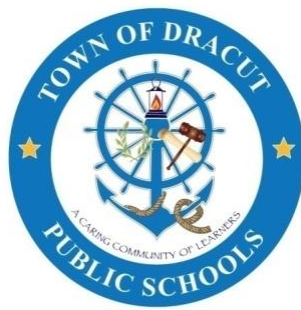


# Dracut High School

## Student/Parent Handbook

### 2021-2022



1540 Lakeview Avenue  
Dracut, MA 01826  
978-957-1500



Caring • Respect • Responsibility  
Trust • Family

## **Dracut Public Schools Mission Statement**

The Dracut School Community is committed ...

***TO FOSTERING*** a safe and caring learning environment where autonomy, collaboration, and mutual respect are valued.

***TO PROVIDING*** our students with the knowledge and skills necessary for reaching their individual potential.

***TO INSPIRING*** all students to persevere, to become critical thinkers, to become good community members, and to become lifelong learners.



## **Dracut Public Schools Vision Statement**

The Dracut Public Schools aspires to be a world-class school system that develops the heads, hearts, and hands of its students and inspires them to be the critical thinkers, problem-solvers, and innovators who make contributions to their communities, our nation, and the world.

We believe and value:

1. The individuality and uniqueness of each child.
2. The special talents and abilities of each child.
3. The truth that all children can learn.
4. The respect for personal and cultural diversity.
5. The respect and dignity of each member of the school community.
6. The student's right to equal access to educational opportunity.
7. The necessity of strong community partnerships.
8. The dedication and passion of our employees.

## **Dracut High School Core Values and Beliefs**

The Dracut High School community is committed to challenging all students with a rigorous curriculum within a safe, healthy, and positive environment. Our primary goal is for students to become lifelong learners in a changing world. We believe in promoting personal responsibility, self-respect, tolerance, and integrity while preparing all students for 21<sup>st</sup> century success. We embrace and value diversity. We advocate environmental and global awareness. We offer various opportunities for all students to thrive and succeed, in and beyond the classroom, so that they may become informed, productive citizens. We encourage our students to take pride in their identity and the Dracut community as they strive toward maximum personal growth.

### **21<sup>st</sup> Century Learner Expectations**

The Dracut High School students will be able to perform the following skills:

- Speak effectively;
- Write effectively;
- Read, view, and interpret a variety of media effectively;
- Demonstrate financial/business literacy;
- Utilize an array of methods to research, analyze, and problem solve;
- Use technology effectively and responsibly;
- Demonstrate cultural literacy;
- Promote civic responsibility regarding issues facing our community and the world today;
- Practice personal wellness and social responsibility.

The Dracut High School graduate will have a working plan for post-high school life.

*Approved by faculty vote on April 2, 2009*

*Formally endorsed and adopted by the Dracut School Committee on April 27, 2009*

*Revisions approved by faculty vote on October 6, 2009*

*Revised Statement formally endorsed and adopted by the Dracut School Committee on November 2, 2009*

### **SUPERINTENDENT of SCHOOLS**

**Mr. Steven Stone**

### **DRACUT SCHOOL COMMITTEE**

**Mr. Joseph Wilkie, Chairperson**

**Mrs. Renee Young, First Vice Chairperson**

**Mrs. Allison Volpe, Second Vice Chairperson**

**Dr. Linda Trouville, Board Member**

**Dr. Rebecca Duda, Board Member**

### **PRINCIPAL OF DRACUT HIGH SCHOOL**

**Mr. Richard J. Manley**

### **VICE PRINCIPALS**

**Mrs. Kathleen Downing**

**Ms. Maria Lysen**

***Welcome to Dracut High School! While within these walls you will be exposed to a vast amount of learning. What you take away will be up to you. Take advantage of the opportunities presented to you, listen, learn, and make friends. Be involved in your high school. Your rewards will be great!***

**REGULAR SCHEDULE**  
\* Subject to Change \*

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
	<b>7:15</b> Doors Open	<b>7:15</b> Doors Open	<b>7:15</b> Doors Open	<b>7:15</b> Doors Open	<b>7:15</b> Doors Open
	<i>Students report directly to first period class</i>				
	7:29 - 8:19  <b>B</b>	7:29 - 8:22  <b>A</b>	7:29 - 8:19  <b>A</b>	7:29 - 8:22  <b>B</b>	7:29 - 8:19  <b>A</b>
	8:23 - 9:12  <b>C</b>	8:26 - 9:19  <b>C</b>	8:23 - 9:12  <b>E</b>	8:26 - 9:19  <b>C</b>	8:23 - 9:12  <b>B</b>
	9:16 - 10:07  <b>D</b>	9:23 - 10:16  <b>E</b>	9:16 - 10:07  <b>D</b>	9:23 - 10:16  <b>E</b>	9:16 - 10:07  <b>D</b>
<b>L U N C H</b>	<b>A</b>  (1) 10:11 - 10:36 (2) 10:40 - 11:05 (3) 11:09 - 11:34 (4) 11:38 - 12:03	<b>B</b>  (1) 10:20 - 10:45 (2) 10:50 - 11:15 (3) 11:20 - 11:45 (4) 11:50 - 12:15	<b>C</b>  (1) 10:11 - 10:36 (2) 10:40 - 11:05 (3) 11:09 - 11:34 (4) 11:38 - 12:03	<b>D</b>  (1) 10:20 - 10:45 (2) 10:50 - 11:15 (3) 11:20 - 11:45 (4) 11:50 - 12:15	<b>E</b>  (1) 10:11 - 10:36 (2) 10:40 - 11:05 (3) 11:09 - 11:34 (4) 11:38 - 12:03
	12:07 - 12:57  <b>F</b>	12:20 - 1:50  <b>F</b>	12:07 - 12:57  <b>F</b>	12:20 - 1:50  <b>G</b>	12:07 - 12:57  <b>F</b>
	1:01 - 1:50  <b>G</b>		1:01 - 1:50  <b>G</b>		1:01 - 1:50  <b>G</b>

## **NOTICE TO PARENTS/GUARDIANS**

Please be advised that the Dracut Public Schools will provide copies of all official correspondences and documents (in languages other than English) to parents who require this service. Kindly inform the building principal if you are in need of this accommodation.

## **AVISO A TODOS LOS PADRES Y GUARDAS**

Aconsejese por favor que las escuelas publicas de Dracut proporcionaran a las copias de todas correspondencias documentos oficiales (en lenguajes excepcion del ingles) a los padres que requieren este servicio. Informe amablemente al principal del edificio la escuela de su ni no si usted esta en necesidad de esta comodidad.

## **DRACUT PRIDE**

Dracut High School is a fantastic place to be! While within these walls you will be exposed to a vast amount of learning; what you experience will be up to you. The opportunity exists for you to explore a variety of activities, meet new friends, excel in classes, and be a participant in shaping your own future! You come in as ninth graders and graduate as mature young people ready to enter college, the armed services, or the work force of our community and nation. The opportunities for a successful high school career rest in your hands. Your responsibility is to be on time, be present, and be involved. Dracut High School faculty and staff all have a common goal: to help **you** be the best **you** can be. There are so many activities at Dracut High School there is surely something to interest you. Whether it be performing in the band or athletic events, serving on the yearbook, becoming a member of a club, engaging yourself in the school plays, or writing for the school newspaper, we urge you to become involved. By doing so you will enhance your own high school experience, be a better student, a more productive graduate, and make many lasting friends along with tremendous memories to carry you through life.

## **STUDENT PRIDE**

Students entering DHS find a world full of challenges and opportunities. The school climate encourages each student to explore, meet new people, make new friends, learn about a multitude of academic subjects as well as be able to participate in many co-curricular activities. With this increased opportunity comes increased responsibility. **Responsibility rests with you, the student.** It includes conforming to the discipline code and educational expectations of Dracut High School, including attendance and punctuality. **Students are responsible for the following:**

- being respectful to all others and respecting property.
- recognizing the differing styles of teachers and adapting to these styles.
- spending time on homework each night or reading for a comparable amount of time, free from distractions to foster good study habits.
- seeking out teachers for extra help and asking questions when something is not understood.
- doing homework in the proper format and on time.
- recognizing the importance of homework as an extension of classroom learning.
- being in the proper place at the proper time, including being present and on time for school and classes, extra-help sessions, detentions, or other scheduled events.
- returning library books, textbooks, and for bringing in absence and dismissal notes promptly when required.
- pride in personal appearance.

## **PARENT PRIDE**

**Parents are extremely important in the educational process**, especially at the high school level. Working together will help assure a comprehensive education for your child. Parents need to help their children continue their formal education at home by being

- supportive
- providing a quiet place to study
- checking the work of the student
- communicating with teachers

Communication between home and school is important in the educational process. Parents are urged to visit during the Annual Curriculum Night held each September and the Annual Open House held each November. The high school has a web site that posts important calendar dates and events. Please visit at *[www.dracutps.org](http://www.dracutps.org)*.

## **VISITORS**

Visitors must sign in at the main office and receive a visitor identification badge to be worn while in the school.

## **TELEPHONE NUMBERS**

Principal	Mr. Manley	978-957-1500 x 1489
Vice Principal	Ms. Lysen	978-957-1500 x 1490
Vice Principal	Mrs. Downing	978-957-1500 x 1430
Main Office		978-957-1500 x 0
Guidance Office		978-957-1500 x 1
High School Fax Machine		978-957-9717
School Nurse		978-957-1500 x 2
Athletic Director		978-957-1500 x 3
Superintendent of Schools		978-957-2660
Director of Curriculum, Instruction & Assessment		978-957-2617

Follow the instructions in the voice mail system to contact an individual teacher or staff member.

## ACADEMIC AND ATTENDANCE REQUIREMENTS

### GRADUATION REQUIREMENTS

A student must attend Dracut High School for four years and earn enough units of credit each year to complete 22 units of course work in order to graduate. Specific requirements include:

**Four (4) years of attendance in grades 9-12.**

**Passing of Massachusetts Comprehensive Assessment exams.**

**3.0 units Science**

**4.0 units Social Sciences**

**1.0 unit Wellness**

**3.0 units Mathematics**

**1.0 unit Foreign Language**

**4.5 units English**

**1.0 units Unified Arts\***

**\*Unified Arts** is satisfied by any course in Business, Technology, Visual Arts, or Performing Arts.

Students must enroll in at least 7 course units and pass 5.5 units each year in order to be promoted. Students must pass the Massachusetts Comprehensive Assessment System exams to receive a diploma. **Credits are earned when (a) the student earns a passing grade, and (b) the student is in compliance with the attendance policy. A student who does not pass a required course must retake the course.**

**In order to participate in the DHS Graduation Ceremony, students must fulfill all the above requirements by the end of the senior final examination period that year.**

### GRADES AND REPORT CARDS

Report cards are published four times a year in Aspen. Midterm and final exam grades are also published in Aspen, as well as the number of absences, tardies, and dismissals. Letter grades are used to indicate student progress.

Underclassmen final grades will be published in Aspen approximately one week after the last day of the school year.

**The option of summer school is allowed only if a student completes the course during the school year, passes at least two quarters, and receives the principal's approval.**

### GRADES

A+ (97-100)

A (93-96)

A- (90-92)

B+ (87-89)

B (83-86)

B- (80-82)

C+ (77-79)

C (73-76)

C- (70-72)

D+ (67-69)

D (63-66)

D- (60-62)

F (00-59)

M

Medically Excused

W

Withdrawn

I

Incomplete

P

Satisfactory (Pass)

F

Unsatisfactory (Fail)

## **RANK IN CLASS**

The rank in class is computed on the basis of subjects taken by the student in grades 9 through the end of the first semester of grade 12. Subjects with levels (Advanced Placement, Honors, and College Preparatory) are weighted. The selection of the top 20 senior scholars, including the class valedictorian and salutatorian, is based upon the class rank calculations at the end of the first semester of the senior year. The following chart delineates the weighting system:

<b>GRADE</b>	<b>ADVANCED PLACEMENT</b>	<b>HONORS</b>	<b>COLLEGE PREPARATORY</b>
A+	5.3	4.8	4.3
A	5.0	4.5	4.0
A-	4.7	4.2	3.7
B+	4.3	3.8	3.3
B	4.0	3.5	3.0
B-	3.7	3.2	2.7
C+	3.3	2.8	2.3
C	3.0	2.5	2.0
C-	2.7	2.2	1.7
D+	2.3	1.8	1.3
D	2.0	1.5	1.0
D-	1.7	1.2	0.7

## **ATTENDANCE**

### **PHILOSOPHY**

Dracut High School encourages regular and punctual attendance because these are requisites to being successful in academics and being productive in college, your career and your professional life. Classroom participation and discussions are important and it is important that you be in class to take advantage of these discussions. This learning experience from your peers and direct teacher interaction cannot be substitutes. Parents and guardians share in your responsibility for consistent and punctual attendance.

### **CARNEGIE UNITS**

Academic credit at Dracut High School, and most other high schools in the United States, is based on Carnegie Units. Units are based on the number of hours that students are in their classes. Carnegie Units are required by universities and colleges as evidence that students have fulfilled all requirements towards high school graduation. It is very important for students to be present and accountable for each course they take.



## ATTENDANCE DISCIPLINE

Credit for coursework is based on attendance as well as academic achievement. It is the policy of Dracut High School that students are required to be in attendance for 91% of their class time in order to earn credit for the course. This means no more than 16 days absent for a full year course and no more than 8 days for a half year course.

Students must be on time and present for the entire school day to be eligible to participate in any co-curricular or interscholastic activity. This includes athletic events, practices, rehearsals, performances, dances, proms, semi-formals. Participation in weekend activities or during school holidays requires that the student be in school the day preceding the event(s) with the same stipulations as stated. Students suspended from school (in school or out of school) may not participate in or attend any school related function, whether the site is Dracut High School or off campus.

- ❖ All absences count toward the 16 for the year
- ❖ Students exceeding this policy will receive a failing grade for the quarter
- ❖ Students absent more than 8 times for semester courses or 16 times for year-long courses will not receive credit for the course even if they have a passing grade
- ❖ Depending upon an appeal, students may earn credit back through summer, night school, or an alternative previously approved by the principal.

Incomplete work due to absences must be made up within 10 school days. **Course work not completed will be 0 (zero).** Any work missing at the end of a quarter must be made up within 10 school days or the work will be graded zero (0). In the fourth quarter school work must be made up prior to the beginning of summer school. Work not completed by this time will be graded zero (0).

## APPEAL PROCESS

There are sometimes extenuating circumstances for excessive absenteeism. In these cases, it is the responsibility of the student and the parent/guardian to inform the school of unusual situations or circumstances.

- ❖ An appeal is made to the guidance counselor of the student in writing, no longer than 10 calendar days after the issuance of report cards. The appeal should contain the reasons for the appeal and be addressed to the counselor and copied to the principal.
- ❖ The guidance counselor and an administrator will review the appeal and render a decision within 5 school days. The administrator and guidance counselor will review all special cases and may approve a waiver for family emergencies or chronic illness with documentation.
- ❖ If the decision is satisfactory there is no further action. If the decision is to be appealed the appeal must be sent to the principal for review. This responsibility rests with the parent/guardian.  
**All decisions of the principal are final.**

## DISMISSALS

Students being dismissed from school **are required to bring in a written note** signed by the parent/guardian with the following: time, reason, number where the parent/guardian may be reached, and the time the student will be returning to school that day. These notes should be turned in to the dismissal (front) office before school begins. **TELEPHONE DISMISSALS ARE NOT ACCEPTED!** Plan ahead!  
**Forged dismissal notes are a serious matter and will result in disciplinary action.**

## **TARDINESS**

Students will earn progressive disciplinary actions as a consequence for being late. Parents will receive a communication from administrators if tardies become habitual. Each quarter will begin the process anew. For purpose of attendance, tardy arrivals after 10:30am are considered an absence.

