each course in ways that make-up work cannot reverse. Teachers are not required to provide work in advance. It is the student's responsibility to ask each teacher for make-up assignments.

Student Absence Notification Program

At the commencement of each school year, parents/guardians will be sent a notice instructing them to call a designated telephone number or respond to this [absent form](#) located on the Clarke website by a designated time to inform the school of the student's absence and the reason for such absence. The notice will also require such parent or guardian to provide the school with a home, work or other emergency telephone number where they can be contacted during the school day. If the school does not receive a message from the parent/guardian by the designated time, then the school shall call the telephone number or numbers furnished to inquire about the student's absence. Parents will be contacted within three (3) days of the student's absence if the Parent(s) or Guardian has not contacted the school regarding the absence.

Students arriving late to school must report to the main office with their parent/guardian or with a signed parent/guardian note.

Parents/guardians are encouraged to contact school staff and work collaboratively with them to correct the reasons that the student is missing school.

Middle School Attendance Policy for Absent and Tardy Students

A meeting will be scheduled with the building Principal (or his/her designee), the Parent(s)/Guardian and the student to develop an action plan to improve the student's attendance if a student has accrued any of the following:

- Five (5) or more unexcused absences in the school year
- Five (5) or more days tardy (unexcused)
- Two (2) or more classes/periods (unexcused)

Please note that when a student has been absent for five (5) or more consecutive days, parents must obtain a doctor's note and submit it to school.

*If a student is absent for eight or more days in a quarter, school officials may file a CRA (Child Requiring Assistance) petition with the Juvenile Court, which could result in a hearing before a Juvenile Court Judge. Prior to the filing of a CRA, Families and Students will be required to work with school administrators to improve the student's attendance. **Chronic absenteeism may also lead to academic failure for the year and retention of the student.***

An **Excused Absence/Tardy** includes:

- Documented illness or injury
- Bereavement/family funeral
- Major religious observations
- Extraordinary family circumstances (excused at the discretion of the principal)

An **Unexcused Absence/Tardy** is any absence or tardy that is not covered by the aforementioned definition of "Excused Absence/Tardy". Examples of an unexcused absence may include, but may not be limited to:

- Repetitive or chronic absence or tardiness due to illness or injury not documented by a doctor or other medical professional.
- Cutting class
- Truancy
- Family vacations
- Undocumented absences
- Non-emergency family situations

Before School Protocol

- The school building opens to students at 7:50am. Students may enter the building at 7:30am to attend breakfast and must remain in the cafeteria until 7:50 am. Faculty members who wish to meet with students in the morning must provide them with a pass to either enter the building early or leave the cafeteria prior to 7:50am.
- On days when weather conditions are poor, students may enter the building earlier and will be supervised by school staff in designated areas until 7:50 am, when they will be allowed to proceed to their lockers and respective homerooms.
- Students who arrive to homeroom after 8:00 am will be marked tardy by their homeroom teacher.

During School Protocol

- Students who need to be dismissed from school during the day must present a note from a parent in the main office between 7:50am and 8:00am. In emergency or unforeseen circumstances, the Principal or their designee may dismiss a student upon parent request.
- If a student whose name does not appear on the daily attendance has been absent from class, teachers must report the absence to the main office. Teachers must notify the attendance secretary if a student who is present is marked absent on the daily attendance.
- When in the hallways during class, all students need to have a pass. If another student is using the classroom pass, students need to wait until it is available unless special circumstances allow the student to leave the classroom, e.g. IEP or 504 accommodations.
- No student may leave school grounds without permission. Leaving without permission will automatically result in disciplinary action.

After School Protocol

- Students are expected to leave the building at 2:40 pm, unless supervised by an adult. Students who stay and are unsupervised will be asked to leave. Unsupervised students will be reported to an administrator and their parents will be called.
- Students who are absent from school may not attend or participate in any extracurricular functions such as intramurals, dances, concerts, or the play, the same day.

Backpacks and Lockers

1. After receiving their schedules, students are advised to develop a plan to return to their lockers at strategic times to ensure that they arrive in classes on time with all of the materials they need and without being overburdened.
2. Lockers are the property of the school and are subject to inspection at any time. Due to fire code regulations, decorating the exterior of the locker is not permitted.
3. **For 2021-2022:** Students should limit their locker use to 2-3 times a day, so as to minimize the total amount of time they will be within 3 feet of their locker neighbors over the course of the day.

Dress

Our clothing should support our safe and appropriate participation in school activities and school-sponsored events. We should be able to dress comfortably for school and engage in the educational environment without fear of, or actual, unnecessary discipline or body shaming. Hats and hoods are allowed, as long as our face is visible to school staff.

By law, the rights of students as far as personal dress and appearance may not be abridged except if school officials determine that such personal dress and appearance cause any disruption or disorder in school by violating reasonable standards of health, safety, cleanliness and/or infringe on the rights of others. Personal dress and appearance which describes or depicts illegal activities (e.g. use of drugs or weapons); describes or depicts prohibited conduct, including but not limited to lewd, vulgar or obscene content and/or content which disrupts or substantially interferes with the educational process or with another student's ability to receive an education is also prohibited.

We recognize that school staff will enforce the dress code consistently and in a manner that does not reinforce or increase marginalization or oppression of any group based on race, sex, gender identity, gender expression, sexual orientation, ethnicity, religion, cultural observance, household income or body type/size.

Civil Rights Guidelines

Lexington Public School District is committed to the belief that every student has the right to learn in an environment that is free from violence, harassment, and discrimination, including that based on a person's race, color, religion, national origin, ethnicity, gender, gender identity, sexual orientation or disability.

Hate Crimes

Students have the right to attend school without being the victim of physical violence, threats of harm, intimidation, or damage to their personal property. A hate crime has occurred when a student is targeted for physical assault, threat of bodily harm, or intimidation, at least in part because of his or her race, color, religion, ethnicity, national origin, gender, gender identity, sexual orientation, or because he or she has a disability.

Some indicators include:

- Use of racial, ethnic, religious, sexual, or anti-gay slurs;
- Use of symbols of hate, such as a swastika or a burning cross;
- Similar behavior by the wrongdoer towards other students from the same racial, ethnic, or religious group or against students of the same sexual sexual orientation, gender identity, or gender;
- The victim was participating in an activity supporting a particular racial, religious, ethnic/national origin, disability, gender, gender identity or sexual orientation.

Reference: The Massachusetts Civil Rights Act, M.G.L. c. 12, s 11

Harassment

(Reference School Committee Policy: [JBA Student-to-Student Harassment](#))

Harassment in school occurs when a student's or an adult's behavior or inappropriate language creates a hostile, offensive, or intimidating school environment. A hostile, offensive, or intimidating school environment may be created by the following:

- Degrading, demeaning, insulting, or abusive verbal statements, or writings of a sexual or racial nature, or related to a student's race, color, religion, national origin, ethnicity, gender, gender identity, sexual orientation, or disability;
- Graffiti, slogans, or other visual displays which contain racial, ethnic, or religious slurs or insults based on the student's gender, gender identity, sexual orientation, or disability;
- Treatment of a student in a more or less favorable way because the student submitted to or rejected sexual advances or requests for a social relationship; and
- Unwelcome sexual advances, including same-gender harassment.