1st - 2nd offense	No disciplinary action
3 <sup>rd</sup> - 5th offense	Detention
6th + offense	Progressive discipline (possible OSS, Parent meeting, etc.) <b>(Friday detention)</b>

Students earning a detention for tardiness are expected to serve detentions that day.

## **PARENT NOTIFICATION**

The Dracut Public Schools, pursuant to M.G.L. c. 76, § 1B, has a policy of notifying the parent or guardian of a student who has at least 5 days in which the student has missed 2 or more periods unexcused in a school year or who has missed 5 or more school days unexcused in a school year. This policy requires that the school principal, or a designee, make a reasonable effort to meet with the parent or guardian of a student who has 5 or more unexcused absences to develop action steps for student attendance. The action steps shall be developed jointly and agreed upon by the school principal, or a designee, the student and the student's parent or guardian and with input from other relevant school personnel and officials from relevant public safety, health and human service, housing and nonprofit agencies.

## **WITHDRAWAL**

Pursuant to M.G.L. c. 76, § 18, any student (16 years or older) who is withdrawing from school prior to graduation must obtain a withdrawal form from the guidance office. No student shall be considered to have permanently left the school district unless an administrator from the school or school district has sent notice within a period of ten (10) days from the student's fifteenth (15) consecutive absence to the parent or guardian of such student in both the primary language of such parent or guardian and English, stating that such student and his or her parent or guardian may meet with the school committee or its designated representatives prior to the student permanently leaving school, within ten days after the sending of the notice. The time for meeting may be extended at the request of the parent or guardian and with consent of the school committee or its designated representatives, provided no extension shall be for longer than fourteen days. Such meeting shall be for the purpose of discussing the reasons for the student permanently leaving school and alternative educational or other placements. M.G.L. c. 76, § 18.

## SCHOOL RULES & REGULATIONS

### COURTESY

Dracut High School takes pride in its students and encourages the use of common courtesy. Respect is the key. Be helpful to teachers, fellow students, visitors, and staff. Avoid any behavior that may be harmful to others or yourself. Think before you speak and be aware of other people's feelings. Behave appropriately in assemblies, at lunch, in the hallways. You represent yourself, your school community, and the Dracut community. We expect the best from you.

### CLASSROOM BEHAVIOR

Expectations of student behavior are established by the faculty and written in the student handbook. Teachers may also establish certain codes of behavioral expectations within the context of the school rules that pertain to their class, such as, wearing goggles or not missing homework assignments. **Students are responsible to be aware of the individual differences in teaching styles, to expect these differences, and to respect these variations.**

Common sense is the measure of good behavior. Teachers have the right and responsibility to assign detentions or extra help sessions and contact parents when dealing with a variety of minor disciplinary infractions such as tardiness to class, homework not being done, and general disruptive behavior. It is expected that the student will stay with the teacher for extra help or detention. The teacher also has administrative support for more serious breaches of acceptable behavior, including but not limited to, disrespect, skipping teacher assigned detentions, swearing, and cutting class. Students must recognize that continued disruptive behavior will result in administrative disciplinary action.

**The use of any personal electronic device is prohibited unless otherwise authorized by the classroom teacher for instructional purposes; otherwise, all cell phones must be powered off and put away at the request of the teacher.**

### GENERAL INFORMATION

#### ASSEMBLIES

During the school year there may be presentations by various persons to enhance your education. Attendance at these assemblies is a privilege where you are expected to behave responsibly and properly. Respect is the key. All participants in assemblies are guests of ours and are to be treated accordingly with respect and courtesy.

## **STUDENT DRESS CODE**

*The Dracut School Committee amended the following dress code policy for students in Dracut Public Schools on February 12, 2018. All DHS students are expected to dress appropriately according to the policy, and the DHS Administration will enforce the student dress code accordingly.*

Clothing/dress is a reflection of students and our schools. The rules set herein are for the benefit of the entire student body. Students' dress should be appropriate for a working environment and conducive to learning as interpreted by the Administration. The School Committee, in recognizing its obligation to minimize opportunities for student distraction and/or disruption within the Dracut Public Schools, has established and adopted the following rules of dress. The administration is authorized to take action in instances where individual dress does not meet the stated requirements.

- Clothing and grooming habits should not be detrimental to health and safety, and should be weather appropriate.
- Only headwear related to religious observation will be allowed.
- Only prescription or medically required eyeglasses are allowed.
- Clothing that exposes midriffs is not permitted.
- No beachwear, sleepwear, or low-cut tops will be permitted.
- No extremely short skirts or shorts shall be permitted.
- No exposed undergarments shall be permitted.
- No clothing will be permitted that advertises alcohol, tobacco, drugs, violence, gang membership, sexual references, questionable slogans, or language that creates a double entendre.
- Jewelry of an extreme nature is not acceptable. This may include dog collars, spiked jewelry, wallet chains, metal chains, or any other potentially dangerous accessories.
- Proper and safe footwear must be worn at all times. Sneakers/athletic footwear are required for physical education classes.

**Amended By Dracut School Committee February 12, 2018**

## ALCOHOL USE BY STUDENTS

In view of the fact that the use of alcohol can endanger the health and safety of the user, and recognizing the deleterious effect the use of alcoholic beverages can have on the maintenance of general order and discipline, the Dracut School Committee prohibits the use of, serving of, or consumption of any alcoholic beverage on school property or at any school function.

Additionally, any student, regardless of age, who has been drinking alcoholic beverages prior to attendance at, or participation in, a school-sponsored activity, will be barred from that activity and subject to disciplinary action.

### *Breath Alcohol Testing Procedures and Protocol*

Alcohol use by a student is illegal and poses a serious threat not only to the student's own well-being, but also to the well-being of the entire school community. Alcohol use will not be tolerated during school hours, on school property, or at any school-sponsored activity or event during or after school hours. Students who violate the school policy on use, possession, sales or distribution may be subject to disciplinary action including a possible suspension for up to 90 school days per MGL c. 71 s. 37H <sup>3</sup>/<sub>4</sub>.

When determining whether possible alcohol use or intoxication by a student has occurred at school or a school-related function, the safety of the student is the primary concern. If an administrator reasonably suspects that a student is under the influence of alcohol, the administrator may use a breath alcohol testing device which indicates the presence or absence of alcohol. The Dracut Public Schools also reserves the right to randomly screen students or screen all students at school related events with proper notice to the students and their families.

This is a non-invasive test in which students will be asked to exhale or speak into a device. The purpose of having breath alcohol testing available is a deterrent to alcohol use. The test will be administered by the administrator and witnessed by a staff member. The administration of Dracut Public Schools is not held to a criminal standard of proof and therefore; the results of the breathalyzer are final and are not subject to further review.

1. If the test is positive, the student can request two (2) additional tests taken at least two (2) minutes apart. If these additional tests are positive:
  - a. Parents/guardians are notified and requested to take the student home
  - b. If the student is assessed to be a risk and in need of medical assistance, emergency help and parents/guardians are notified.
  - c. Disciplinary action will be taken as indicated in student handbooks.
  - d. If the test is negative, the student will be allowed to resume the activity if the administrator does not suspect the use of other drugs.
2. If a student is suspected of being under the influence of alcohol or is suspected of having consumed alcohol and refuses to be tested:
  - a. The administrator will notify parents/guardians to pick up the student and detain the student until parent's arrival.
  - b. The administrators will consider the refusal as comparable to being under the influence and will discipline the student in accordance with the student handbook.

3. If a student is suspected of being under the influence of alcohol or is suspected of having consumed alcohol and leaves the scene against the school official's request:
  - a. Police will be notified
  - b. Parents/guardians notified
  - c. Disciplinary action for intoxication will be taken as indicated in the student handbook

**Adopted By Dracut School Committee February 12, 2018**

## **BOOKS**

Books are valuable resources in schools. All books belong to the Dracut School District and must be taken care of properly. Books are costly and students must take to preserve and protect their books. **Students are responsible for the books issued to them and must reimburse the school for lost or damaged books.** Storing books in your locker and **LOCKING** your locker will prevent loss of books and personal property.

## **BULLYING POLICY**

The Dracut Public Schools is committed to maintaining a safe learning environment where autonomy, collaboration, and mutual respect are valued and students can achieve the highest academic standard. The Dracut Public Schools is committed to creating an environment in which every student is inspired to persevere, to become a lifelong learner, and to become a good community member. The Dracut Public Schools seeks to develop the heads, hearts, and hands of students in a caring and supportive atmosphere, free of harassment, intimidation, bullying or cyber-bullying. To that end, bullying, cyberbullying and/or retaliation shall be prohibited.

### **Definitions**

"Bullying" is the repeated use by one or more students or by a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, directed at a 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 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.

"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 or facsimile communications.

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 the author of posted content or messages, if the creation of 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 may occur in and out of school, during and after school hours, at home and in locations outside of the home. When bullying and/or cyber-bullying are alleged, the full cooperation and assistance of parents and families are expected. For the purpose of this policy, whenever the term bullying is used, it is to intended denote either bullying or cyber- bullying.

"Aggressor" is a student or a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, and athletic coach, advisor to an extracurricular activity or paraprofessional who engages in bullying or retaliation.

"Retaliation" means any form of intimidation, reprisal or harassment directed against a person who reports bullying, provides information during an investigation about bullying, or witnesses or has reliable information about bullying.

"Target" means a student victim of bullying or retaliation.

### **Prohibitions**

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 Dracut Public Schools.

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 Dracut Public School district if the act(s):

- Creates a hostile environment at school for the target;
- Infringes on the rights of the target at school; or
- Materially and substantially disrupts the education process or the orderly operation of a school.

### Prevention and Intervention Plan

The Superintendent and/or his/her designee shall oversee the development of a bullying prevention and intervention plan, in consultation with all district stakeholders, which may include teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents and guardians, 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.

Each Principal is responsible for the implementation and oversight of the bullying prevention and implementation plan within his or her school.

### Publication and Notice

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

Annual written notice of the bullying prevention and intervention plan shall be provided to all school staff. The faculty and staff at each school shall be trained annually on the bullying prevention and intervention plan applicable to the school.

Relevant sections of the bullying prevention and intervention plan relating to the duties of faculty and staff shall be included in the school employee handbook.

The bullying prevention and intervention plan shall be posted on the Dracut Public Schools website.

ADOPTED:

LEGALREF.:                      M.G.L. c 71§ 370; 603 C.M.R. 49.00

**Adopted by Dracut School Committee: March 9, 2020**



## **MOTOR VEHICLES**

For the safety of staff and students said policies shall further restrict operators of school buses and personal motor vehicles, including students, faculty, staff and visitors, from prolonged idling of such vehicles on school grounds and violators may be subject to a fine.

## **BUS TRANSPORTATION**

The Dracut School Committee has instituted a **Bus Fee Program** for students in grades K-12 who wish to ride the bus during the school year. The fee structure will be posted annually on-line. There is a fee of \$5.00 for each lost bus pass. A waiver of fee program is available for those students who receive free or reduced lunch. All fees are paid on-line through a FamilyID account on the Dracut Public Schools website ([www.dracutps.org](http://www.dracutps.org)).

The school day begins when the students board the school bus coming to school, and ends when the students disembark from the school bus returning home. Each student is under the jurisdiction of the school administration during this entire period. With respect to pupils being transported, a written Policy Statement is required to provide the School Committee, Administrators, School Bus Contractor,

Pupils and Parents with uniformly applied guidelines. Such a policy should be widely disseminated and clearly understood by all.

Riding the school bus is a privilege. This privilege may be suspended or revoked from any student who is not well behaved, courteous, or who endangers the health or safety of any student. Any decision revoking the privilege of a student to ride the school bus will be made only by school authorities. Prior to such a decision, the matter will be discussed with the bus driver and the student, the parent(s) or guardian(s) of the student will be informed. Before a student can have the bus privilege reinstated, the student and the student's parents/guardians must meet with the Committee or designee to discuss the matter.

## **RESPONSIBILITIES OF THE STUDENTS:**

1. Only authorized students may ride the bus.
2. Obey the driver in all matters pertaining to the operation of the school bus. The bus driver is the representative of parents and teachers and is directly responsible for the safety of each student on the bus.
3. Exercise courtesy toward others while loading, riding, and leaving the bus. Application of this simple rule will result in a more enjoyable ride to school each day and will prevent many unpleasant situations from arising.
4. Arrive at the bus stop on time and wait for the bus in a safe location on the curb or shoulder off the road. There will be **NO FIGHTING AT THE BUS STOP**. If you should have a problem with someone at the bus stop inform the Principal of your school so that the matter can be resolved. Appropriate school behavior is expected at the bus stop as defined in the student handbook
5. Cross highways and streets only in front of the bus. Move away from the front of the bumper of the bus approximately (10) ten feet so that the driver can observe your crossing. **DO NOT RUN OR DASH INTO THE STREET OR ROAD WITHOUT LOOKING BOTH WAYS EVEN THOUGH THE BUS DRIVER HAS TRFFIC STOPPED. DO NOT WALK ALONG THE SIDE OF THE BUS OR CROSS-BEHIND THE BUS.**
6. Do not trespass on private property.

7. Approach and board the bus in an orderly manner when the bus has come to a full stop, and the driver has opened the door.
8. Take your seat promptly and remain seated throughout the bus trip.
9. Assignment of seats is left to the discretion of the bus driver with the final approval by school authorities when necessary. Priority is set for the Kindergarten and first grade students to sit in the front of the bus, but front seats are also made available when we have discipline problems. If seat assignments are made, compliance is mandatory.
10. Remain seated until the bus comes to a full stop, then leave in an orderly manner. **NO PUSHING OR SHOVING IS ALLOWED. ANYONE WHO IS CAUGHT DOING THIS WILL BE REPORTED TO THE PRINCIPAL, AND DISCIPLINARY ACTION WILL TAKE PLACE. BE COURTEOUS AND TRY NOT TO BUMP INTO THE PERSON IN FRONT OF YOU.**
11. Do not talk to the driver while the bus is in motion except in an emergency.
12. Avoid actions that might distract the driver.
13. **KEEP YOUR VOICE LOW. NO SHOUTING, WHISTLING, PUSHING, FIGHTING, OR THROWING OBJECTS ON THE BUS. THIS WILL NOT BE TOLERATED. ABSOLUTELY NO NOISE WILL BE MADE WHILE CROSSING RAILROAD TRACKS.**
14. Do not extend arms or any other parts of your body out the window. **DO NOT THROW ANY OBJECTS OUT THE WINDOW OR SPIT OUT THE WINDOW.**
15. **THERE IS NO SMOKING ON THE BUS AND AT BUS STOPS. BUS STOPS AND BUSES ARE CONSIDERED SMOKE AND DRUG FREE ZONES.**
16. Ask the driver's permission before opening the window.
17. Help keep the bus clean and report anything damaged in the bus to the driver. **EATING FOOD AND OR CHEWING GUM ON THE BUS ARE NOT ALLOWED. NO PENCILS OR PENS SHOULD BE OUT ON THE BUS DUE TO VANDALISM OR IF AN ACCIDENT SHOULD OCCUR FOR SAFETY PURPOSES.**
18. Keep books/bundles out of the aisles, and do not carry heavy objects on the bus that might cause injury to other students.
19. Ride your assigned bus and do not ask the driver to make unauthorized stops unless written permission is received from your parents, and agreement is reached between the principal and the bus driver.
20. Report any violation of these rules to the bus driver or to your teacher.
21. **ONCE THREE (3) DISCIPLINE SLIPS HAVE BEEN SUBMITTED ON ANY CHILD, THE CHILD WILL BE REPORTED TO THE PRINCIPAL OF THE SCHOOL AND PUT OFF THE BUS. UNTIL A PARENT, PRINCIPAL AND SCHOOL DEPARTMENT DESIGNEE MEET TO DISCUSS ANY PROBLEM, ONLY THEN WILL A CHILD HAVE HIS/HER PRIVILEGES RETURNED OR DENIED.**
22. All elementary students residing more than 1 ½ miles from the school attended are entitled to transportation privileges. All students riding the bus are required to purchase a school bus pass.