Reference: Massachusetts Student Anti-Discrimination Act (M.G.L. c. 76, s 5), Title II of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, Title VI of the Civil Rights Act of 1964 and Title IX of the Education Amendments Act of 1972.

Bullying

(Reference School Committee Policy: [Bullying Prevention and Intervention Plan](#))

Bullying is the repeated use by one or more students of a written, verbal, or electronic expression or physical act or gesture or any combination thereof, directed at a target that:

- causes physical or emotional harm to the target or damage to the target's property
- places the target in reasonable fear of physical harm or damage to personal property
- creates a hostile environment at school for the target
- infringes on the rights of the target at school, or
- materially and substantially disrupts the education process or orderly operation of a school.

See the [Clarke website for more information about the Anti-Bullying policy](#) and [reporting process](#).

Discrimination

(Reference School Committee Policy: [JI: Student Rights and Responsibilities](#) and [JB: Equal Educational Opportunities](#))

Every student is entitled to equal educational opportunities. A student may not be subjected to discipline or more severe punishment for wrongdoing nor denied the same rights as other students because of his or her race, color, religion, national origin, ethnicity, gender, gender identity, sexual orientation, or disability, including in:

- Course registration
- Counseling and course instruction; and
- Extracurricular activities and athletic programs.

Students may not be denied registration in public schools on the basis of their own citizenship or immigration status, or that of their parents or guardians

Under state and federal law, students with disabilities are protected from discrimination and are eligible for reasonable accommodations or modifications in the school environment so that they may enjoy equal access to educational opportunities.

Reporting

(Reference School Committee Policy: [JII Student Complaints and Grievances](#))

Victims of any violations of these laws should report to:

School Principal (serves as the building Non-Discrimination Coordinator), and

For students: Valerie Viscosi, Director of Counseling or Dr. Julie Hackett, Superintendent of Schools

For employees: Dr. Christine Lyons Assistant Superintendent for Personnel and Staff Support, or Superintendent of Schools, Dr. Julie Hackett

In addition, the following agencies may also provide support and/or information:

- Massachusetts Department of Elementary and Secondary Education (DESE) www.doe.mass.edu/pqa/prs 781-338-3000
- Massachusetts Department of Children and Families (DCF) www.mass.gov/eohhs/gov/departments/DCF 1-800-792-5200
- Massachusetts Office of the Attorney General; Civil Rights Division www.mass.gov/ago 617-727-2200
- Massachusetts Commission Against Discrimination (MCAD) www.mass.gov/mcad 617-994-6000
- U.S. Department of Education Office for Civil Rights www.ed.gov/ocr 617-289-0111

These guidelines are taken from the Office of the Attorney General of Massachusetts "Guide to Civil Rights in Schools" June 2018.

Disciplinary Policies

All students are expected to conduct themselves in a manner that reflects an understanding of their responsibilities as members of the Jonas Clarke Middle School community and the rights of other students, faculty members and visitors to our school. (Please refer back to our BARK pro-social values.) Violations of school or classroom rules create an unsafe environment and have a negative impact on a student's ability to profit from educational experiences.

The following is a list of **rights, norms, and behavioral expectations, as well as consequences for not meeting certain expectations**. Students should be aware that the list does not attempt to state every type of behavior that may result in disciplinary consequences. Federal and state law provide certain procedural rights and protections relating to discipline of students who have been identified under such laws as having special needs based upon a disability. A copy of these rights may be obtained from the Assistant Principal.

Students should be aware that the school department will report any suspected criminal activity to the school resource officer, the police department, and will cooperate with the police in their investigations. For more detailed policies and state legal requirements relating to student conduct, disciplines, and procedures, see Appendix 2.

STUDENT & STAFF RIGHTS, NORMS, AND BEHAVIORAL EXPECTATIONS

Students and staff have a responsibility to contribute to an environment that is safe, comfortable, and conducive to productive and satisfying learning. In particular, we all have a responsibility to conduct ourselves in a manner that respects the rights of other students, staff, and visitors to our school, specifically:

- the right to courtesy and respect at all times;
- the right to a safe, non-threatening learning environment; and
- the right to work hard and learn in an environment free from distraction.

Clarke Norms

BARK (see page 2 of this document) is our school-wide positive behavioral intervention program that articulates how we create and maintain a positive learning environment for staff and students and carry out the core values of the district.

Clarke Expectations

Expectation #1: We treat others with respect. Harassment such as bullying, name-calling, teasing, ridiculing, displaying offensive graffiti, intimidating, threatening, or discriminating is not acceptable. You should tell individuals behaving in a disrespectful manner towards you or someone else that you want them to stop. Report the behavior if it does not stop. This applies to social media, too. When a staff member asks you to comply with any of our norms and expectations, you are expected to follow their direction.

Expectation #2: We *walk* in the hallways. We refrain from participating in distracting behaviors, especially those that are inappropriate to a school setting such as foul language, running, loudness, “just fooling around,” and excessive displays of personal affection (e.g., kissing). Fighting and inappropriate physical contact (pushing, hitting, kicking, etc.) is forbidden.

Expectation #3: You may not go into anyone’s personal property or into lockers assigned to others, or damage the school’s or anyone else’s property. This includes “popping lockers.” We may not access anyone else’s computer documents, except when collaborating appropriately. Additionally, we treat the school building with respect, refraining from littering, marking graffiti, and damaging the building.

Expectation #4: Our philosophy on cell phone usage is that it should not interfere with learning or be used in any way that could be deemed inappropriate (ie. taking photos without permission, cyberbullying, etc.). Therefore, cell phones should not be out during the school day, unless otherwise directed by the classroom teacher for a specific assignment. Administrators retain the right to confiscate the personal electronic device of a student who violates this policy.

Expectation #5: Possessing, using, distributing, or being under the influence of tobacco products, alcohol, or controlled substances on school premises; or having a lighter, incendiary device or dangerous weapon on school premises is unacceptable and forbidden. We want to help students and staff who are facing these challenges; inform a trusted adult if you or a friend.

Behavior Consequences

Administration works to match the consequence with each situation.

Consequences can range from:

- Parent Notification
- Administrative Detention (morning, lunch, or after-school)
- Loss of Computer, Digital Device Privilege
- Hearing with the student, parent and an administrator.
- Repeat occurrences can lead to suspension
- Short term or long term in-school or out-of-school suspension from school
- Expulsion (i.e. permanent exclusion) from school

Administrative Detention

- Administrative detention will be assigned by the principal or assistant principal who will inform the student of this obligation.
- If a student fails to meet this obligation, parents will be notified.
- An administrative detention will supersede athletic events, practices, or other school-related activities.

Suspensions

Suspensions may be short-term or long-term. 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. 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.

Suspensions may also occur in-school or out-of-school. In-school suspension is the removal of a student from regular classroom activities, but not from the school premises, for no more than ten (10) consecutive school days, or no more than ten (10) school days cumulatively for multiple infractions during the school year. 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/her discretion, allow a student to serve a long-term suspension in school.

During the course of any suspension, a student is ineligible to participate in any school-related activities, including athletic activities. The student and his/her parents are expected to meet with a school administrator prior to the student's return to class. During the course of an out-of-school suspension, a student can not be on school premises.

Due Process is explained in detail in Appendix 2.