### **RESPONSIBILITIES OF PARENTS:**

1. Please instruct children of the important bus codes that are listed above.
2. Support the bus driver in maintaining discipline on the bus.
3. Ensure children arrive at the bus stop on time. Supervise children when necessary.
4. Make suggestions in writing to the Principal and to the Office of the Superintendent to make any improvements to the routes.
5. Report any concerns or violations to the Principal of the school that your child is attending.
6. **NO KINDERGARTEN CHILD WILL BE DROPPED OFF AT THE BUS STOP WITHOUT A PARENT/GUARDIAN THERE TO MEET HIM/HER. IT IS THE RESPONSIBILITY OF THE PARENT/GUARDIAN OF THE CHILD TO HAVE ARRANGEMENTS MADE IN THE EVENT THEY CANNOT BE AT THE BUS STOP. IF NO ONE IS THERE, THE CHILD WILL BE RETURNED TO SCHOOL AND THE PARENT/GUARDIAN WILL HAVE TO TRANSPORT THE CHILD HOME SAFELY.**
7. In the event that a child is returned to school due to misbehavior on the bus the Principal will contact the parent/guardian and it will be the responsibility of the parent/guardian to transport the child home.
8. Parents, or persons authorized to pick up children at dismissal time or for extenuating circumstances must have this in writing, which will be kept in the office of the Principal. Pupils who do not have written permission to either stay for after-school activities or to be transported by car will be placed on their regular bus home.
9. Please do not ask that we transport children of friends or relatives who may be visiting on a temporary basis.
10. The school should be made aware of any known health problems such as allergies that might require special assistance.
11. **DO NOT DISCUSS WITH THE BUS DRIVER ANY PROBLEMS THAT YOU MAY HAVE WITH THE BUS DRIVER, ROUTE, OR OTHER CHILD. PLEASE REFER ALL PROBLEMS TO THE PRINCIPAL OF YOUR SCHOOL. DRIVERS HAVE BEEN INSTRUCTED NOT TO DISCUSS ANY PROBLEMS WITH PARENTS WHILE ON ROUTE.**
12. **PARENTS ARE NOT ALLOWED TO BOARD THE BUS.**

### **RESPONSIBILITIES OF THE BUS DRIVERS:**

1. Read, comply with and periodically review the rules and regulations as stated in the contract agreement with said contractor and residents of the town.
2. Become familiar with current state laws on school buses and safety procedures.

3. Immediately report in writing any and all accidents, even if minor, to the School Department Business Office, the Police Department and the Registry.
4. Avoid potential hazards. **ABSOLUTELY NO SMOKING OR EATING ON THE BUS.**
5. **Assume full charge of the bus and the pupils while they load, ride, and leave the bus.**
6. Insure the bus is fully stopped with red signal lamps flashing while loading and unloading pupils.
  - a) **The bus should not proceed until all pupils are seated and the door is closed**
  - b) When pupils are loading and unloading, do not wave vehicles to pass the school bus
  - c) Report the registration number to your supervisor of any vehicle passing the school bus while the red signal lamps are flashing.
7. Take necessary disciplinary action with students riding school buses as outlined in the disciplinary procedures. Any and all violations should be written up and a copy submitted to the Principal. After three written violations students should be reported to the Principal for temporary suspension from transportation.

**A driver shall not put pupils off the bus at any stop for reason of discipline. The driver will return the offending child/children back to the school of origin and inform the Principal or designee that you are returning so that they will be prepared for the child/children.**
8. Perform routes as outlined and assigned. Make notations for any and all special requirements of your route. Be sure that there is a roster of your route in your bus at all times in the event there is a substitute driver that they may follow your route
9. Schedules are to be kept as neatly as possible. If the bus is on time and a pupil is not at the designate stop, the driver shall not wait.
10. Bus drivers are cautioned about their language. Derogatory remarks about pupils and/or others are to be withheld. Any complaint will be discussed with your Supervisor and will not be tolerated.
11. **IN NO WAY SHOULD THE DRIVER ENTER INTO A DISCUSSION WITH PARENTS CONCERNING THE MISCONDUCT OF A RIDER. REFER THE PROBLEM TO THE PRINCIPAL.**
12. Exercise extreme caution when buses pass each other in opposite directions on a narrow roadway.
13. Transport students only to designated points on scheduled routes. Deviations are allowed only if agreed upon by the parent, driver, contractor, and school department.
14. Instruct children on safety procedures in case of emergency. Conduct bus drills twice a year demonstrating the use of the emergency exit.
15. Place no devices for locking or securing any exit or windows while actually engaged in transporting school children.

16. Inspect vehicles before the start of routes each day to insure it is in safe operation condition. Inspect vehicles at the end of each day to ensure that all students are off the bus and articles/children left on the bus are taken off and brought to the proper authority.
17. Transport only authorized students attending public schools in Dracut. The transportation of additional passengers is not allowed.
18. No kindergarten child will be dropped off at a designated bus stop without a parent/guardian at the stop to meet them unless other arrangements have been made with the parent or guardian. In the event no one is at the stop, the driver will contact the Principal's office by the phone on the bus and inform them he/she will be returning the child to the school and to please try to contact the parent.
19. **ALL DRIVERS MUST BE CPR AND FIRST AID CERTIFIED.**

#### **RESPONSIBILITIES OF THE POLICE DEPARTMENT:**

1. Adjust routes and bus stops if students are subject to safety hazards. Review any bus stops by the School Department.
2. If requested, handle disciplinary complaints.
3. Conduct classes to instruct bus drivers, students, patrol leaders, etc. on safety measures.
4. Monitor the behavior of pupils at bus stops when requested. Parents assume primary responsibility for monitoring the behavior their children at bus stops.

#### **RESPONSIBILITIES – PRINCIPAL:**

1. Process disciplinary reports received from the bus drivers.
2. If necessary, establish safety guides for the buses.
3. Ensure prompt supervision during loading and unloading of students from the buses each day before and after school.
4. Clear all traffic from bus loading areas each morning and afternoon.
5. As appropriate, instruct students on general safety procedures observed while riding school buses.
6. Be available to assist any parent or bus driver if they have any problems with the school buses.

#### **RESPONSIBILITIES – TEACHERS:**

1. Perform duties in relation to school buses as directed by the Principal.
2. Assist drivers in maintaining discipline when riding the buses.
3. Instruct students on bus codes at the start of the school year.

#### **ACCIDENT PROCEDURE – RESPONSIBILITIES BUS DRIVERS:**

1. In the event of an accident involving a school bus take proper precautions to protect lives.
2. Turn off ignition and activate flashers and flares to warn traffic.

3. Check passengers for physical injury and administer any first aid if required.
4. Evacuate students if a fire is located. If the possibility of a fire is remote and if it is safe to do so, keep students on the bus.
5. Contact Police or Fire Department to report the location of the accident and to request an ambulance, if required.
  - Request a police officer to attend the scene of the accident.
  - Procure the names and addresses of any witness or other operators of motor vehicles involved in the accident.
  - Notify the Business Office immediately and the Principal with the names of students involved in the accident even if it is a minor accident or incident.
6. Fill out accident or incident reports as required.
7. Submit one copy of the report to the Superintendent of Schools and also to the Principal of the school building involved.

#### **ACCIDENT PROCEDURE-RESPONSIBILITIES – STUDENTS:**

1. Keep calm, and follow the directions of the bus driver. Stay in your seat until the bus driver tells you what action to take.
2. Do not touch any emergency equipment unless told to do so by the driver.
3. In case of fire, leave the bus in an orderly manner, as directed by the driver and move to the nearest exit away from the fire.
4. If the driver is injured and unable to move, notify the nearest adult or contact the Police or Fire Department on the nearest phone.
5. Report any injuries to yourself or other students to the driver.

#### **DISCIPLINARY PROCEDURE-RESPONSIBILITIES PRINCIPAL:**

1. Evaluate disciplinary reports.
2. Counsel students on the nature of the violation.
3. Recommended necessary action:
  - a. Depending on the nature of the offense, the principal will reprimand, give a warning, or suspend the student's right to ride the bus.
  - b. No fixed number of disciplinary reports is required to take away a student's riding privilege if the offense is severe.
4. Inform the parents of the nature of the offense.
5. Advise the bus driver of the action taken.

### **DISCIPLINARY PROCEDURE-RESPONSIBILITIES-BUS DRIVER:**

1. Utilize your good judgment, experience, and maturity in handling the students. Never exceed the bounds of good taste in disciplining a child and never strike a child or use profane language. This will only aggravate the situation severely.
2. Fill out disciplinary report clearly and completely as provided. Be sure to fill out this report whenever deemed necessary to do so. Action cannot be taken if this form is not filled out.
3. Report immediately any disciplinary reports you write out to the Principal's Office and maintain a copy for yourself.
4. **Never discharge students from the bus for disciplinary reasons in the middle of a run or any other time without proper authorization.** If you have a problem with students on the bus you must bring them back to the school they are from and inform the Principal that you are taking them back because of discipline problems. The Principal will then deal with the situation.

### **EVACUATION PROCEDURE:**

1. Passengers are to remain seated and pay attention to the driver.
2. The driver will stay at the front of the bus, indication that passengers should move out left to right.
3. Passengers should not take anything with them – musical instruments, athletic equipment, lunch boxes, etc. The objective of the drill is to empty the bus as quickly as possible in an orderly manner.
4. The driver will designate a helper to assist in leading the students to a designated location on the school grounds approximately 100 feet from the bus. Students are to walk, not run to this location.
5. A second helper will be appointed to stand outside the bus door to assist passengers as they leave the bus.

### **CAFETERIA**

The cafeteria is the place for dining and being with friends. Proper behavior is expected, and inappropriate behavior in the cafeteria may result in disciplinary action. You are responsible for keeping the cafeteria neat and clean. Be respectful and talk in a normal tone of voice.

### **CO-CURRICULAR PARTICIPATION**

A full range of co-curricular opportunities is offered. Eligibility requirements are set by Dracut High School guided by the Massachusetts Interscholastic Athletic Association. Students must pass four one (1) credit courses each quarter to be and remain eligible for co-curricular participation. Information on sports schedules and athletic eligibility may be obtained from the Athletic Director at 978-957-1500 X 1355. Participation at dances and other co-curricular events is a privilege for those who are academically eligible according to Dracut High School standards. The Dracut School Committee has instituted an Athletic User Fee. The fee structure will be posted annually at [www.dracutps.org](http://www.dracutps.org). A fifty percent reduction is available for those students who receive free and reduced lunch. All fees are paid on-line through a FamilyID account on the Dracut Public Schools website ([www.dracutps.org](http://www.dracutps.org)).

## DANCES

Dances and other social functions are for **eligible Dracut High School** students only. Prior administrative approval must be obtained for guests to attend the Junior Semi-Formal or the Senior Prom. **The Principal has final say on who attends the Dracut High Semi-Formal and Prom.**

## DISCRIMINATION

### Notice of Non-Discrimination

The Dracut Public Schools does not tolerate discrimination against students, parents, employees or the general public on the basis of race, color, national origin, sex, sexual orientation, gender identity, disability, homelessness, religion, age or immigration status. The Dracut Public Schools is also committed to maintaining a school environment free of harassment based on race, color, religion, national origin, gender, sexual orientation, gender identity, pregnancy or pregnancy status, age or disability. In addition, the District provides equal access to all designated youth groups. Consistent with the requirements of the McKinney-Vento Act, the District also does not discriminate against students on the basis of homelessness.

The Superintendent shall designate at least one administrator to serve as the compliance officer for the District's non-discrimination policies in education-related activities, including but not limited to responding to inquiries related to Title VI of the Civil Rights Act of 1964; Title VII of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973; Title II of the Americans with Disabilities Act; the Age Act; M.G.L c. 76, § 5; M.G.L. c. 151B and 151C; and 603 C.M.R. § 26.00. Inquiries about the application of title IX and this part to such recipient may be referred to the recipient's Title IX Coordinator, to the Assistant Secretary of the U.S. Department of Education, or both.

The Dracut Public Schools' policy of nondiscrimination will extend to students, staff, the general public, and individuals with whom it does business; no person shall be excluded from or discriminated against in employment, admission to a public school of Dracut or in obtaining the advantages, privileges, and courses of study of such public school on account of race, color, sex, gender identity, religion, national origin, sexual orientation, age, homelessness, disability or immigration status.

In addition to designating at least one administrator to handle inquiries regarding the District's non-discrimination policies, the Superintendent shall adopt and publish one or more grievance procedures for addressing reports of discrimination, harassment and retaliation under the protected classes identified in this policy. If an individual interested in filing a complaint that they have been discriminated against because of their race, color, sex, gender identity, religion, national origin, sexual orientation, homelessness, disability, or immigration status, their complaint should be filed in accordance with the District's grievance procedures for discrimination, harassment, and retaliation.

The student handbooks and grievance procedures shall identify the name, office address and telephone number for the compliance officer(s) for the above-referenced statutes and this policy and be posted on the District's website.

LEGAL REFS.: Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(a),(b); EEOA: 20 U.S.C. 1703(f); Title IX: 20 U.S.C. 1681; 34 CFR 106.31, 106.34, 106.35; Section 504: 29 U.S.C. 794; 34 CFR 104.4; Title II: 42 U.S.C. 12132; 28 CFR 35.130; IDEA 2004: 20 U.S.C. 1400; 34 CFR 300.110; NCLB: Title III, Part A, Sec. 3121(c)(1)(C); Title X, Part C, Secs. 721, 722(g)(4); Mass. Const. amend. art. 114; M.G.L. c. 71A, s. 7; c. 76, s. 5; 603 CMR 26.03 as amended by Chapter 199 of the Acts of 2011; MLG c. 71, s370; 42 USC s. 2000c et seq.; 42 USC s. 2000d et seq.; 20 USC s. 1701 et seq.; M.G.L c. 71, Sec. 84.



## Civil Rights Grievance Procedures

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

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

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

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

The *Civil Rights Grievance Procedure* shall not apply to reports of sexual harassment as defined under Title IX of the Education Amendment of 1972 and its implementing regulations (“Title IX”) effective August of 2020.