Transportation

Excerpt from TRANSPORTATION POLICY OF THE LEXINGTON PUBLIC SCHOOLS

1. School children in grades K-6 shall be transported without charge if they live two miles or more from the school to which they are assigned.
2. Students who are not entitled to transportation between home and school free of charge may purchase a ticket to ride the bus for the school year in accordance with rates approved by the Lexington School Committee.
3. Distances will be measured from the sidewalk or public way in front of or nearest to the homeowner's property, to the closest entrance door of the school to the homeowner's property
4. The responsibility of escorting children across the street when sidewalks are only on one side and/or where the bus stop is on the opposite side of the street shall rest with the parents of the child involved.
5. The procedure of handling behavior problems, including bad language, on school buses shall be published in each student handbook.

Regulations for Middle School Bus Students

The school discipline code is in effect during all school-sponsored activities including, but not limited to, transportation. Consequently, violation of the school's discipline code on the bus or when loading or unloading may result not only in removal from the bus but also exclusion from school, up to and including expulsion.

The procedure for handling behavior problems, including bad language, on school buses shall be as follows:

- A. First Offense - A letter shall be sent from the principal or designee to the student's parents advising the parents of the misbehavior.
- B. Second Offense - Bus privileges may be revoked for a two-week period and parents shall be so notified by the principal or designee of the school the student attends.
- C. Subsequent Offenses - The school may revoke bus privileges for any subsequent offenses.

AT SCHOOL

- Walk to the bus line after the bus has arrived
- Whenever possible, stay on the sidewalk or patio while walking to the bus

ON THE BUS

- Find a seat on the bus quickly
- No saving seats
- Do not block the aisle
- 2-3 students are permitted in a seat
- Stay seated while the bus is moving. Wait until it stops before getting up
- Keep hands and all articles in the bus
- Open windows only with the permission of the driver
- Use school appropriate language on the bus
- Be respectful to the bus driver

AT THE BUS STOP

- Students and their parents are responsible for being at the bus stop on time.
- Students and their parents are responsible for the students' safety and conduct at the bus stop.

FOR STUDENTS WHO DO NOT TAKE SCHOOL BUSES

Parents who drive students to and from school may use the parking lots by the tennis courts or the lower parking lot (running along the brook). **Please do not use the back entrance of the school (via Allen Street) for dropping off or picking up students.** For safety reasons, Stedman Road is closed to all traffic and will only be used by school buses for both drop-off and pick-up. The area designated for drop-off and pick-up of students arriving by car is located along the side of the building near the front and gymnasium entrance. Please be sure not to block the handicapped spaces during drop-off and pick-up and cars should pull up as far as possible towards the gymnasium entrance.

Bike racks are located in front and rear of the school. In the front of the school, bike racks are located outside the new entrance to the gymnasium, along the side of the school. Students who approach the school from Brookside Avenue should use the sidewalk along the brook taking them over the pedestrian bridge. In the rear of the school, bike racks are located outside the classrooms, along the pathway from Stedman Road.

In the interest of safety...

- once on the sidewalk, students should walk their bikes to the bike rack
- students may not use skateboards, scooters, etc. on school property

Crossing guards are posted at the intersection of Waltham Street and Brookside Avenue and on Marrett Road at the entrance to the Stedman Path.

Appendix 1

Lexington Public Schools Guidelines For Student Internet Use

Lexington Public Schools School Committee Policy: [IJNDB](#)

1.0 Purpose and Acceptable Use

1.1 The Lexington Public School (LPS) district provides and maintains sophisticated computer systems and network resources to support the delivery of education and the administration of the district's operation. The computer systems and network resources include desktop workstations, laptops, handheld computer devices, applications, internal networks (both wired and wireless), servers, online databases, and access to outside networks, including the Internet, all of which are referred to hereinafter as "computing systems." This policy and guidelines apply to all users of LPS computing systems including students, staff, and, where applicable, guests and adult learners.

1.2 The policy defines the educational and administrative purpose of using computers in the Lexington Public Schools and applies to all LPS staff.

1.3 The technology mission of the LPS is to ensure access to appropriate technology in our educational community to support and enhance student learning, staff instruction, school communication and data management. The Lexington Public Schools fulfills this mission by offering an institutional network between the schools, as well as internet access to staff and students. Our goal in providing this service to staff and students is to promote the educational excellence by facilitating resource sharing, innovation, and communication.

1.4 LPS permits its staff to use the LPS computing systems for incidental personal use as long as the computing systems are not used in a manner that violates this policy and such use is limited to times before or after work hours, during non-assigned teaching or duty time, and lunch periods.

1.5 This policy describes acceptable and unacceptable uses of LPS computing systems, but these descriptions are not exhaustive lists of all acceptable or unacceptable uses. Any user who has a question regarding whether or not a particular activity is acceptable should seek guidance from the Building Principal or the Superintendent.

2.0 Roles

2.1 The **Director of Educational Technology** (or designee of the Superintendent) will oversee and approve the programmatic direction, selection, and distribution of technology services and tools to support the overall goals of the district.

2.2 The **Director of Technology** (or designee of the Superintendent), working with the technology staff, will oversee access to all network and computer systems and will establish processes for setting up. user access protocols, accounts, authorization of installation of all software and hardware architectures, required disk quota and usage on the system, backup, retention and archive schedules, virus protection, infrastructure configuration, security, web content filtering and other necessary activities to support the educational goals of LPS.

2.3 **Principals** (or designee of the Building Principal) will serve as the building coordinator for all computing systems and network related activities. The building coordinator, in partnership with the Director of Educational

Technology and the Director of Technology and applicable curriculum leaders, will coordinate building level technology activities. Together they will ensure that staff receives training in the use of all systems and this policy. They will establish a system to ensure that students using any computing resources receive appropriate supervision and understand how to use all systems responsibly.

2.4 Teachers, when using the Internet for instruction, are responsible for selecting materials that are relevant to curriculum objectives and are appropriate for students. Teachers are responsible for previewing all sites and resources to determine appropriateness to the classroom. Teachers also are responsible for modeling effective and appropriate use of technology and will assist students in developing skills to ascertain the reliability of information, distinguishing bias and quality of information as it relates to their research.

2.5 LPS will develop a coordinated web presence to provide information about the district. LPS will develop and inform parents of expected channels of communication.

3.0 Access to the System and Resources

3.1 Staff. LPS will provide this policy to new staff at the time of hire. Any staff member who signs the computing systems access agreement will have access, with the permission of his/her supervisor, to the following computing resources through their classrooms, offices, library media centers, and/or computer and mobile labs: e-mail including conferencing and collaboration tools, web hosting, online subscription databases and information services, LPS servers for secure file storage, and all resources and tools found on the internet/world wide web. Resources may change as technology develops; these, too, however, will fall within the purview of this policy. Building Principals (or designee) will ensure that computing systems access agreements are signed and maintained.

3.2 Students. Students will have appropriate access to the Internet and LPS network through the schools' computers.

3.3 Other Users. Guest accounts may be established for, for example, temporary staff (e.g. long term substitutes, service vendor, interns, student teachers, community education instructors). A guest's access may be limited.

4.0 Disclaimer

4.1 LPS makes no warranties of any kind, either express or implied, that services provided through its computing systems will be the accuracy or quality of the information obtained through the system. Users of LPS's computing systems assume full responsibility for their use of the system including, but not limited to, loss of data, interruptions of service, costs, liabilities, or damages.

5.0 Ownership/Privacy

5.1 The LPS computing systems are the property of the LPS. As such, a user's activities and files are subject to inspection by the administration at any time. LPS has the right to monitor and log any and all aspects of its computing systems including, but not limited to, monitoring Internet usage, file downloads, and all communications.

5.2 Users should not have an expectation of privacy regarding any use of the LPS computing systems.

5.3 E-mail that is created or received by a public school employee is a matter of public record and may be subject to public production in accordance with the Massachusetts public records law.

6.0 Unacceptable Uses

6.1 LPS computing systems may not be used for political or social advocacy or solicitation. This prohibition includes fund raising or advocacy for any non-school organization or group.

6.2 LPS computing systems may not be used for entertainment, illegal purposes (or support of illegal activities), or commercial purposes such as, but not limited to, offering, providing or purchasing goods and/or services for personal use or gain. In addition, the computing systems cannot be used as a public access service or a public forum. As such the district reserves the right to place reasonable restrictions on the materials users can access or post through the LPS computing systems.

6.3 Users may not use the LPS computing systems to obtain or share information about staff, students or families for any non-school purpose.

6.4 Users are prohibited from copying copyrighted material without authorization from the copyright holder unless the copies are used for teaching (including multiple copies for classroom use), scholarship or research. If there is uncertainty as to the extent of copyright protection for Internet materials, users must obtain permission to use material from the copyright holder.

6.5 Users shall not attempt to gain unauthorized access to files or accounts using LPS computing systems or network.

6.6 Users shall not vandalize the LPS computing systems by, for example, causing physical damage, reconfiguring the computer system, attempting to degrade or disrupt the computing systems, or destroying data by spreading computer viruses or by any other means. Anyone who vandalizes the LPS computing systems may be responsible for the costs associated with hardware, software and/or system restoration. This covers equipment, materials, software and/or data.

6.7 Users shall not pretend to be someone else when sending or receiving electronic communications.

6.8 Use of another person's password or account is strictly prohibited.

6.9 It is unacceptable to attempt to read, delete, copy, or modify the electronic communications of other users or to interfere with other users' ability to send or receive communications.

6.10 Users shall not access, send, or forward materials or communications that are defamatory, pornographic, obscene, sexually explicit, threatening, harassing, profane, or inflammatory.

6.11 Users shall not download or install any commercial software, shareware, freeware or similar types of materials on the LPS computing systems without prior approval and authorization from the technology department.

7.0 Internet Safety

7.1 Use of the Internet has potential dangers. Users are encouraged to read information that the Massachusetts Office of the Attorney General has published on Cyber Crimes and Internet Safety which is found on the Commonwealth of Massachusetts government website (www.mass.gov; search "attorney general" to find website for Office of the Attorney General, where you will find "Cyber Crimes and Internet Safety" under "Community Safety" heading).

7.2 All users are granted individual accounts and agree to keep passwords secure. Users are responsible for their accounts, credentials, security codes, and passwords and will not share or allow others access to them. Users are responsible for keeping these secured and for reporting any suspected breach to the Building Principal.

7.3 Users will refrain from revealing private information (e.g. addresses, phone numbers) in any school-related electronic communications including email, web, or other network tools.

7.4 When accessing schools resources and data from any systems (including outside the LPS network), staff will use due caution to protect the privacy and integrity of student data.

8.0 Data and Control

8.1 LPS has the right to re-image any computer as necessary.

8.2 LPS is responsible for the provision, installation and maintenance of all software and maintaining proper licensure.

8.3 No personal data or files should be stored on the local machine, which is the property of LPS.

8.4 The school district provides all users with network accounts and storage. It is the users' responsibility to insure that all files and data are stored on the network servers. The District conducts regularly scheduled backups to prevent against loss or corruption. However, the school district cannot guarantee that all information can be recovered in the event of a catastrophic failure.

8.5 The district maintains a disaster recovery plan to insure against loss of data and or services.

8.6 Responsibility for backing up any hand-held or mobile device issued to a school district user falls upon the user. The District is not responsible for providing backups for these devices.

9.0 Hardware/Software

9.1 Any and all equipment issued by LPS for use by any user must be treated with due care. We are all responsible for ensuring equipment is not damaged or stolen. Abuse, damage or improper use should be reported immediately to the Building Principal and the Director of Technology.

9.2 Any LPS owned (or leased) computer or device (including but not limited to laptop computers, netbooks, iPod, projectors, digital cameras, hand held devices, etc.) that are to be taken off the building premises may be checked out of the library (with standard lending agreements in place) or loaned from the building or district office when (and only when) there is a signed agreement in place which specifies responsibilities and care for the device

9.3 Any and all issues or problems related to any hardware, software, system or network must be reported to the technology department using the LPS reporting system.

9.4 LPS does not support equipment brought in from the outside by any user.

9.5 A user who wishes to use outside equipment (i.e. equipment not owned or provided by LPS) on school premises must complete an application form before bringing such outside equipment onto school premises. In addition, the Director of Technology must give advance written permission before any outside equipment is used on school premises. Student users also must obtain advance written permission from their Building Principal and parent/guardian.

9.6 Users understand that the district accepts no liability or responsibility for outside equipment brought into the system.

9.7 The District reserves the right to confiscate or disable any outside equipment that interferes with the operation of the network, systems, or provided services.

9.8 LPS is not responsible under any circumstances for damage to, or loss of, equipment brought in from the outside.

10.0 Violations

10.1 Access to LPS's computing systems is a privilege not a right LPS reserves the right to deny, revoke, or suspend specific user privileges and/or to take disciplinary action up to, and including, suspension, expulsion (students), and dismissal (staff) for violations of this policy.

10.2 LPS will advise appropriate law enforcement agencies of any illegal activities conducted using LPS's computing systems. LPS also will cooperate fully with local, state and/or federal officials in any investigation related to any illegal activities conducted through the LPS computing system.

Appendix 2 Dangerous Weapons, Controlled Substances & Assaults on Educational Staff

Massachusetts General Laws Chapter 71, section 37H requires that all student handbooks contain the following provisions:

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

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

(c) Any student who is charged with a violation of either paragraph (a) or (b) shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the principal.

After said hearing, a principal may, in his discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraph (a) or (b).

(d) Any student who has been expelled from a school district pursuant to these provisions shall have the right to appeal to the superintendent. The expelled student shall have ten days from the date of the expulsion in which to notify the superintendent of his appeal. The student has the right to counsel at a hearing before the superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section.

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

Students should note that the definition of “assault” includes not only harmful or offensive contact, but also threatening such contact.

Additionally, students should be aware that the federal Gun Free Schools Act mandates that any student who brings a firearm to school be expelled for a minimum of one year, with exceptions granted only by the Superintendent. Under this Act, a firearm includes not only a gun but also an explosive device.

Massachusetts General Laws Chapter 71, section 37H 1/2 provides that:

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

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

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

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

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

Appendix 3: Procedural Due Process

A student will not be excluded from school without being afforded appropriate due process as set forth below. If, however, a student's continued presence in school poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the administrator's, judgment there is no alternative available to alleviate the danger or disruption, a student who is charged with a disciplinary offense may be removed temporarily from school before receiving due process pursuant to an Emergency Removal (see below for more information).