Allegations of conduct that could, if proven, meet the definition of sexual harassment under Title IX shall be addressed through the District’s *Title IX Sexual Harassment Grievance Procedures*. Similarly, allegations of conduct that meet the definition of sexual harassment under Title IX, and simultaneously meet the definitions of sexual harassment under Title VII (employees),

M.G.L. c. 151B (employees), and/or M.G.L. c. 151C (students), will also be addressed through the [\*Title IX Sexual Harassment Grievance Procedures\*](#).

Allegations of conduct that do not meet the definition of sexual harassment under Title IX, but could, if proven, meet the definition(s) of sexual harassment under Title VII (employees),

M.G.L. c. 151B (employees), and/or M.G.L. c. 151C (students), will be addressed through the *Civil Rights Grievance Procedure*.

### Definitions

For the purposes of this procedure:

- A. “Discrimination” means discrimination or harassment on the basis of race, age, color, national origin, sex, sexual orientation, gender identity, disability or religion by which an individual is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any program or activity of the school district.

B. "Harassment" means unwelcome conduct on the basis of race, age, color, national origin, disability, or religion that is sufficiently severe, persistent or pervasive to create or contribute to a hostile environment for the individual at school. Harassment may include insults, name-calling, off color jokes, threats, comments, innuendoes, notes, display of pictures or symbols, gestures or other conduct which rises to the level of a hostile environment. A hostile environment is one which unreasonably interfered with an individual's participation in, denied the individual the benefits of, or otherwise subjected the individual to discrimination under any program or activity of the District.

a. Non-Title IX Sexual Harassment

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

(a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; (b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment. Discrimination on the basis of sex shall include, but not be limited to, sexual harassment.

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

(a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of the provision of the benefits, privileges or placement services or as a basis for the evaluation of academic achievement; or (b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's education by creating an intimidating, hostile, humiliating or sexually offensive educational environment.

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

When determining whether an environment is hostile, the District shall consider the context, nature, frequency, and location of the incidents as well as the credibility of witnesses and the identity, number and relationships of the persons involved. The District must consider whether the alleged harassment was sufficient to have created such an environment for a reasonable person of the same age, gender, and experience as the Complainant, and under similar circumstances. Conduct does not constitute harassment where the incident occurs off-campus at a non-school sponsored activity and does not create a hostile environment at school for the victim.

- C. Retaliation: retaliatory acts against any individual who exercises his or her rights under the civil rights statutes covered by this procedure or the sexual harassment procedure are considered to be discrimination and are unlawful. Individuals are prohibited from coercing, intimidating, threatening, or interfering with an individual because the individual exercised any right granted or protected under this procedure and/or the Title IX Sexual Harassment Procedures.
- D. Complainant: An individual who is alleged to be the victim of conduct that could constitute discrimination, harassment, or retaliation under this procedure. Parents and/or legal guardians of a complainant are not considered a complainant but may file formal complaints on behalf of a minor child and act on behalf of the minor child in any civil rights matter.
- E. Party or Parties: The complainant and/or respondent.
- F. Principal: The Principal or Principal's designee.
- G. Respondent: An individual who has been reported to be the perpetrator of conduct that could constitute discrimination, harassment, or retaliation under this procedure.

#### How to make a complaint

Any student or employee who believes that he/she has been discriminated against or harassed should report their concern promptly to the Principal. Students may also report incidents of harassing conduct to a teacher, administrator, or guidance counselor. Any complaint received by a school personnel shall be promptly reported to the Principal or Civil Rights Coordinator.

Students or employees who are unsure whether discrimination, harassment, or retaliation has occurred are encouraged to discuss the situation with the Principal. There may be instances where another third-party, who has not experienced but is aware of the occurrence of prohibited conduct, may bring a complaint under this procedure. In such circumstances, that person is referred to as the "reporter."

- A. Any District employee who observes or receives a report of discrimination, harassment or retaliation shall promptly notify the Principal or Civil Rights Coordinator, identified below. Any District employee who observes discrimination, harassment or retaliation against a student should intervene to stop the conduct and report it to Principal. Upon receipt of a report of discrimination, harassment or retaliation, the Principal shall promptly inform the relevant Civil Rights Coordinator of the report, and the District will respond in a manner consistent with this Procedure. If the report involves an accusation against the Principal or Civil Rights Coordinator, the employee shall report the incident to the Superintendent or designee.
- B. Informal Reports: Individuals may wish to file a formal complaint of discrimination, harassment or retaliation, or to report informally (i.e., without initiating a formal complaint). Such informal reports may be made to the Principal or Civil Rights Coordinator. The District shall inform anyone making an informal report that he or she may initiate a formal complaint at any time, regardless of what steps are being or have been taken in response to an informal report.
- C. Anonymous Reports: Complainants and reporters should be aware that although the District will often be able to maintain confidentiality of reporting persons, the District may sometimes be required to take actions to protect the safety of the school community that may result in the identity of the reporting person being disclosed (to the police, for

example). When reporters or Complainants seek to remain anonymous or have their identities kept confidential, they will be informed that honoring such a request may limit the ability of the District to respond fully to any reported event, including limitations on the ability to take disciplinary action against an Respondent.

- D. Informal Process: If the District concludes that it is possible to resolve a matter, whether after formal complaint or an informal report, in a prompt, fair and adequate manner through an informal process involving, and with the consent of, the Complainant and Respondent, the District may seek to do so. The informal process is voluntary, and the Complainant and/or Respondent may terminate or decline any informal process at any time, without penalty.
- E. Formal Process: A formal complaint shall state (if known to the reporter or Complainant) the name(s) of the persons involved and witnesses to the conduct, describe the conduct, and identify, to the extent possible, the dates and locations of the conduct. The complaint shall be signed and dated by the reporter and/or Complainant. Complaints will be investigated promptly and equitably by the Civil Rights Coordinator or Principal. Investigations may be initiated whenever warranted, in the absence of a formal complaint, or after a formal complaint has been withdrawn.
- F. Initial Assessments: The Civil Rights Coordinator or Principal will make an initial assessment following a complaint. Based on that assessment, the Civil Rights Coordinator or Principal may: (a) if the conduct, even if substantiated, would not constitute harassment, discrimination or retaliation, dismiss the complaint; (b) if the alleged conduct (or complaint) could not, even if true, constitute discrimination, harassment or retaliation, but is within the scope of another procedure, the Civil Rights Coordinator shall refer the matter to the appropriate personnel; (c) if the Civil Rights Coordinator or Principal concludes that it is possible to resolve the complaint in a prompt, fair and adequate manner through an informal process involving and with the consent of both parties, the Civil Rights Coordinator or Principal may seek to do so in accordance with Section D, above; or (d) if the alleged conduct, if substantiated, would constitute discrimination, harassment or retaliation, the Civil Rights Coordinator or Principal will initiate an investigation. The Civil Rights Coordinator or Principal may also identify and initiate any interim measures. See Section G.
- G. Interim Measures: The District will provide prompt and reasonable interim measures during the pendency of the investigation, if appropriate, to support and protect the safety of the parties, the educational environment, and the District and/or school community; to deter retaliation; and to preserve the integrity of the investigation and resolution process. Any interim measures will be monitored to ensure they are effective based on the evolving needs of the parties. Violations of the restrictions imposed by interim measures could be considered a violation of school rules and may be considered in determining whether discrimination, harassment or retaliation has occurred.
- H. Timeframes: The District will seek to complete any investigation within twenty (20) school days after receipt of a complaint and provide the written notice of the outcome of the investigation within twenty-five (25) school days. The investigator may impose reasonable timeframes on all parties to facilitate the timely completion of the investigation. The investigator may extend the investigation period beyond the time period identified due to extenuating circumstances, including but not limited to availability and cooperation of witnesses, complexity of the investigation, school vacation periods, and the involvement of law enforcement and other outside agency investigations. If a complaint or report of discrimination, harassment or retaliation is

received within three (3) weeks of the end of the academic school year, the investigator will attempt to complete the investigation by the end of the school year. In the event that the investigation extends beyond the last day of school, the District will make reasonable efforts to complete the investigation within the above-referenced time frame, but may extend the investigation period to account for the availability of witnesses during the summer vacation period. If the investigator extends the investigation, he or she will notify the Complainant and Respondent of the extension. A report to the law enforcement will not automatically delay an investigation; however, a request from law enforcement to delay the investigation may require a temporary suspension of an investigation, and the District will promptly resume its investigation upon being advised that law enforcement's evidence gathering is completed.

- I. Under the formal resolution procedure, the complaint will be investigated by the Principal, Civil Rights Coordinator or other individual designated by the Principal or Civil Rights Coordinator who has responsibility for seeking and gathering evidence relative to the investigation. A formal complaint against an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. During the formal resolution procedure:
  1. The Complainant shall be provided with an opportunity to be heard and have the opportunity to identify witnesses and other relevant evidence to the investigator.
  2. The Respondent will be provided with an opportunity to be heard as part of the investigation including the opportunity to provide relevant information and identify witnesses for the investigator's consideration.
  3. The privacy rights of the parties shall be maintained in accordance with applicable state and federal laws.
  4. The investigator will keep a written record of the investigation process.
  5. The investigation will be completed within twenty (20) school days of the date of receipt of the complaint.
  6. The notification of the outcome of the investigation, including, if appropriate, a description of the remedies taken, will be provided to the parties within twenty- five (25) school days of the receipt of the complaint, unless extended for good cause.
  7. Nothing in this Procedure will preclude the investigator, in his or her discretion, from completing the investigation sooner than the time period described above.
- J. Standard of Proof: The investigation shall made factual findings based on a preponderance of the evidence standard.
- K. If the investigator determines that discrimination, harassment or retaliation has occurred, the District shall take steps to eliminate the discriminatory or harassing environment, which shall include but not be limited to:
  1. Identifying what steps are necessary to prevent recurrence of any discriminatory behavior, including but not limited to harassment or retaliation, and to correct its discriminatory effects if appropriate; and
  2. Informing the Complainant and Respondent of the results of the investigation (in accordance with applicable state and federal privacy laws) in accordance with the above timelines.

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

- L. Appeal: If the Complainant or the Respondent is dissatisfied with the results of the investigation, an appeal may be made to the Superintendent or designee within seven (7) calendar days after receiving notice of the outcome of the investigation, except for circumstances in which the Respondent is subject to long-term suspension as a result of a finding of discrimination, harassment or retaliation. In such an instance, the appeal rights of the Respondent will be provided in a manner consistent with the disciplinary due process requirements applicable to the circumstances (e.g., M.G.L. c. 71, 37H, 37H ½ or 37H ¾). Appeals must be made in writing (email is sufficient) to the Superintendent, Dracut Public Schools, 2063 Lakeview Avenue, Dracut, Massachusetts 01820. The Superintendent will decide the appeal within thirty (30) calendar days of the date of receipt of the written appeal.
- M. Identification of Civil Rights Coordinator for complaints of discrimination, harassment, and retaliation under this procedure is:

David Hill, Director of Curriculum, Instruction and Assessment

Phone: 978-957-2617

Email: [dhill@dracutps.org](mailto:dhill@dracutps.org)

Kimberly Lawrence, Director of Student Services Phone:

978-957-4633

Email: [klawrence@dracutps.org](mailto:klawrence@dracutps.org)

- N. Employment Agency Information: federal employment discrimination enforcement agencies is as follows: 1) Federal - United States Equal Employment Opportunity Commission (EEOC); John F. Kennedy Federal Building; 15 New Sudbury Street, Room 475; Boston, MA 02203-0506; 1-800-669-4000; EEOC Boston Area Office Website: <https://www.eeoc.gov/field-office/boston/location>; 2) State: Massachusetts Commission Against Discrimination (MCAD); Boston Headquarters; One Ashburton Place; Sixth Floor, Room 601; Boston, MA 02108; (617)-994-6000; MCAD Website <https://www.mass.gov/orgs/massachusetts-commission-against-discrimination>.

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

## **Title IX Sexual Harassment Grievance Procedures**

### **OVERVIEW**

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

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

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

### **SCOPE**

The Title IX Sexual Harassment Grievance Procedures have been developed in accordance with the revised Title IX regulations, 34 CFR Part 106, effective August 14, 2020, which established a new definition of sexual harassment under Title IX and which mandate specific procedures for responding to and investigating allegations of sexual harassment under Title IX.

The Title IX Sexual Harassment Grievance Procedures apply only to allegations of sexual harassment under Title IX, which includes harassment based on sex, sexual orientation, and/or gender identity, and is defined in the Definitions section below.

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

Allegations of conduct that meet the definition of sexual harassment under Title IX will be addressed through the Title IX Sexual Harassment Grievance Procedures. Allegations of conduct that meet the definition of sexual harassment under Title IX, and simultaneously meet the definitions of sexual harassment under Title VII of the Civil Rights Act of 1964 (employees),

M.G.L. c. 151B (employees), and/or M.G.L. c. 151C (students), will also be addressed through the Title IX Sexual Harassment Grievance Procedures.

Allegations of conduct that do not meet the definition of sexual harassment under Title IX, but could, if proven, meet the definition(s) of sexual harassment under Title VII (employees),

M.G.L. c. 151B (employees), and/or M.G.L. c. 151C (students), will be addressed through the

District's Civil Rights Grievance Procedures. (See exception under Section II, Part 4, Step 4 below). The definitions of sexual harassment under Title VII, M.G.L. c. 151B, and M.G.L. c. 151C are set out in the Civil Rights Grievance Procedures.

The District's Civil Rights Grievance Procedures is available at on the district website at:

[Civil Rights Grievance Procedures](#)

### CONFIDENTIALITY

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

### DEFINITIONS

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

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

- (1) alleges sexual harassment against a respondent; and
- (2) requests that the recipient investigate the allegation of sexual harassment.

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

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

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

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

- **Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim,



including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity. In Massachusetts, pursuant to M.G.L. c. 265, § 13B, a child under the age of 14 is incapable of giving consent to indecent touching.

- Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent. In Massachusetts, pursuant to M.G.L. c. 265, § 23, the statutory age of consent is 16 years of age.

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

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

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

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

For the purposes of this definition:

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

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

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

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

**Principal:** The Principal or Principal’s designee.

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

Superintendent: The Superintendent or Superintendent's designee.

Supportive Measures: Individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the Complainant or Respondent, while designed to ensure equal educational access, protect safety, and/or deter sexual harassment.

Supportive Measures may be offered before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Supportive measures are individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party, while designed to ensure equal educational access, protect safety, and/or deter sexual harassment. Supportive measures available to complainants and respondents include, but are not limited to: counseling; extensions of deadlines or other course-related adjustments; modifications of work or class schedules; campus escort services; mutual restrictions on contact between the parties; changes in work locations; leaves of absence; increased security and monitoring of certain areas of the building and/or campus; and other similar measures.

Violations of the restrictions imposed by supportive measures may be considered a violation of school rules and may also be considered in determining whether sexual harassment has occurred.

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

## **I. REPORTING SEXUAL HARASSMENT**

- A. Who May Report Sexual Harassment: Anyone may report an allegation of sexual harassment.
- B. How to Report Sexual Harassment: Individuals are encouraged to report allegations of sexual harassment to the Title IX Coordinator or the Principal, but any District employee who receives a report of sexual harassment will respond to the report as outlined below.
- C. Internal Reporting: Any District employee who receives a report of sexual harassment shall respond by promptly informing the Principal or Title IX Coordinator of the report. Any District employee who observes sexual harassment of a student should intervene to stop the conduct and shall promptly inform the Principal or Title IX Coordinator of the incident. If a report involves an allegation against the Principal or Title IX Coordinator, the District employee shall instead report the allegation to the Superintendent.

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

- D. District's Response to Report: The District will respond to all reports of sexual harassment promptly and equitably, and in a manner consistent with this Procedure

and any other relevant District procedures and policies. Upon receipt of a report, the Title IX Coordinator shall:

- (1) Promptly and confidentially contact the complainant to discuss the availability of supportive measures;
- (2) Inform the complainant of the availability of supportive measures with or without the filing of a Title IX Formal Complaint;
- (3) Consider the complainant's wishes with respect to supportive measures;
- (4) If the District does not provide the complainant with supportive measures, document the reasons why such response was reasonable; and
- (5) Explain to the complainant the process for filing a Title IX Formal Complaint. Only the filing of a Title IX Formal Complaint will trigger the Title IX Formal Complaint grievance process, outlined in Section II.

## II. FILING A TITLE IX FORMAL COMPLAINT

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

- A. Who may file a Title IX Formal Complaint: Although anyone may report sexual harassment, only a complainant or a Title IX Coordinator may file a Title IX Formal Complaint. If a complainant chooses not to file a Formal Complaint, the complainant's choice to not initiate an investigation will generally be respected, unless the Title IX Coordinator determines that signing a Formal Complaint to initiate an investigation over the wishes of the complainant is not clearly unreasonable in light of the known circumstances. The Title IX Coordinator will take into account concerns articulated by the parties, the best interests of the community, fairness to all concerned, and the District's legal obligations under applicable state and federal laws. Where the Title IX Coordinator signs the Formal Complaint, the Title IX Coordinator is not a complainant or a party during the grievance process and must comply with the requirement to be free from conflicts or bias.
- B. Processing of a Title IX Formal Complaint: Title IX Formal Complaints will be investigated promptly and equitably by the Title IX Coordinator or designee, as follows:

### **Step 1:** Title IX Formal Complaint is filed:

- (1) A Formal Complaint shall state (if known to the reporter or alleged victim) the name(s) of the persons involved, witnesses to the conduct, if any, a description of the conduct, and to the extent possible, the dates and locations of the conduct. A Formal Complaint will not be dismissed solely because it was not completely filled out or it was filled out incorrectly.

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

**Step 2:** Consider Supportive Measures for both the complainant and the respondent: Once a Formal Complaint is filed, the Title IX Coordinator will ensure that supportive measures are considered for both parties. See Section I (E).

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

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

- (1) Mandatory Dismissal of Formal Complaint: The Title IX Coordinator shall dismiss a Formal Complaint under Title IX when the conduct alleged:
  - a. even if proved, would not meet the definition of sexual harassment under Title IX;
  - b. did not occur in an education program or activity of the District; or
  - c. did not occur against a person in the United States.

- (2) Discretionary Dismissal of Formal Complaint: The Title IX Coordinator may dismiss a Formal Complaint or allegations therein for purposes of Title IX at any time if:
  - a. the complainant informs the Title IX Coordinator in writing that the complainant desires to withdraw the Formal Complaint or allegations;
  - b. the respondent is no longer enrolled or employed by the District; or
  - c. specific circumstances prevent the District from gathering sufficient evidence to make a determination.
- (3) The Title IX Coordinator must provide the parties with written notice of any dismissal of a Formal Complaint and the reasons for the dismissal.
- (4) Dismissal of a Formal Complaint for purposes of Title IX shall not preclude the District from addressing the allegations under any other relevant District policies or procedure(s), including but not limited to, the Civil Rights Grievance Procedures, the Bullying Prevention and Intervention Plan, the Student Code of Conduct, and/or a collective bargaining contract, nor will it preclude the District from addressing the allegations pursuant to the grievance process set out in Section II of this Procedure. The Title IX Coordinator shall have the discretion to make any such referrals and proceed as appropriate in regard to the allegations.

**Step 5:** Initial Investigation: All Formal Complaints will be investigated by the Title IX Coordinator or other individual designated to serve as the investigator by the Title IX Coordinator. The investigator shall be responsible for seeking and gathering evidence relative to the investigation. Any Formal Complaint against an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. During the Formal Complaint resolution process:

- (1) Standard of Proof: The investigator shall make factual findings based on a preponderance of the evidence standard.
- (2) The burden for gathering evidence and the burden of proof remains on the District, not on the parties.
- (3) The District shall provide equal opportunity for the parties to present fact and expert witnesses and other inculpatory and exculpatory evidence.
- (4) The District shall not restrict the ability of the parties to discuss the allegations or gather evidence (e.g., no "gag" orders).
- (5) Each party may have one (1) advisor of their own selection and at their own expense participate in this grievance process. In the case of a student under the age of 18, this advisor may be in addition to the student's parents/guardians. Any restrictions on the participation of an advisor will be applied equally to each party. The advisor may, but is not required to, be an attorney. Any evidence received by an advisor in this process is subject to confidentiality and may be used only for the purpose of the grievance process. Advisors are prohibited from disseminating or disclosing such evidence outside of the grievance process.
- (6) The District shall send prior written notice to the parties of any investigative interviews, meetings, or hearings in which their participation is invited or expected.

- (7) Privacy of Medical Treatment and Mental Health Treatment Records: The District may not access or use either the complainant's or the respondent's medical, psychological, or similar treatment records unless the District obtains the party's written consent to do so.
- (8) The investigator may impose reasonable timeframes on all parties as required to facilitate the timely completion of the investigation. The investigator may extend any of the timeframes beyond the time periods identified in this procedure for good cause. If a complaint or report of sexual harassment is received within three (3) weeks of the end of the academic school year, the investigator will attempt to complete the investigation by the end of the school year. In the event that the investigation extends beyond the last day of school, the District will make reasonable efforts to complete the investigation within the above-referenced time frame, but may extend the investigation period to account for the unavailability of witnesses while school is not in session. If the investigator extends the investigation, the investigator will notify the parties of the extension and the reasons therefore in writing.

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

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

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

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

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

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

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

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

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

- (4) The decision-maker shall not draw inferences about the determination of responsibility based solely on a party's failure or refusal to answer questions.
  - (5) The written determination must be sent simultaneously to both parties.
  - (6) This determination shall be sent within twenty (20) school days of the issuance of the investigative report unless an extension is agreed upon by the parties or if the process is otherwise reasonably delayed. Except where the parties have agreed to an extension of the timeline or where the process is otherwise reasonably delayed, the written determination shall be issued within sixty (60) school days of receipt of the Formal Complaint.
- B. Remedies: If the decision-maker determines that sexual harassment has occurred, the District administration shall take steps to eliminate the harassing environment, which may include but not be limited to providing remedies to a complainant that are designed to restore or preserve the complainant's equal access to the District's education programs and/or activities. These remedies may be the same individualized services as the supportive measures outlined in Section I (E) above and/or may consist of alternative interventions and/or punitive or disciplinary sanctions that burden the respondent.
- C. Discipline: Persons who engage in sexual harassment or retaliation may be subject to disciplinary action, including, but not limited to, reprimand, suspension, termination, expulsion (if applicable under M.G.L. c. 71, §§ 37H or 37H ½), or other sanctions as determined by the District administration, subject to applicable procedural requirements.
- (1) Although the respondent may, in accordance with Title IX, be subject to emergency removal at any time, the respondent may not be subject to disciplinary sanctions for the misconduct defined under this procedure until after this grievance process has been completed.
- D. Informal Process: Only after a Formal Complaint is filed may the District opt to offer and facilitate informal resolution options, such as mediation or restorative justice. Both parties must give voluntary, informed, written consent to attempt any offered informal resolution. Any informal resolution under this procedure will be facilitated by trained personnel.
- (1) The informal resolution process is not available to resolve allegations that an employee sexually harassed a student.
  - (2) The informal process is voluntary, and the alleged victim and/or respondent may terminate or decline any informal process at any time and resume the Formal Complaint grievance process.
  - (3) The informal process shall not exceed thirty (30) calendar days.

Participation in the informal process will stay the timelines of the Formal Complaint process.

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



to mitigate the threat presented; and (3) provides the respondent with notice and the opportunity to challenge the decision immediately following the removal.

- F. **Anonymous Reports:** The District may be on notice of an allegation of sexual harassment through receipt of an anonymous report. In cases of anonymous reports, the District's obligation is to respond in a manner that is not clearly unreasonable in light of the known circumstances. If the anonymous reporter is the complainant and they request confidentiality, the District can and should offer supportive measures to the extent consistent with maintaining the request for confidentiality. If an anonymous report is received without a disclosure of the complainant's identity, the District will be unable to provide the complainant supportive measures in response to that report. The District may in conformance with applicable state laws and regulations be required to report sexual harassment identified in an anonymous complaint to state and/or local authorities such as the Massachusetts Department of Children and Families in conformance with state statutes and regulations and/or take actions to protect the safety of the school community (contacting the police, for example) that may result in the identity of the reporting person being disclosed. Although the District shall respond to anonymous reports of sexual harassment in accordance with this Procedure, a Formal Complaint cannot be filed anonymously.
- G. **Appeals:** The complainant or respondent may appeal from a determination regarding responsibility and/or from the District's dismissal of a Formal Complaint or any allegations therein, only on the following bases:
- (1) procedural irregularity that affected the outcome of the matter;
  - (2) newly discovered evidence that could affect the outcome of the matter; and/or
  - (3) Title IX personnel had a conflict of interest or bias that affected the outcome of the matter.

An appeal may be made to the Superintendent or designee within five (5) calendar days after receiving the determination of responsibility or dismissal. The Superintendent will decide the appeal no later than thirty (30) calendar days of the date of receipt of the written appeal. In cases in which it has been determined that a respondent student is subject to long-term suspension as a result of a finding of sexual harassment in accordance with this procedure, the respondent may elect to exercise their appeal under the disciplinary due process requirements applicable to the circumstances (e.g., M.G.L. c. 71, §§ 37H, 37H ½ or 37H ¾) in place of this appellate procedure. Appeals must be made in writing (email is sufficient) to the Superintendent, Dracut Public Schools, 2063 Lakeview Avenue, Dracut, Massachusetts 01826.

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

- H. **Recordkeeping:** Records related to this Procedure will be maintained for a period of seven (7) years.

I. Employment Agencies: The contact information for state and federal employment discrimination enforcement agencies is as follows: 1) Federal - United States Equal Employment Opportunity Commission (EEOC); John F. Kennedy Federal Building; 15 New Sudbury Street, Room 475; Boston, MA 02203-0506; 1-800-669-4000; EEOC Boston Area Office Website: <https://www.eeoc.gov/field-office/boston/location>; 2) State: Massachusetts Commission Against Discrimination (MCAD); Boston Headquarters; One Ashburton Place; Sixth Floor, Room 601; Boston, MA 02108; (617)-994-6000; MCAD Website <https://www.mass.gov/orgs/massachusetts-commission-against-discrimination>.

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

- **Title IX Coordinator:**  
David Hill, Director of Curriculum, Instruction and Assessment  
Phone: 978-957-2617  
Email: [dhill@dracutps.org](mailto:dhill@dracutps.org)
- **Investigator(s):**  
Kathleen Downing,  
Assistant Principal, Dracut High School  
Phone: 978-957-1500 ext 1430  
Email: [kdowning@dracutps.org](mailto:kdowning@dracutps.org)  
  
Andrienne Wheeler, Assistant Principal, Richardson Middle School  
Phone: 978-957-3330 ext 2201  
Email: [awheeler@dracutps.org](mailto:awheeler@dracutps.org)

- **Decision-maker:**

<b>Richard Manley</b> Principal Dracut High School Phone: 978-957-1500 Email: <a href="mailto:rmanley@dracutps.org">rmanley@dracutps.org</a>	<b>Maria McGuinness</b> Principal Richardson Middle School Phone: 978-957-3330	<b>Nicholas Botelho</b> Principal Greenmont Elementary Phone: 978-453-1797
<b>Lindsey Howe</b> Principal Brookside Elementary Phone: 978-957-0716	<b>Laurie Fahey</b> Principal Englesby Elementary Phone: 978-957-9745 Email: <a href="mailto:lfahey@dracutps.org">lfahey@dracutps.org</a>	<b>Bonnie Faulkner</b> Principal Campbell Elementary Phone: 978-459-6186

Decision maker may include the Director of Student Services or School Business Administrator if related to their specific department.

- **Appeal Officer:**  
Steven Stone, Superintendent of Schools  
Phone: 978-957-2660  
Email: [sstone@dracutps.org](mailto:sstone@dracutps.org)
- **Informal Resolution Facilitator:**  
Kimberly Lawrence, Director of Student Services  
Phone: 978-957-4633  
Email: [klawrence@dracutps.org](mailto:klawrence@dracutps.org)

The District will notify students, employees, applicants for admission or employment, parents and legal guardians of students, and unions of the name, title, office address, email address and telephone number

of the Title IX Coordinator. This information will be prominently displayed on the District's website.

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

## **DRIVING/PARKING**

Driving a car to school is a **privilege** as well as a **responsibility**. Safety rules regarding automobiles are very serious and **must be followed**. Student vehicles must be registered in the main office. Hang tags will be issued and must be affixed to the vehicle as directed by the administration. There will be a limited number of permits issued based on the number of available parking places.

The Dracut School Committee has instituted a student parking fee. A reduced fee is available for those students who receive free and reduced lunch. All fees are paid on-line through a FamilyID account on the Dracut Public Schools website ([www.dracutps.org](http://www.dracutps.org)).

Violation of safety rules, reckless driving, illegal parking, chronic tardiness, and no sticker are some examples which will result in temporary or permanent loss of parking privileges. Spaces are limited. Some basic rules for drivers and passengers are:

- ❖ Use extreme caution when operating a vehicle on school grounds.
- ❖ **Park only in designated areas**, and only on paved surfaces.
- ❖ Comply with state motor vehicle laws.
- ❖ Enter school immediately after parking. Do not loiter in the car or in the lot.
- ❖ **Vehicles parked on school grounds are subject to search, including search by canines and law officials.**
- ❖ Plan ahead. Students are not allowed to go to their cars during the school day.

**Failure to comply with regulations may result the loss of parking privileges or towing at student's expense.**

## **ETHICS**

High standards of ethics are expected and enforced. Honesty and integrity in schoolwork is expected. Students must always cite sources when preparing any academic work. The failure to cite to sources is academic dishonesty and will not be credited. Ethics violations impact National Honor Society applications, acceptance, and standing.

## GUIDANCE

The Guidance Department is here to assist you in making the best use of your opportunities at Dracut High School. Please make yourself familiar to your guidance counselor. Schedule appointments to peruse college material and allow your counselor to assist you in scheduling courses and selecting post high school opportunities. The Guidance Department may be contacted at any time via note or telephone (957-1500 ext. 1). If a parent/guardian wishes to speak to a guidance counselor about you or your schedule, please have your parent/guardian contact the Guidance office. Students are assigned counselors alphabetically, and students should check these assignments on the first day of school.