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

1. The administrator will inform the student of the disciplinary offense charged, the basis for the charge, and provide the student an opportunity to respond. If the administrator determines that the student committed the disciplinary offense, the administrator will inform the student of the length of the student's in-school suspension, which may not exceed 10 days, cumulatively or consecutively, in a school year.
2. On the same day as the in-school suspension decision, the administrator will make reasonable efforts to notify the parent orally of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension. The administrator will also invite the parent to a meeting to discuss the student's academic performance and behavior, strategies for student engagement,

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

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

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

The Principal may 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 such due process procedures.

II. Short Term, Out-of-School Suspension. Except in the case of an Emergency Removal (see below), prior to imposing a short term out-of-school suspension (10 days or less in a school year) for conduct not covered by M.G.L. c.71, §37H and 37H ½, an administrator will provide the student and his/her parent oral and written notice and an opportunity to participate in an informal hearing.

1. **Notice:** The written notice to the student and the parent will be in English and in the primary language of the home if other than English, or other means of communication where appropriate and will include the following:

- A. the disciplinary offense;
- B. the basis for the charge;
- C. the potential consequences, including the potential length of the student's suspension;
- D. the opportunity for the student to have a hearing with the administrator concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident, and for the parent to attend the hearing;
- E. the date, time, and location of the hearing;
- F. the right of the student and the student's parent to interpreter services at the hearing if needed to participate;

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

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

3. Format of Hearing: The administrator will discuss the disciplinary offense, the basis for the charge, and any other pertinent information. The student also will have an opportunity to present information, including mitigating facts that the administrator should consider in determining whether other remedies and consequences may be appropriate. The administrator will provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the administrator should consider in determining consequences for the student.

4. Decision: The administrator will provide written notice to the student and parent of his/her determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal. The notice of determination may be in the form of an update to the original written notice of hearing.

III. Long Term Suspension

Except in the case of an Emergency Removal provided on page [31], prior to imposing a long-term suspension (more than 10 days of suspension, whether in-school or out-of-school, whether consecutive or cumulative for multiple offenses during a school year), an administrator will follow the procedures for short-term suspension plus additional procedures as follows:

1. Notice: The notice will include all of the components for a short-term suspension in Section C above, plus the following: In advance of the hearing, the opportunity to review the student's record and the documents upon which the administrator may rely in making a determination to suspend the student or not;

- A. The right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense;
- B. 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;
- C. The right to cross-examine witnesses presented by the school district;
- D. The right to request that the hearing be recorded by the administrator, and a copy of the audio recording provided to the student or parent upon request; and
- E. The right to appeal administrator's decision to impose long-term suspension to the superintendent.

2. Format of Hearing: The Hearing will afford the rights set forth in the notice above. The administrator will also provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the administrator should consider in determining consequences for the student.

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

- 1. Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing;
- 2. Set out the key facts and conclusions reached;

3. Identify the length and effective date of the suspension, as well as a date of return to school;
4. Include notice of the student's opportunity to receive educational services to make academic progress during the period of removal from school (if more than 10 cumulative days);
5. Inform the student of the right to appeal the administrator's decision to the superintendent or designee. Notice of the right of appeal will be in English and the primary language of the home if other than English, or other means of communication where appropriate, and will include the following information stated in plain language:
 - a. the process for appealing the decision, including that the student or parent must file a written notice of appeal with the superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent may request and receive from the superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days; and that
 - b. the long-term suspension will remain in effect unless and until the superintendent decides to reverse the administrator's determination on appeal.

No long-term suspension will extend beyond the end of the school year in which such suspension is imposed.

IV. Expulsion

Students are subject to expulsion (i.e. permanent exclusion) by the Principal for the conduct listed below. (See also, M.G.L. ch. 71, §§37H at page [])

- Possession of a dangerous weapon*
- Possession of a controlled substance (such as marijuana, cocaine, or prescription drugs not authorized by the school nurse)
- Assault on teachers, administrative staff or other educational personnel

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

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

Any student who is removed from school for a disciplinary offense under G.L. c.71, §37H or §37H1/2 for more than ten consecutive days will have an opportunity to receive educational services and make academic progress during the period of removal under a school-wide education service plan, and will be so informed at the time of the suspension/expulsion.

PROCEDURES APPLICABLE TO CONDUCT COVERED BY M.G.L. C. 71, §37H AND 37H

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

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

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

EXCEPTION FOR EMERGENCY REMOVAL

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

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

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

- Make immediate and reasonable efforts to orally notify the student and the student's parent of the emergency removal, the reason for the need for emergency removal, and other applicable matters;
- Provide written notice to the student and parent as provided in Section C or D above, as applicable;

- Provide the student an opportunity for a hearing with the administrator, as applicable, and the parent an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the administrator, student, and parent.
- Render a decision orally on the same day as the hearing, and in writing no later than the following school day.

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

APPEAL TO THE SUPERINTENDENT

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

The following apply:

- The Superintendent will make a good faith effort to include the parent in the hearing. The Superintendent will be presumed to have made a good faith effort if he or she has made efforts to find a day and time for the hearing that would allow the parent and Superintendent to participate. The Superintendent will send written notice to the parent of the date, time, and location of the hearing.
- The Superintendent will conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence will be. The Superintendent will arrange for an audio recording of the hearing, a copy of which will be provided to the student or parent upon request. The Superintendent will inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent upon request.
- The student will have all the rights afforded the student at the administrator's hearing for long-term suspension as described in Section D above.
- The Superintendent will issue a written decision within five (5) calendar days of the hearing which meets the requirements for a long-term suspension as described in Section D above. If the Superintendent determines that the student committed the disciplinary offense, the Superintendent may impose the same or a lesser consequence than the administrator, but will not impose a suspension greater than that imposed by the administrator's decision.

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

Appendix 4: Right of Access and Laws Regarding Sexual Harassment

Massachusetts General Laws Chapter 76, section 5 (commonly known as "Chapter 622") and the Chapter 622 Regulations (603 CMR 26.00) contain provisions designed to "insure the right of access to the public schools of the Commonwealth and the equal enjoyment of the opportunities, advantages, privileges and courses of study at such schools without regard to race, color, sex, religion, national origin or sexual orientation."

Title IX of the Education Amendments of 1972

The Lexington Public Schools does not tolerate discrimination against students, parents, employees or the general public on the basis of sex. The Lexington Public Schools is also committed to maintaining a school environment free of harassment based on sex, including harassment based on gender, sexual orientation, gender identity, pregnancy or pregnancy status. The Lexington Public Schools' policy of nondiscrimination extends to students, staff, the general public, and individuals with whom it does business; no person shall be excluded from or discriminated against in employment, admission to a public school of Lexington Public Schools or in obtaining the advantages, privileges, and courses of study of such public school on account of sex.

How to Report Sexual Harassment: Individuals are encouraged to report allegations of sexual harassment to the Title IX Coordinator(s) identified below or the Principal. Any report of sexual harassment, as defined under Title IX of the Education Amendments of 1972, will be responded to promptly in accordance with the *District's Title IX Sexual Harassment Grievance Procedures*, available on the district website. Reports of discriminatory harassment not constituting sexual harassment as defined under Title IX of the Education Amendments of 1972, will be initially addressed through the *District's Title IX Sexual Harassment Grievance Procedure* and may, if dismissed under that procedure, be investigated in accordance with the *District's Civil Rights Grievance Procedures*, available on the district website.

Upon receipt of a report of sexual harassment, the Title IX Coordinator will: (1) promptly and confidentially contact the complainant to discuss the availability of supportive measures; (2) inform the complainant of the availability of supportive measures with or without the filing of a Title IX Formal Complaint; (3) consider the complainant's wishes with respect to supportive measures; (4) if the school district does not provide the complainant with supportive measures, document the reasons why such response was reasonable; and (5) explain to the complainant the process for filing a Title IX Formal Complaint.

Inquiries about the application of Title IX may be directed to the District's Title IX Coordinator and/or the Assistant Secretary of the U.S. Department of Education, Office for Civil Rights.

The District's Title IX Coordinator is:

Johnny Cole, Director of Equity & Student Supports
146 Maple Street, Lexington, MA 02420
jcole@lexingtonma.org
(781) 861-2580 x68052

What one person may consider acceptable behavior may reasonably be viewed as sexual harassment by another person. Therefore, individuals should consider how their words and actions may be reasonably viewed by others.

Definition

Sexual harassment includes sexual advances, requests for sexual favors and/or other verbal and physical conduct of a sexual nature when:

1. Acceptance of or submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education.
2. Submission to or rejection of such conduct by the individual is used as a basis for employment or educational decisions affecting this individual.
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance, including participation in extracurricular activities, by creating an intimidating, hostile or offensive work or school environment.

Harassment includes such things as remarks, gestures or physical contact, writing placed on school property or the display or circulation of written materials or pictures derogatory to an individual's gender or sexual orientation. What constitutes sexual harassment is based upon reasonable perceptions of the complainant rather than the intent of the alleged harasser.

Reporting sexual harassment

Students:

Students who believe that they are victims of harassment should report such occurrences to a teacher, counselor or administrator who in turn will notify a complaint manager (Mr. Wettstone or Ms. Barry-Ng), or students may report directly to complaint managers. Notice of each school's complaint managers, whose role is defined below, will be posted in a prominent location in each school.

Employees:

All Lexington School System employees must respond to students' complaints of harassment by notifying the building principal or appointed complaint managers. They must always take every report of sexual harassment seriously.

Employees who believe that they are the victims of harassment should report such occurrences to their immediate supervisor or Equal Opportunity Coordinator. The following person has been designated as the Equal Opportunity Coordinator:

Director of Human Resources, Lexington Public Schools 146 Maple Street, Lexington, MA 02420

Investigation/Action:

The Lexington Public Schools will investigate all complaints of harassment. Such investigation may include discussions with all involved parties, identification and questioning of witnesses, and other appropriate actions. Reports of sexual harassment and related information will be kept confidential to the extent consistent with the school's obligations under law and the collective bargaining agreement.

Each building Principal will appoint two or more complaint managers, at least one from each gender. (Principals may also serve as complaint managers themselves.) The complaint managers shall be responsible for investigating complaints of harassment, communicating with the Principal, recommending discipline as a consequence of harassment, and filing reports with the Equal Opportunity Coordinator. Complaint managers will attend training sessions and workshops as directed. Notice of each school's complaint managers will be posted in a prominent location in each school. If the Lexington Public Schools determines that harassment has occurred, it will take appropriate action to end the harassment. Steps which may be taken include, among others, warnings, suspensions, exclusion from school-related activities, and expulsion from school or dismissal from employment. Disciplinary action will be subject to applicable procedural requirements. Any staff member or student who is dissatisfied with the results or progress of the School's investigation may discuss his/her dissatisfaction directly with the building Principal, the Equal Opportunity Coordinator, or the Superintendent of Schools, or his/her designee.

Under certain circumstances, harassment of a student may constitute child abuse under Massachusetts law, Mass. Gen. Laws, Ch. 119, Sec. 51A. The Lexington Public Schools will comply with Massachusetts law in reporting suspected cases of child abuse. The Lexington Public Schools will report suspected criminal activity to the local police.

The Lexington Public School System urges all of its students and employees to bring any concerns or complaints to its attention. The state agency responsible for enforcing the laws prohibiting harassment is the Massachusetts Commission Against Discrimination, which is located at One Ashburton Place, Boston, Massachusetts. The agency responsible for enforcing federal laws prohibiting harassment is the Equal Employment Opportunity Commission which is located at One Congress Street, Boston, Massachusetts.

Retaliation

It is unlawful to retaliate against a person for filing a complaint of sexual harassment or for cooperating in an investigation of a complaint for sexual harassment. Acts of retaliation may result in immediate disciplinary action up to and including expulsion or dismissal, even if the underlying sexual harassment is not proven. Retaliation is an independent, prohibited act.

Legal References

Title VII of the Civil Rights Act of 1964

Title IX of the Education Amendments of 1972

Mass. Gen. Laws: c.151B (prohibiting employment discrimination based on gender); c.214 s.1C (right to be free from sexual harassment); c.76 s.5 (prohibiting educational discrimination in public schools); c.119, s.51B (reporting of suspected child abuse). Other relevant statutes and case law.

Appendix 5: Hazing

School Committee Policy [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 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.

Lexington Public Schools, Lexington MA
Adopted by Lexington School Committee: July 2015

Appendix 6

Life Threatening Allergies

School Committee Policy: [JLCEA](#) Life Threatening Allergies

The Lexington Public Schools (LPS) will maintain a system-wide response plan to address life-threatening allergic reactions. Parents/guardians, primary care physicians and/or allergists are encouraged to provide recommendations in writing to the appropriate building principal regarding the content of an Individual Health Care Plan (IHCP) for any student who has a life threatening allergy.

I. IMPLEMENTATION OF THE LIFE-THREATENING ALLERGY POLICY

The Lexington Public Schools (LPS) will:

- Provide life-threatening allergy awareness education and EpiPen training for all LPS employees based on Department of Public Health and Department of Elementary and Secondary Education recommendations.
- The use of food for curriculum instruction or special luncheons during the school day will be restricted to approval by the principal and school nurse. The use of food as a reward in any classroom will be eliminated, unless otherwise specified in an Individualized Education Plan (IEP) or 504. All schools will require that any parties and celebrations during the school day are food free.
- The principal or designee in each school will implement a "No Food or Utensil Sharing" practice, with particular focus at the elementary school level.
- If necessary, each elementary school will provide peanut free/tree-nut free tables in the cafeteria. Reasonable efforts will be made for such tables to become "free" of other allergens as deemed needed for an individual student through documentation from the student's primary care physician or board certified allergist. At the middle and high schools accommodations will be made as needed.
- No bake sales will be permitted at elementary or middle schools during the school day. Bake sales conducted outside the school day are limited to those at which only adults are allowed to purchase products. At the high school level, the sale of food products as a fundraiser will be at the discretion of the principal. LPS staff is not responsible for implementing the Life Threatening Allergy Policy and related protocols and procedures during (1) school sponsored events beyond the school day that are open to the public (e.g. school athletic contests, plays, or ceremonies) or (2) programs or events on LPS property that are sponsored by various staff, parent, community, or private groups. School nurses are not available after school hours.
- At the elementary school level, when a student's medical need to be in an LTA-safe environment is clearly documented by a board certified allergist, and clear directions from the allergist are provided, LPS will make reasonable efforts to create LTA-safe classrooms for the student. LPS reserves the right to consult with a board certified allergist of its choice to review the recommendation to determine if it will authorize its implementation.
- Each school's Incident Management Plan will include how to respond to a life-threatening allergic reaction. This plan will be reviewed annually by each building principal and will be part of all LTA and EpiPen administration training.
- Because of the confidentiality of medical records, a student's parent/guardian has the Responsibility for notifying school bus drivers directly of any life threatening allergies of which the bus driver should be aware.
- For any event outside of the regular school day which is neither sponsored by LPS nor part of the LPS curriculum, the sponsor of such event is responsible for assuring that appropriate provisions concerning LTA's of participants are in place.