## HALLWAYS

Be respectful, orderly, and quiet when in the corridors and stairways. Certain areas of the building get congested more than others. In these places **stay to the right** so there will be an even flow of traffic. Remember the tardy policy and get where you are going on time. There is ample time allotted for passing between classes. Plan ahead so that you do not have to visit your locker between each class. **Passes are required for students any time they are out of class.**

## HAZING

**Chapter 269 of the General Laws** provides as follows:

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

The term hazing as used in this section shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to 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 physical health and safety of any such student or other person, to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

**Section 18** Whoever knows that another person is the victim of hazing, as defined in section seventeen, and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than five hundred dollars (\$1,000).

**Section 19** 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, pledge, or applicant for membership in such group or organization, a copy of this section and sections seventeen and eighteen and shall sign an acknowledgement stating that such group, organization, or individual has received a copy of said sections seventeen and eighteen.

Each secondary school and each public and 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 a 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 report.

### **LOCKERS/SEARCHES**

Lockers are the property of DHS and are loaned to the student while attending Dracut High School. Lockers may be inspected periodically and searched according to applicable law and includes faculty, staff, administration and designees. Students shall have no expectation of privacy in their school lockers. From time to time there may be canine searches of the building, vehicles in the parking lots, and the school grounds. It is the student's responsibility to keep his/her locker neat and clean, free of vandalism, and used properly.

### **MEDICATION/SCHOOL NURSE**

**Any medication that a student needs during the school day must be immediately brought to the school nurse. Failure to do so constitutes a violation of the school's drug possession rules.** Only the nurse will be allowed to dispense medications. Medications need to be accompanied by a physician's prescription and be in the original bottle dispensed by the pharmacy. The administration of medication in schools are subject to the provisions of 105 C.M.R. § 210.006. New students entering Dracut High School must present a copy of their immunization records before they can be enrolled in school according to Massachusetts Public Health Laws.

### **NO SCHOOL - DELAYED OPENING**

Watch local television stations for school closings. **There will also be a "Connect-Ed" message sent to each student's home.**

### **RESTRAINT POLICIES & PROCEDURES**

The Dracut Public Schools recognizes that on occasion physical restraint is required to protect the safety of school community members from serious, imminent physical harm. Physical restraint is defined as the use of bodily force to limit a student's freedom of movement. Physical restraint may be used only in the following circumstances: (a) non-physical interventions would not be effective; and (b) the student's behavior poses a threat of imminent, serious, physical harm to self and/or others. Physical restraint in a public education program shall be limited to the use of such reasonable force as is necessary to protect a student or another member of the school community from assault or imminent, serious, physical harm. Physical restraint is prohibited in the following circumstances: (a) as a means of punishment; or (b) as a response to property destruction, disruption of school order, a student's refusal to comply with a school rule or staff directive, or verbal threats that do not constitute a threat of imminent, serious, physical harm. Nothing in this policy, or the applicable regulations, prohibits: (a) the right of any individual to report to appropriate authorities a crime committed by a student or other individual; (b) law enforcement, judicial

authorities or school security personnel from exercising their responsibilities, including the physical detainment of a student or other person alleged to have committed a crime or posing a security risk; or (c) The exercise of an individual's responsibilities as a mandated reporter pursuant to MGL c. 119, § 51A. The Dracut Public Schools complies with the requirements of Massachusetts regulations governing the use and reporting of physical restraint in schools, 603 CMR 46.00.

## **SAFETY**

**The Dracut High School community prides itself upon establishing a positive learning environment. In order for this learning environment to be maximized students are expected to adhere to a few simple rules. The underlying principle is that you need to be in the proper place at the proper time and no one has the right to interfere with another person's opportunity to learn. Teachers have the expectation to teach in a non-disruptive classroom and students have the right to expect a positive learning atmosphere. The discipline code is written with these concerns in mind.** Common sense dictates safety measures. Running in the hallways, pushing in lunch line, fooling around on the stairs and throwing things are undesirable behaviors that take away from a safe environment. Be responsible in your conduct. Students in any lab class such as technology classes or science labs must wear protective eye wear when required. Emergency procedures such as fire drills are also important for safety measures in schools. Students are required to follow emergency procedures, use exits established by the school, and obey their teachers. Refusing to comply with these rules or teacher directives is a serious safety matter. Your cooperation in this matter is appreciated.

## **TUTORING**

All teachers provide extra help sessions after school. The National Honor Society members act as student tutors in an after-school program. Contact your guidance counselor for details.

## **WELLNESS**

Participation in Wellness classes can be enjoyable and also foster habits for a lifetime of good health. Have your activity attire ready, be prepared, and participate fully in class. Use the locker assigned to you and do not share the combination. **You are responsible for being ready to participate in class.** Do not bring valuables to class. Students who are medically excused from participation in Wellness classes must have a note from a physician stating the reason(s), duration of inactivity, and date of return to Wellness class. These medically excused students may still be required to attend class and help out as scorekeeper, assistant, referee, etc., or may be required to do research on topics such as history and rules of sport, cardiovascular fitness, lifetime fitness activities.

## **CHILD ABUSE**

General Laws Chapter 119, Section 51A, makes administrators, teachers, school nurses, guidance counselors and other school staff members mandated reporters for purposes of reporting child abuse and neglect to the Department of Children and Families (DCF). Under G. L. c. 119, Section 51A, a school staff member who has reasonable cause to believe that a student under the age of 18 years is suffering physical, sexual, or emotional abuse, or neglect, by a parent, guardian, school staff member, or other caretaker, must immediately report the abuse or neglect either directly to the DSS or to the person designated by the school to accept those reports, who, in turn, must promptly report the abuse to the DSS. The Principal, on a yearly basis, informs all professional staff of their obligations to report cases of child abuse and neglect as specified in M.G.L. Chapter 119, §51A-51F and M.G.L. Chapter 71, §37L.

## **RESPONSIBILITY & DISCIPLINE**

There are consequences for inappropriate actions while a student at Dracut High School. The infractions and the consequences contained within this handbook are not exhaustive; rather these are guidelines for addressing inappropriate conduct and suggested disciplinary consequences. A range of discipline is possible within these guidelines, and school administrators have the discretion to impose more severe consequences than contained within these guidelines depending on the individual circumstances presented. Please be aware that some behavior warrants police investigation as the breach of conduct may also be a criminal offense.

The following list of actions may result in suspension from school or other disciplinary actions.

Disrespect - Disrespect will not be tolerated.

Give respect to all, especially your teachers and adults in the building.

Harassment, Hazing, Violation of Civil Rights, uttering profanity

Bullying, use of ethnic slurs, racial epithets, sexual remarks, swearing.

School and/or class truancy.

Skipping teacher or office detentions, excessive tardiness, leaving school or class without permission, entering an unauthorized area

Improper Vehicle conduct

Bus decorum, driving, parking, including field trips, sporting events

Smoking - including possession of

Tobacco, in any and all forms, including e-cigarettes, vaping devices, other drugs, alcohol use or possession, illicit material including drug paraphernalia

### **DRACUT HIGH SCHOOL IS A NON-SMOKING ZONE**

Vandalism/Theft

Graffiti, destruction of school property, stealing anything

Gambling

Card playing, coin flips, all forms of gambling or betting

Fighting

Instigating fights, threats, causing a disturbance

Cheating

Plagiarism, electronic or other, copying, texting, cell phone use

Dress code violations

Drugs

Any and all drugs, even prescription, drug paraphernalia

False reporting of a bomb, pulling fire alarm

Other items not specifically covered in this list

Improper attire such as hats and hoods **may not be worn.**

Improper or illicit use of cell phones, headphones, other electronic devices is not permitted. Such devices may be confiscated and **returned to a parent/guardian when student use is disruptive or detrimental to learning or teaching.**

Cigarettes and other tobacco products containing nicotine (including but not limited to e-cigarettes, vaporizers, or other nicotine-delivery devices), drugs and drug paraphernalia **will be confiscated and will not be returned.**



## DETENTIONS, SUSPENSIONS, & EXPULSIONS

**Detentions** are issued to students who have not conformed to school or class rules. Teachers will issue and administer most of the detentions a student receives for minor infractions. The responsibility is on the student to conform to the rules of expected behavior. **Detentions are to be served within 24 hours of the day they are issued.** Students who are scheduled to serve a school detention may not participate in any after school activity or sport without the prior approval of a vice principal. **Students skipping assigned detentions by teachers or administrators may be suspended.**

**Suspensions are a serious matter. Suspensions may be served in or out of school..** Suspended students are expected to make up all work missed, including detentions. Repeated suspensions may result in further long-term exclusion from school.

### Disciplinary Due Process

Suspensions and expulsions of students shall be imposed in compliance with constitutional, statutory, and regulatory requirements, including M.G.L. c. 76, §17; M.G.L. c. 76, §21; M.G.L. c. 71, §37H; M.G.L. c. 71, §37H 1/2; and M.G.L. c. 71, §37H 3/4.

### Due Process Under M.G.L. 71, Section 37H ¾

**(For all offenses except for possession of a dangerous weapon, possession of a controlled substance, assault on staff and felony offenses)**

Definitions Under M.G.L. c. 37H 3/4

Superintendent – the Superintendent or designee for disciplinary purposes.

Expulsion: the removal of a student from the school premises, regular classroom activities, and school activities for more than ninety (90) consecutive school days.

In-School Suspension: the removal of a student from regular classroom activities, but not from the school premises, for no more than (10) consecutive school days, or no more than ten (10) school days cumulatively for multiple infractions during the school year. *\* Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days.*

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

Long-Term Suspension: 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. Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days.

Except for students who are charged with a disciplinary offense set forth in M.G.L. c. 71, § 37H(a) or (b), or M.G.L. c. 71, § 37H ½ no student may be placed on long-term suspension for one or more disciplinary offenses for more than 90 school days in a school year beginning with the first day that the student is removed from school. No long-term suspension shall extend beyond the end of the school year in which such suspension is imposed.

Principal: the primary administrator of the school or the Principal's designee for disciplinary purposes.

Written Notice: Written correspondence sent by hand-delivery, certified mail, first-class mail, email to the address provided by the parent for school communications, or any other method of delivery agreed to by the principal and the parent.

***(Please note: these due process procedures apply to M.G.L. c. 71, § 37H ¾ only. For offenses under M.G.L. c. 71, §§ 37H and 37H 1/2 please see the appropriate sections below)***

In every case of student misconduct under M.G.L. c. 71, § 37H ¾ for which suspension may be imposed, a principal shall exercise discretion in deciding the consequence for the offense; consider ways to re-engage the student in learning; and avoid using long-term suspension from school as a consequence until alternatives have been tried. Alternatives may include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and positive behavioral interventions and supports.

Emergency Removals; M.G.L. c. 71, § 37H ¾: - A principal may remove a student from school temporarily when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the principal's judgment, there is no alternative available to alleviate the danger or disruption. In such a case, the principal shall immediately notify the Superintendent in writing of the removal and the reason for it, and describe the danger presented by the student. The temporary removal shall not exceed two (2) school days following the day of the emergency removal, during which time the principal shall make immediate and reasonable efforts to orally notify the student and the student's parent of (1): the emergency removal, (2) the reason for the need for emergency removal; (3) the disciplinary offense; (4) the basis for the charge; (5) the potential consequences, including the potential length of the student's suspension; (6) the opportunity for the student to have a hearing with the principal concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident, and for the parent to attend the hearing; (7) the date, time, and location of the hearing; and (8) the right of the student and the student's parent to interpreter services at the hearing if needed to participate. Before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the principal, student, and parent, the Principal must provide the student an opportunity for a hearing with the principal that complies with either the short-term due process or long-term due process set forth below, as applicable, and the parent an opportunity to attend the hearing. Additionally, the Principal is required to render a decision orally on the same day as the hearing, and in writing no later than the following school day, which meets the requirements of notice of the decision for short-term suspension or long-term suspension as set forth below, whichever is applicable. A principal 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.

In-School Suspension M.G.L c. 71, § 37H ¾: means removal of a student from regular classroom activities, but not from the school premises, for no more than (10) consecutive school days, or no more than ten (10) school days cumulatively for multiple infractions during the school year. Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days. In-school suspension for ten (10) days or less, consecutively or cumulatively during a school year, shall not be considered a short-term suspension under these regulations. If a student is placed in in-school suspension for more than ten (10) days, consecutively or cumulatively during a school year, such suspension shall be deemed a long-term suspension for due process, appeal, and reporting purposes under 603 CMR 53.00.

Due Process for In-School Suspension; M.G.L c. 71, § 37H ¾: Prior to the imposition of an In-School Suspension, the student will be informed of the disciplinary offense and provided with an opportunity to respond. If the principal determines that the student committed the disciplinary offense, the principal will provide oral notice to the student and parent of the length of the In-School Suspension and will make reasonable efforts to meet with the parent.

Principal's Decision – In-School Suspension; M.G.L c. 71, § 37H ¾: – On or before the day of suspension, the principal shall send written notice to the student and parent about the In-School Suspension, including the reason and the length of the In-School Suspension, and inviting the parent to a meeting with the principal for the purpose set forth in 603 CMR 53.10(4), if such meeting has not already occurred. The principal shall deliver such notice on the day of the suspension by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or by other method of delivery agreed to by the principal and the parent. Students have the right to appeal an In-School Suspension that will result in their In-School Suspension for more than ten (10) school days in a school year.

Short-Term Suspension; M.G.L c. 71, § 37H ¾: means the removal of a student from the school premises and regular classroom activities for ten (10) consecutive school days or less. A principal may, in his or her discretion, allow a student to serve a short-term suspension in school. Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days.

Due Process for Short-Term Suspension; M.G.L c. 71, § 37H ¾: In the case of disciplinary offenses not involving: a) possession of a dangerous weapon; b) possession of a controlled substance; c) assault on a member of the educational staff; or d) a felony charge or felony delinquency complaint or conviction, the student and parents will be given oral and written notice of the disciplinary offense with which the student is charged and the opportunity to participate in a hearing prior to the imposition of an out-of-school suspension.

Notice – Short-Term Suspension; M.G.L c. 71, § 37H ¾: Except as provided in cases of In-School Suspension or Emergency Removal, a principal may not impose a suspension as a consequence for a disciplinary offense without first providing the student and the parent oral and written notice, and providing the student an opportunity for a hearing on the charge and the parent an opportunity to participate in such hearing. The principal shall provide oral and written notice to the student and the parent in English and in the primary language of the home if other than English, or other means of communication where appropriate. The notice shall set forth in plain language: the disciplinary offense; the basis for the charge; the potential consequences, including the potential length of the student's suspension; the opportunity for the student to have a hearing with

the principal concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident, and for the parent to attend the hearing; the date, time, and location of the hearing; the right of the student and the student's parent to interpreter services at the hearing if needed to participate.

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

Principal's Hearing - Short-Term Suspension; M.G.L c. 71, § 37H 3/4: At the Principal's hearing, the student and parents (if participating) may dispute the charge(s) against the student and present information, including mitigating facts, for the principal's consideration in determining consequences for the student.

Principal's Decision – Short-Term Suspension; M.G.L c. 71, § 37H 3/4: The principal shall notify the student and parent of the determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal, as provided in M.G.L. c. 76, 21. The determination shall be in writing and may be in the form of an update to the original written notice. The Principal's decision shall be final with no opportunity for appeal.

Long-Term Suspension; M.G.L c. 71, § 37H 3/4: means the removal of a student from the school premises and regular classroom activities for more than ten (10) consecutive school days, or for more than ten (10) school days cumulatively for multiple disciplinary offenses in any school year. A principal may, in his or her discretion, allow a student to serve a long-term suspension in school. Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days. Except for students who are charged with a disciplinary offense set forth in subsections (a) or (b) of G.L. c. 71, § 37H, or in section 37H 1/2 of G.L. c. 71, no student may be placed on long-term suspension for one or more disciplinary offenses for more than ninety (90) school days in a school year beginning with the first day that the student is removed from school. No long-term suspension shall extend beyond the end of the school year in which such suspension is imposed.

Due Process for Long-Term Suspension; M.G.L c. 71, § 37H 3/4: In the case of disciplinary offenses not involving: a) possession of a dangerous weapon; b) possession of a controlled substance; c) assault on a member of the educational staff; or d) a felony charge or felony delinquency complaint or conviction, the student and parents will be given oral and written notice of the disciplinary offense with which the student is charged and the opportunity to participate in a hearing prior to the imposition of an out-of-school suspension.

Notice - Long-Term Suspension; M.G.L c. 71, § 37H 3/4: Written notice of the date and time for the hearing will be provided in English and in the primary language of the Student's home and will identify the disciplinary offense with which the student has been charged, the basis for the charge, the potential length of the student's suspension, and inform the parent and student of the right to interpreter services if necessary to participate in the hearing.

Where a student may be subject to a Long-Term Suspension, the Principal will also notify the

student and parent of the following rights: (1) in advance of the hearing, the opportunity to review the student's record and the documents upon which the principal may rely in making a determination to suspend the student or not; (2) the right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense; (3) the right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so; (4) the right to cross-examine witnesses presented by the school; and (5) the right to request that the hearing be recorded by the principal, and to receive a copy of the audio recording upon request. If the student or parent requests an audio recording, the principal shall inform all participants before the hearing that an audio record will be made and a copy will be provided to the student and parent upon request.

Principal's Hearing - Long-Term Suspension; M.G.L c. 71, § 37H 3/4: The student will have the rights identified in the written notice and the principal shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the principal should consider in determining consequences for the student.

Principal's Decision – Long-Term Suspension: M.G.L c. 71, § 37H ¾: Based on the evidence, the principal shall determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension, what remedy or consequence will be imposed, in place of or in addition to a Long-Term Suspension. The principal shall send the written determination to the student and parent by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or any other method of delivery agreed to by the principal and the parent. If the principal decides to suspend the student, the written determination shall: (1) identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing; (2) set out the key facts and conclusions reached by the principal; (3) identify the length and effective date of the suspension, as well as a date of return to school; (4) include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school as provided in M.G.L. c. 76, § 21; (5) inform the student of the right to appeal the principal's decision to the Superintendent or designee, but only if the principal has imposed a long-term suspension. Notice of the right of appeal shall be in English and the primary language of the home if other than English, or other means of communication where appropriate, and shall include the following information stated in plain language: (a) the process for appealing the decision, including that the student or parent must file a written notice of appeal with the Superintendent within five (5) calendar days of the effective date of the Long-Term Suspension; provided that within the five (5) calendar days, the student or parent may request and receive from the Superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days; and that (b) the Long-Term Suspension will remain in effect unless and until the Superintendent decides to reverse the principal's determination on appeal.

Superintendent Appeals – Long-Term Suspension; M.G.L c. 71, § 37H 3/4: A student who is placed on Long-Term Suspension under M.G.L c. 71, § 37H ¾ following a hearing with the principal shall have the right to appeal the principal's decision to the Superintendent. The student or parent shall file a notice of appeal with the Superintendent within 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. If the appeal is not timely filed, the Superintendent may deny the appeal, or may allow the appeal in his or her discretion, for good

cause.

Superintendent Appeal Hearing; M.G.L. c. 71, § 37H 3/4: The Superintendent shall hold the hearing within three (3) school days of the student's request, unless the student or parent requests an extension of up to seven (7) additional calendar days, in which case the Superintendent shall grant the extension. The Superintendent shall make a good faith effort to include the parent in the hearing. The Superintendent shall be presumed to have made a good faith effort if he or she has made efforts to find a day and time for the hearing that would allow the parent and Superintendent to participate. The Superintendent shall send written notice to the parent of the date, time, and location of the hearing. The Superintendent shall conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence shall be. The Superintendent shall arrange for an audio recording of the hearing, a copy of which shall be provided to the student or parent upon request. The Superintendent shall inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent upon request. The student shall have all the rights afforded the student at the principal's hearing for long-term suspension as identified above.

Superintendent's Decision; M.G.L. c. 71, § 37H 3/4: The Superintendent shall issue a written decision within five (5) calendar days of the hearing which: (1) identifies the disciplinary offense and the date on which the hearing took place, and the participants at the hearing; (2) sets out the key facts and conclusions reached by the Superintendent; (3) identifies the length and effective date of the suspension, as well as a date of return to school; (4) includes notice of the student's opportunity to receive education services to make academic progress during the period of removal from school as provided in M.G.L. c. 76, § 21; and (5) notice of the right of appeal shall be in English and the primary language of the home if other than English, or other means of communication where appropriate. If the Superintendent determines that the student committed the disciplinary offense, the Superintendent may impose the same or a lesser consequence than the principal but shall not impose a suspension greater than that imposed by the principal's decision. The decision of the Superintendent shall be the final decision of the Dracut Public Schools with regard to the long-term suspension.

**M.G.L. c. 71, §§37H and 37H 1/2 Offenses (Dangerous Weapons, Drugs, Assaults on Staff, and Criminal Felony Matters)**

Short-Term Suspension; M.G.L. c. 71, §§ 37H and 37H 1/2 - For disciplinary offenses involving a) possession of a dangerous weapon; b) possession of a controlled substance; c) assault on a member of the educational staff; or d) a felony charge or felony delinquency complaint or conviction, the student will be given oral notice of the violation with which the student is charged and an opportunity to respond thereto, prior to the Principal's imposition of a short-term suspension or an interim suspension of less than ten (10) consecutive days pending formal proceedings. Upon imposition of a short term or interim suspension of ten (10) consecutive days or less pending further disciplinary proceedings, the student and parents will be provided with written notice of the suspension and the date and time of the formal disciplinary hearing.

Long-Term Exclusion/Expulsion; M.G.L. c. 71, §§ 37H and 37H 1/2 - Unlike M.G.L. c. 71, § 37H 3/4, for offenses that fall within M.G.L. c. 71, §§ 37H and 37H 1/2, a principal may long-term suspend a student for more than ninety (90) days or permanently expel a student. Long term suspension/expulsion means the removal of a student from the school premises, regular classroom activities, and school activities for (1) possession of a dangerous weapon; (2) possession of a controlled substance; (3) assault on

a member of the educational staff; or (4) a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school, as provided in G.L. c. 71, §§37H or 37H½. The Principal's Hearing and appeals process identified below apply to suspensions under M.G.L. c. 71 §§ 37H and 37H 1/2 in cases of suspension for more than ten (10) consecutive days.

*Drugs, Dangerous Weapons, and Assaults on Staff - M.G.L. c. 71, §37H*

1. Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or a knife; or a controlled substance as defined in chapter ninety-four C, including, but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from the Dracut Public Schools by the Principal.
2. Any student who assaults a Principal, Assistant Principal, teacher, teacher's aide, or other educational staff on school premises or at school-sponsored events, including athletic games, may be subject to expulsion from the Dracut Public Schools by the Principal.

Principal's Hearing, Long-Term Exclusion – 37H - Any student who is charged with a violation of either paragraphs 1 or 2 shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the Principal. After said hearing, the Principal may, in their discretion, decide to suspend rather than expel a student who has been determined by the Principal to have violated either paragraphs 1 or 2 above.

Appeal to the Superintendent – Long-Term Exclusion – 37H - Any student who has been expelled from the Dracut Public Schools pursuant to these provisions shall have the right to appeal to the Superintendent. The expelled student shall have ten (10) days from the date of the expulsion in which to notify the Superintendent of their 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.

Suspensions or expulsions are decisions that must consider a student's due process rights. Building Principals or designees are required to report to the police department the presence of any weapon on school premises.

**Felony Complaints – M.G.L. c. 71 §37H1/2**

Issuance of a Felony Criminal Complaint

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.

Notice of Principal's Hearing/Decision – Long-Term Exclusion – 37H 1/2 - The student shall receive written notification of the charges 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 the hearing, the Principal shall issue a written decision. The student shall also receive written notification of their 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.

Appeal to the Superintendent- Long-Term Exclusion - 37H 1/2 - The student shall have the right to appeal the suspension to the Superintendent in writing of their request for an appeal no later than five (5) 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 (3) 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 their behalf and shall have the right to be represented by counsel at the student's own expense. 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 (5) calendar days of the hearing. Such decision shall be the final decision of the Dracut Public Schools with regard to the suspension.

#### Adjudication of Delinquency, Admission of Guilt or Conviction

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 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.

Notice of Principal's Hearing – Long-Term Exclusion - 37H 1/2 - The student shall receive written notification of the charges and 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 the hearing, the Principal shall issue a written decision. The student shall also receive written notification of their 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.

Superintendent's Appeal – Long-Term Exclusion/Expulsion - 37H 1/2 - The student shall have the right to appeal the expulsion to the Superintendent. The student shall notify the Superintendent, in writing, of their request for an appeal no later than five (5) 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 (3) calendar days of the long-term suspension/expulsion. At the hearing, the student shall have the right to present oral and written testimony on their own behalf, and shall have the right to be represented by counsel at student's own expense. 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 (5) calendar days of the hearing. Such decision shall be the final decision of the Dracut Public Schools with regard to the expulsion.

#### Opportunity to Make Academic Progress

The Dracut Public Schools shall continue to provide educational services to the student during the period of suspension or expulsion in a manner consistent with M.G.L. c. 76, § 21. If the student moves to another



school district during the period of suspension or expulsion, the new school district shall either admit the student to its schools or provide educational services to the student in an education service plan under M.G.L. c. 76, § 21.

For all suspensions, students will be entitled to the following in terms of the opportunity to make academic progress:

Less Than 10 Consecutive Days - Any student who is serving an in-school suspension, short-term suspension, long-term suspension, or expulsion shall have the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal from the classroom or school.

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

The school-wide education service plan will be provided to the parent and student at the time the student is expelled or placed on long-term suspension.

### **Discipline & Students with Disabilities**

All students are expected to meet the requirements for behavior as set forth in this handbook. In addition to the due process protections afforded to all students in disciplinary matters, the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act, and the regulations promulgated pursuant to these statutes provide additional procedural protections for students with disabilities. These procedural protections also apply for students who do not currently have an IEP or Section 504 Plan, but whom the District knows, or has reason to know, that the Student may have a disability, prior to the conduct for which the Student is subject to discipline.

Students with disabilities may be excluded from their programs for up to ten (10) school days to the extent that such sanctions would be applied to all students. Before a student with a disability can be excluded from his/her program for more than ten (10) consecutive school days in a given school year or is subjected to a pattern of removal that exceeds ten (10) school days, and is considered to constitute a disciplinary change in placement, building administrators, the parent(s)/guardian(s), and relevant members of the student's IEP or 504 Team will meet to conduct a Manifestation Determination Review.

At the Manifestation Determination Review, the Team will consider whether the violation for which the Student is subject to discipline is directly and substantially related to the Student's disability or was the direct result of a failure to implement the Student's IEP or Section 504 Plan.

If building administrators, the parent(s)/guardian(s) and relevant members of the student's IEP or 504 Team determine that the student's conduct was NOT a manifestation of the student's disability, the school may discipline the student in accordance with the policies and procedures applicable to all students, and students eligible for special education services shall be entitled to a free appropriate public education as of the eleventh (11<sup>th</sup>) day of disciplinary exclusion in the school year. Such services are not available to students under Section 504. The student's IEP Team will identify the services necessary to provide a free appropriate public education during the period of exclusion, and may, as appropriate, review any existing

behavior intervention plan or, where appropriate, may conduct a functional behavioral assessment.

If building administrators, the parent(s)/guardian(s) and relevant members of the student's IEP or 504 Team determine that the conduct giving rise to disciplinary action was a manifestation of the student's disability, the student will not be subjected to further removal or exclusion from the student's current educational program based on that conduct (except for conduct involving weapons, drugs, or resulting in serious bodily injury to others), unless the IEP or 504 Team develops, and the parent(s)/guardian(s) consent to a new placement, or unless the District obtains an order from a court or from the Bureau of Special Education Appeals (BSEA) authorizing a change in the student's placement. The student's Team shall also review, and modify as appropriate, any existing behavior intervention plan or arrange for a functional behavioral assessment.

Regardless of the result of the Manifestation Determination, if a student with a disability possesses, uses, sells or solicits illegal drugs or a controlled substance on school grounds or at a school-sponsored event; possesses a weapon on school grounds or at a school-sponsored event; or inflicts serious bodily injury upon another person at school or a school-sponsored event, the school district may place the student in an interim alternative educational setting (IAES) for up to forty-five (45) school days. A court or BSEA Hearing Officer may also order the placement of a student who presents a substantial likelihood of injury to self or others in an appropriate interim setting for up to forty-five (45) school days.

The interim alternative setting must enable the student to participate in the general curriculum, progress toward the goals in the IEP, and receive the special education and related services contained in the student's IEP. The interim alternative setting must also provide services and modifications designed to address the behavior giving rise to the removal and to prevent the behavior from reoccurring. If a student has been placed in an interim alternative education setting because of disciplinary action, the student may remain in the interim setting for a period not to exceed 45 school days. Thereafter, the student will return to the previously agreed-upon educational placement unless the parent (or student if 18+) consents to an extension of the IAES, or the parent and the school agree to another placement, or the parent or the district has initiated a hearing on the disciplinary action that the district took and a hearing officer orders another placement.

The parent shall have the right to appeal the Team's manifestation determination, the imposition of a disciplinary change in placement, and the student's placement in an interim alternative educational setting to the Bureau of Special Education Appeals. The student will remain in the disciplinary placement imposed by school authorities pending a decision on the appeal or until the expiration of the disciplinary sanction, whichever comes first.

## **RELEVANT MASSACHUSETTS LAWS**

### **M.G.L. c.71, §37L**

Section 37L. The school committee of each city, town or regional school district shall inform teachers, administrators, and other professional staff of reporting requirements for child abuse and neglect under section 51A of chapter 119 and the reporting requirements for fires under section 2A of chapter 148.

In addition, any school department personnel shall report in writing to their immediate supervisor an incident involving a student's possession or use of a dangerous weapon on school premises at any time.

Supervisors who receive such a weapon report shall file it with the superintendent of said school, who shall file copies of said weapon report with the local chief of police, the department of children and families, the office of student services or its equivalent in any school district, and the local school committee. Said superintendent, police chief, and representative from the department of children and families, together with a representative from the office of student services or its equivalent, shall arrange an assessment of the student involved in said weapon report. Said student shall be referred to a counseling program; provided, however, that said counseling shall be in accordance with acceptable standards as set forth by the board of education. Upon completion of a counseling session, a follow-up assessment shall be made of said student by those involved in the initial assessment.

A student transferring into a local system must provide the new school system with a complete school record of the entering student. Said record shall include, but not be limited to, any incidents involving suspension or violation of criminal acts or any incident reports in which such student was charged with any suspended act.