II. EMPLOYEE/CONTRACTOR TRAINING AND EDUCATION

A. Life-threatening allergy (LTA) awareness training will be required of all teachers, aides, tutors, secretaries and student teachers in the school system.

B. The custodial staff either will be included in staff LTA-awareness training or will be offered informational sessions on life-threatening allergies by the building principal.

C. All substitute teachers contracted by the LPS will receive LTA-awareness training, following the LPS curriculum. No substitute will be employed in the system who has not received this training. The Assistant Superintendent of Human Resources will be responsible for ensuring that personnel who provide contracted services to LPS students and substitute teachers are provided LTA awareness training.

D. Food-service personnel contracted by LPS will be given building-based LTA-awareness training annually.

E. The LPS Business Office will offer to bus drivers the opportunity for LTA-awareness training annually, and will as part of the specifications with the bus contractor, require their participation.

F. Principals or their designees will be responsible to schedule LTA-awareness training in their schools and to ensure that all employees are trained.

RESOURCES:

MA Department of Public Health: 105 CMR 210.100

Sicherer MD, Scott, et al. "Prevalence of peanut and tree nut allergy in the United States... A 5 year follow-up study" (December 2003). Journal of Allergy and Clinical Immunology..

"Report on EpiPen Administration in Schools." (2009). Boston, MA: Massachusetts Department of Public Health School Health Unit.

"Managing Life-Threatening Food Allergies in Schools" Massachusetts Department of Education (2002).


Sheetz, A. H. & Goodman, I. F. (Eds.). (2007). The Comprehensive School Health Manual. Boston, MA: Massachusetts Department of Public Health.

Lexington Public Schools, Lexington MA

Adopted by Lexington School Committee: July 2015

Appendix 7

Bullying Prevention and Intervention

School Committee Policy:  2021-04-01 Bullying Prevention Plan

The Lexington Public Schools (LPS), in partnership with parents, guardians, and the community, and in keeping with the LPS core value of respect for human differences, believes that a positive, safe, and civil environment in school is necessary for students to learn and achieve. Bullying is conduct that can disrupt a student's ability to learn by preventing that student's full engagement with his or her education. Moreover, bullying compromises a school's ability to educate its students in a safe environment. The Lexington School Committee, therefore, prohibits acts of bullying or cyber-bullying throughout the Public Schools of Lexington.

"Bullying" shall include, but is not limited to, the repeated use by one or more students or a member of the school staff of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, directed at a target that:

- causes physical or emotional harm to the target or damage to the target's property;
- places the target in reasonable fear of harm to him/herself, or of damage to his/her property;
- creates a hostile learning and/or social environment at school for the target;
- infringes on the rights of the target at school; or
- materially and substantially disrupts the education process or the orderly operation of a school.

School staff includes but is not limited to: an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity, paraprofessional, clerical and technology staff.

"Cyber-bullying" means bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a:

- wire
- radio
- electromagnetic, photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages, facsimile communications, cell phone or texting.

Cyber-bullying shall also include the creation of a web page or blog in which the creator assumes the identity of another person or knowingly impersonates another person as author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying.

Cyber-bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

Bullying and cyber-bullying can occur in and out of school, during and after school hours, at home and in locations outside of a home. When bullying and cyber-bullying are alleged, the full cooperation and assistance of parents or guardians and their families are expected.

For the purpose of this policy, whenever the term bullying is used, it is to denote either bullying, or cyber-bullying.

Bullying is prohibited:

- on school grounds;
- on property immediately adjacent to school grounds;
- at school-sponsored or school-related activities, functions or programs, whether on or off school grounds;
- at school bus stops;
- on school buses or other vehicles owned, leased or used by the school district; or,
- through the use of technology or an electronic device owned, leased or used by the LPS.

Bullying and cyber-bullying are prohibited 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 the LPS if the act or acts in question:

- create a hostile learning and/or social environment at school for the target;

- infringe on the rights of the target at school; and/or
- materially and substantially disrupt the education process or the orderly operation of a school.

Prevention and Intervention Plan

The Superintendent or designee shall oversee the development of a prevention and intervention plan, in consultation with all district stakeholders, which may include parents and guardians, teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, and students, consistent with the requirements of this policy, as well as state and federal laws. The bullying prevention and intervention plan shall be reviewed and updated at least biennially.

The Principal or designee is responsible for the implementation and oversight of the Plan except when a reported bullying incident involves the principal or the assistant principal as the alleged aggressor. In such cases, the Superintendent or designee shall be responsible for investigating the report and other steps necessary to implement the Plan, including addressing the safety of the alleged victim. If the Superintendent is the alleged aggressor, the School Committee or its designee shall be responsible for investigating the report and taking other steps necessary to implement the Plan, including addressing the safety of the alleged victim.

Reporting

Students who believe that they are targets of bullying are encouraged and urged to report the matter to a member of the school staff. Students who observe an act of bullying, or who have reasonable grounds to believe that these behaviors are taking place, are obligated to report incidents to a member of the school staff, and may be subject to discipline for failing to report such incidents. However, the target shall not be subject to discipline for failing to report bullying.

A school or district staff member shall immediately report any instance of suspected bullying or retaliation the staff member has witnessed or become aware of to the school Principal or designee. This includes bullying or retaliation of a student by another student or bullying or retaliation of a student by a staff member. If the Principal is the alleged aggressor, the report shall be made to the Superintendent or designee. If the Superintendent is the alleged aggressor, the report shall be made to the School Committee or designee. If the staff member fails to report, he or she may be subject to disciplinary action.

Parents or guardians, or members of the community, are encouraged to report an incident of suspected bullying as soon as possible to the school Principal or designee. This includes bullying of a student by another student or by a staff member. If the Principal is the alleged aggressor, the report shall be made to the Superintendent or designee. If the Superintendent is the alleged aggressor, the report shall be made to the School Committee or designee.

Each school shall have a means for anonymous reporting by students of incidents of suspected bullying.

No formal disciplinary action shall be taken solely on the basis of an anonymous report.

Any student who is found to have knowingly made a false accusation/report of bullying may be subject to disciplinary action.

Investigation Procedures

A school Principal or designee shall promptly investigate any report of bullying, using a Bullying/Cyber-bullying Report Form. It may include, but is not limited to, interviewing the alleged target, alleged aggressor, staff members, students and/or witnesses. The Principal or designee (or whoever is conducting the investigation) shall remind the alleged student aggressor, target, and witnesses of the importance of the investigation, their obligation

to be truthful and that retaliation against someone who reports bullying or provides information during a bullying investigation is strictly prohibited and will result in disciplinary action.

A Principal or designee, upon determining that bullying or retaliation has occurred, shall promptly contact the parents or guardians of the alleged target(s) and when the alleged aggressor(s) is a student, parents or guardians of the alleged aggressor(s). Actions being taken to prevent further acts of bullying shall be discussed.

The investigation shall be completed within a reasonable amount of time. The parents or guardians of both the student aggressor(s) and the target(s) shall be notified if there has been a finding that bullying has occurred. They will be updated periodically during the investigation, and, upon its completion, shall be informed of the results, including whether the allegations were found to be factual, whether a violation of this policy was found, whether disciplinary action has or shall be taken, and whether or what steps will be taken to prevent retaliation or further acts of bullying.

If the alleged aggressor is a staff member, notice will be made to that individual in accordance with district policies and procedures, including in accordance with any applicable collective bargaining agreements. The individual will be updated periodically during the investigations and, upon its completion, shall be informed of the results, including whether the allegations were found to be factual, whether a violation of this policy was found, whether disciplinary action has or shall be taken, and whether or what steps will be taken to prevent retaliation or further acts of bullying.

A Principal or designee shall assess an alleged target's needs for protection and create and implement a safety plan that shall restore a sense of safety for that student.

Confidentiality shall be maintained to protect all parties, which includes, but is not limited to, alleged aggressor(s) or target(s), a person who reports bullying, or provides information during an investigation of bullying, or is witness to or has reliable information about an act of bullying.

Disciplinary Actions

If a school principal or designee determines that bullying has occurred, he/she shall take appropriate disciplinary action, and if it is believed that criminal charges may be pursued against the aggressor, the Principal shall notify the appropriate local law, enforcement agency and notify the Superintendent.

Disciplinary actions for students who are found to have committed an act of bullying or retaliation shall be in accordance with LPS disciplinary policies.

Disciplinary actions for employees who are found to have committed an act of bullying or retaliation shall be in accordance with state law, any applicable Collective Bargaining Agreements, and Lexington Public School's policies and procedures.

Assistance

The LPS may provide appropriate counseling or referral to appropriate services, including, but not limited to, guidance, academic intervention, and protection to any affected students, as necessary.

Documentation

Each school shall document any incident of bullying that is reported per this policy, and the Principal or a designee shall maintain a file of these reports.

The Superintendent or designee shall inform the School Committee periodically of any trends or implications of these reports in order to give the School Committee the opportunity to review and amend this policy.

Confidentiality shall be maintained consistent with the school's obligations under law.

Retaliation

Reprisal or retaliation against any person associated with a report of bullying or the investigation thereof is prohibited. Disciplinary action for a person who is found to have engaged in reprisal or retaliation will reflect the extreme seriousness of such an act.

Disciplinary action of an alleged student aggressor may include, but is not limited to, suspension or expulsion. If the Principal or designee decides that disciplinary action is appropriate for a staff member, the disciplinary action is determined on the basis of facts found by the Principal or designee and appropriate expectations in light of the staff member's role and responsibilities.

Training and Assessment

The Superintendent or designee shall provide training annually for all staff, including but not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, paraprofessionals, clerical and technology staff so as to improve preventing, identifying, responding to, and reporting incidents of bullying. The faculty and staff at each school shall be trained annually on the bullying prevention and intervention plan applicable to the school.

Age-appropriate, evidence-based instruction on bullying prevention shall be incorporated into the curriculum for all K to 12 students.

Publication and Notice

Annual written notice of the relevant sections of the bullying prevention and intervention plan shall be provided in each school handbook to students and their parents or guardians, in age-appropriate terms.

The Superintendent or designee shall provide written notice annually of the bullying prevention and intervention plan to all school staff.

Relevant sections of the bullying prevention and intervention plan relating to the duties of faculty and staff and bullying of students by school staff shall be included in faculty handbooks. The bullying prevention and intervention plan and policy shall be posted on the LPS website.

REFERENCES:

Massachusetts Department of Elementary and Secondary Education's Model Bullying Prevention and Intervention Plan

LEGAL REFS.:

Title VII, Section 703, Civil Rights Act of 1964 as amended Federal Regulation 74676 issued by EEO Commission

Title IX of the Education Amendments of 1972 603 CMR 26.00

M.G.L. 71:41; 71:42; 71:370; 71:37H and 37H ½; 265:43 and 43A; 268:131B; 269:14A

Discipline of Special Education Students Under IDEA 2004 20 U.S.C. 1415(k)-and 34 CFR 300.530-300.536'

Collective Bargaining Agreements

CROSS REFS.:

AC: Policy Prohibiting Harassment (Approved:2/15/03.)

[JKF: Disciplining Students with Special Needs](#)

Appendix 8: Student Records

Lexington Public Schools Annual Notice

The Family Education and Privacy Act

Massachusetts Student Records Regulations

The Family Educational Rights and Privacy Act (FERPA) and the Massachusetts Student Records Regulations (“Regulations”) together provide parents and eligible students (those who have reached that age of 14 or who have entered ninth grade) certain rights with respect to the student's education records. A general overview of those rights is provided below. Parents and students may obtain a complete copy of their rights under the Massachusetts Student Record Regulations by contacting the Assistant Superintendent for Curriculum, Instruction and Professional Learning at (781) 861-2580.

- **The right to access the student's education records.** Parents or eligible students should submit their request for access to the school principal. Access is generally provided within ten days of a request. However, Massachusetts General Laws c. 71, §34H (“Section 37H”) law provides specific procedures that must be followed prior to release of records to a parent who does not have physical custody of a child. Information about these procedures can be obtained from the Assistant Superintendent for Curriculum, Instruction and Professional Learning at (781) 861-2580.
- **The right to request amendment of the student's education records.** Parents or eligible students should direct their request to the principal, clearly identifying the part of the record they wish to have amended, and why.
- **The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA and the Massachusetts regulations authorize disclosure without consent.** One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests in the records. Such school officials include professional, administrative and clerical staff who are employed by or under agreement with the Lexington Public Schools and who need access to a record in order to fulfill their duties. Such school officials may also include a volunteer or contractor outside of the school who performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with regard to the use and maintenance of education records. The Lexington Public Schools also discloses student records without parent/eligible student consent to officials of other elementary or secondary schools in which a student enrolls, or seeks, intends, or is instructed to enroll upon receipt of a request from such school officials, so long as the disclosure is for purposes related to the student’s enrollment or transfer.

In addition, the Lexington Public Schools has a practice of releasing directory information without consent. Directory information consists of the following: the student's name, address, telephone listing, date and place of birth, major field of study, dates of attendance, weight and height of athletic teams, class, participation in recognized activities and sports, honors and awards, and post-high school plans. In the event a parent or eligible student objects to the release of any of the above information, the parent/eligible student may state that objection in writing to the school principal. Absent receipt of a written objection within the first two school weeks of the school year or student's start date, the directory information will be released without further notice or consent.

As required by law, the Lexington Public Schools routinely releases the name, address and telephone listing of secondary school students to military recruiters and to institutions of higher learning upon request. In the event a parent or eligible student objects to the release of any of the above information, the parent/eligible student may state that objection in writing to the school principal. Absent receipt of a written objection for the parent or eligible student within the first two school weeks of the school year or student's start date, this information will be released without further notice or consent.

- The right to file a complaint concerning alleged failures by the Lexington Public Schools to comply with the regulations and laws governing student records. Complaints may be filed at the Massachusetts Department of Elementary and Secondary Education, 75 Pleasant Street Malden, MA 02148. In addition, complaints relative to federal statutes and regulations governing student records may be filed with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington DC.