### **SPECIAL EDUCATION/SECTION 504**

Under the Individuals with Disabilities Education Act (“IDEA”) and M.G.L. c. 71B, some students with disabilities may be eligible for services if they require specialized instruction and/or supportive services to help them make effective progress in school. These services can include, but are not limited to, speech therapy, physical therapy, occupational therapy, specialized instruction, or placement in a special classroom. Students may be referred to the Special Education Department for an evaluation of eligibility for special education services. Within five (5) school days of such a referral, a consent form authorizing an evaluation of the student will be forwarded to the parent(s). Within forty-five (45) school days of receipt of the parent(s)’ consent, an evaluation will be conducted and a Team meeting will be held to determine if the student is eligible for special education services. If the student is found eligible for special education services, the Team will develop an Individualized Education Program (IEP) identifying the necessary services.

Section 504 of the Rehabilitation Act of 1973 (“Section 504”) is a federal law designed to protect the rights of individuals with disabilities in programs and activities that receive federal financial assistance from the U.S. Department of Education. Section 504 provides: “No otherwise qualified individual with a disability in the United States . . . shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance . . . .” Title II of the Americans with Disabilities Act of 1990 (Title II) is a federal law that applies to public entities, including the conforming amendment to Section 504 that affects the meaning of a disability under Section 504.

The Section 504 regulations require a school district to provide a “free appropriate public education” (FAPE) to each qualified student with a disability who is in the school district’s jurisdiction, regardless of the nature or severity of the disability. Under Section 504, a FAPE consists of the provision of regular or special education and related aids and services designed to meet the student’s individual educational needs as adequately as the needs of nondisabled students are met. Compliance with the IDEA is one means of complying with Section 504.

Additionally, the Dracut Public Schools provides nonacademic and extracurricular services and activities in such a manner as is necessary to afford students with disabilities an equal opportunity for participation. The Dracut Public Schools is, however, generally permitted to establish and utilize skill-based eligibility criteria for participation in extracurricular programs and activities (e.g., school-sponsored athletics) so long as the criteria are rationally related to the purposes and goals of the specific program or activity.

The Dracut Public Schools’ administrators, in their discretion, may deny or limit a student’s access to co-curricular activities as a disciplinary sanction.

## Dracut Public Schools Technology Acceptable Use Policy

The Dracut Public Schools encourages the use of information technology to assist staff and students with academic success, preparation for the workplace, and lifelong learning. The Dracut Public Schools provides access to a wide range of information technology to support learning and communicating with others. Information technology will be used to increase communication, enhance student engagement, and assist staff and students in acquiring new skills.

This Technology Acceptable Use Policy for the Dracut Public Schools has been created to provide the parents, students, and staff with a statement of purpose and explanation of the use of technology within the Dracut Public Schools learning community. This policy is reinforced by practice and acceptable use standards, and is required to be read before accessing the technology devices, digital resources, and network infrastructure of the Dracut Public Schools. Students and parents/guardians as well as all staff members of Dracut Public Schools must also read and sign the accompanying Statement of Responsibilities.

### Definitions

“Technology devices, digital resources, and network infrastructure” are defined as the Dracut Public Schools’ network, the Internet, email, hardware, software, printers, peripheral devices, individual computer devices, and web-enabled devices.

“Information Technology” is defined as Internet access, blogging, podcasting, email, published and non-published documents, and various forms of multimedia technology.

“Educational use” is defined as a use that supports communication, research, teaching and learning. “Devices” refers to district owned/leased, staff owned devices, and student owned devices.

### Children's Online Privacy Protection Act (COPPA)

Congress enacted the Children's Online Privacy Protection Act, 15 U.S.C. §6501, et seq. (COPPA) in 1998. COPPA required the Federal Trade Commission to issue and enforce regulations concerning children's online privacy. The Commission's original COPPA Rule became effective on April 21, 2000. The Commission issued an amended Rule on December 19, 2012 that became effective on July 1, 2013.

Dracut Public Schools works diligently to comply with COPPA requirements. Dracut Public Schools does not collect student personal information or transmit such information directly to online entities for the purpose of creating web-based accounts. In cases of web-based account creation, Dracut Public Schools will use an internal school district identification number to represent each student user.

### Content Filtering

The Dracut Public Schools uses software and hardware designed to block access to certain sites and filter content as required by the Children's Internet Protection Act, 47 U.S.C. §254 (CIPA). Dracut Public Schools is aware that not all inappropriate information can be filtered and the district will make an effort

to correct any known gaps in the filtering of information without unduly inhibiting the educational use of age appropriate content by staff and students. Users will inform teachers or administrators of any inadvertent access to inappropriate material, in order that there is appropriate modification of the filtering profile.

#### *User Access and Explanation of Guidelines*

Access to information technology through the Dracut Public Schools is a privilege, not a right. Students, parents, and staff shall be required to read the Dracut Public Schools' Technology Acceptable Use Policy and sign and return the Statement of Responsibilities.

The Dracut Public Schools' Technology Acceptable Use Policy shall govern all use of technology devices, digital resources, and FMB network infrastructure. Use of technology resources, digital resources, web-enabled devices, and network infrastructure will be governed by the applicable disciplinary policies as outlined in faculty/staff handbooks of the district and the student handbooks.

The Dracut Public Schools provides students access to its technology devices, digital resources, and network infrastructure, along with information technology for educational use. If a student has doubts regarding whether a resource has educational merit, he/she should ask a staff member.

#### *Scope of Technology Policies*

Policies, guidelines and rules refer to all computing devices including but not limited to computers, mobile web enabled devices, Tablets, MPS players, portable memory storage devices, calculators with interfacing capability, cell phones, digital cameras; as well as technology infrastructure, associated peripheral devices, and/or software.

Policies, guidelines, and rules refer to any computing or telecommunication devices owned by, leased by, in the possession of, or being used by students and/or staff that are operated on the grounds of any district facility or connected to any equipment at any district facility by means of web connection, direct connection, telephone line or other common carrier or any type of connection including both hardwired, fiber, infrared and/or wireless.

Because information technology is constantly changing, not all circumstances can be anticipated or addressed in this policy. All users are expected to understand and comply with both the "letter" and the "spirit" of this policy and show good judgment in their use of these resources.

#### *Expectation of Privacy/Monitoring*

The Dracut Public Schools monitors the use of the school department's network to protect the integrity and optimal operation of all computer and system networks. There is no expectation of privacy related to information stored and transmitted over the Dracut Public Schools' network. The information on the network in general files and email is not private and is subject to review by the network manager at the request of the Superintendent of Schools to substantiate inappropriate activity, to comply with legal action, and to comply with requests of law enforcement agencies as part of their investigations.

The Dracut Public Schools will cooperate with copyright protection agencies investigating copyright infringement by users of the computer systems and network of the Dracut Public Schools.

Technicians and computer system administrators maintain full access rights to all storage devices, and may need to access/manage such storage devices as part of their duties. Routine maintenance and monitoring of the system may lead to discovery that a user has or is violating the Dracut Public Schools' Technology Acceptable Use Policy, other school committee policies, state laws, or federal laws.

Search of particular files of a user shall be conducted if there is a reasonable suspicion that a user has violated the law or Dracut School Committee policies. The investigation will be reasonable and in the context of the nature of the alleged policy violation.

At any time and without prior notice, the administration reserves the right to monitor, inspect, copy, review, and store any and all usage of technology devices, digital resources, and network infrastructure, along with information technology as well as any information sent or received in connection with this usage. Staff and students should not have any expectation of privacy regarding such materials.

### *Consequences for Violation of Technology Policies*

Use of the computer network and Internet is an integral part of research and class work, but abuse of this technology may result in loss of privileges. Those who use technology devices, digital resources, and network infrastructure, along with information technology inappropriately, may lose their access privileges and may face additional disciplinary or legal action, including suspension or termination of employment.

### *Unacceptable Uses of Technology Resources (including but not limited to)*

1. Interfering with the normal functioning of devices, computer systems, or computer networks;
2. Damaging or theft of devices, computer systems, or networks;
3. Accessing, modifying, or deleting files/data that do not belong to you;
4. Sending or publishing offensive or harassing messages/content;
5. Accessing dangerous information that, if acted upon, could cause damage or danger to others;
6. Giving your username or password to any other person, or using the username or password of someone else to access any part of the system; you are responsible for safeguarding your username and password and any access to the Dracut Public Schools using your username and password is your responsibility;
7. Sharing and/or distribution of passwords or using another student or faculty/staff;
8. Intentional viewing, downloading or distribution of inappropriate and/or offensive materials;
9. Gaining unauthorized access to computer and or telecommunications networks and resources;
10. Viewing, transmitting or downloading pornographic, obscene, vulgar and/or indecent materials;
11. Using obscene language, harassing, insulting or bullying others, posting of private or personal information about another person, spamming email, violating any federal or state law, local regulation or school committee policy;
12. Violating copyright laws and/or the district policy on plagiarism;

13. Copying software or applications on Dracut Public Schools' devices through any electronic means unless the particular licensing agreement in place for the software allows user distribution;
14. Intentionally wasting limited network or bandwidth resources;
15. IS. Destruction/vandalism of system software, applications, files, hardware, or other network resources;
16. Employing the network for commercial or political purposes;
17. Using of unauthorized use of the network / Internet to buy or sell products;
18. "Hacking" and other illegal activities in attempt to gain unauthorized access to restricted files or devices;
19. Uploading any harmful form of programming, bypassing filters, installing any type of server, aliasing/spoofing, and peer-to-peer networking or remote-control software;
20. Possession of and/or distribution of any of software tools designed to facilitate any of the above actions will also be considered an offense;
21. Saving inappropriate files to any part of the system, including but not limited to:
  - o Music
  - o Movies
  - o Video games of all types, including ROMs and emulators
  - o Offensive images or files
  - o Programs which can be used for malicious purpose
  - o Files for which you do not have a legal license
  - o Any file which is not needed for school purposes or a class assignment;
22. Uses that contribute to the violation of any other student conduct code including but not limited to cheating, plagiarism, hazing or harassment, theft, falsification of records, possession of banned substances/items, etc.;
23. Using the district's network for gambling;
24. Discussing confidential information through the district email system.

### Anonymizing Services

*The use of anonymizing services, networks, browser plugins, and application are prohibited.*

### Reporting of Security Incidents

Both staff and students must immediately report any suspected or confirmed security incident or threat to appropriate Dracut Public Schools personnel. This includes, but is not limited to, any computer viruses, breaches of security, security weaknesses, losses or disclosures of data, and unauthorized accesses or uses of data. Staff and students should take no independent action and should discuss the incident with appropriate Dracut Public Schools personnel.

### Termination

Upon termination of employment with the Dracut Public Schools or termination/completion of enrollment in the Dracut Public Schools, staff and students must return all Dracut Public Schools' technology devices and further access to Dracut Public Schools' digital resources and network is prohibited.

### Staff Privacy Protocol

All documents, pictures, movies, and data need to be saved to cloud services such as Google Drive and

Dropbox. Student record information and grades must not be stored locally on individual devices. Staff issued district owned devices must exercise care and diligence of district owned devices both on school grounds and off school property.

### *Due Process*

When possible, the Dracut Public Schools will seek to apply progressive discipline for violations of the district policy and signed Technology Acceptable Use Policy Statement of Responsibilities which may include revocation of the privilege of a user's access to technology devices, digital resources, and network infrastructure, along with information technology. Other appropriate disciplinary or legal action may be undertaken by the Dracut Public Schools administration, including suspension or termination of employment. The nature of investigations will be reasonable.

### *Dracut Public Schools Limitations of Liability*

The Dracut Public Schools makes no warranties of any kind, implied or expressed, that the services and functions provided through the Dracut Public Schools' technology devices, digital resources and network infrastructure, along with information technology will be error free or without defect. The Dracut Public Schools will not be responsible for damages users may suffer, including but not limited to loss of data or interruption of service.

The Dracut Public Schools, along with any persons or organizations associated with the school department internet connectivity will not be liable for the actions of anyone connecting to the internet through the school network infrastructure. All users shall assume full liability, legal, financial or otherwise for their actions while connected to the internet. The Dracut Public Schools assumes no responsibility for any information or materials transferred or accessed from the internet.

Parents/Guardians should read this Dracut Public Schools' Technology Acceptable Use Policy. Parents/guardians should discuss the technology use responsibilities with their children. Questions and concerns can be forwarded to the Dracut Public Schools and appropriate offices.

Parents and guardians agree to accept financial responsibility for any expenses or damages incurred as a result their student's inappropriate or illegal activities on the Dracut Public Schools' network, including the use of district owned devices.

### *Implementation of this Policy*

The Superintendent of Schools or his/her designee(s), shall develop and implement administrative regulations, procedures, terms and conditions for use and user agreement is consistent with the purposes and mission of the Dracut Public Schools as well as with applicable laws and this policy.

### *Modification*

The Dracut School Committee reserves the right to modify or change this policy and related implementation procedures at any time. Staff and students may be required to review the updated policy and sign a new Statement of Responsibilities.

### *References:*



603 CMR 23.00

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99)

CROSS REFERENCE: IJNB-A, Social Media and Internet Use Policy

### Social Media and Internet Use Policy

The Dracut Public School District acknowledges the role that various emerging methods of communication play in 21st century learning. As such, teachers, students, and parents engaging in these methods of communication for collaboration and learning is a necessary component. It is important to build an environment of trust and individual accountability. Therefore, members of the Dracut Public School District must understand that information shared through social media or a related method is a reflection of the larger school district.

The Dracut Public Schools provides the following rules of use and social media guidelines meant to encourage employees to participate in relevant online social activities in ways that do not distract from or disrupt the educational process.

The administration will annually remind staff members and orient new staff members concerning the importance of maintaining proper decorum in the online, digital world. Such reminders shall include the possibility of disciplinary action, including dismissal from employment, for failure to exercise good judgment in online conduct.

The Superintendent or designees may periodically conduct internet searches to determine if teachers have posted inappropriate materials. When inappropriate use of computers, websites and/or social media is discovered (in violation of this policy and/or the district's Acceptable Use Policy), the administration will promptly bring that inappropriate use to the attention of the staff member, and may consider and apply disciplinary action up to and including termination.

#### General Guidelines:

1. Inappropriate contact via e-mail, phone or other social media is prohibited.
2. It is inappropriate to post items with sexual content.
3. It is inappropriate to post items exhibiting or advocating use of tobacco products, drugs, and/or alcohol.
4. Adherence to all applicable privacy laws and regulations must be followed at all times.
5. Be aware of what you post online. Social media venues are very public. What you contribute leaves a digital footprint for all to see. Do not post anything you wouldn't want friends, parents, teachers, or a future employer to see.
6. Protect your privacy. By using social media sites you are broadcasting to the world. Even the strictest privacy settings may become public.
7. Be aware that others can view the sites that you bookmark.
8. Be aware of words used to tag or describe the bookmark.
9. Be aware of URL shortening services. Verify the landing site to which they point before submitting a link as a bookmark. It would be best to utilize the original URL if not constrained by the number of characters as in micro blogs.
10. Your online behavior should reflect the same standards of character used in the school setting.
11. The use of anonymizing services, networks, plug-ins, or applications is prohibited.

#### Employee Guidelines:

1. It is improper to fraternize with students using social media/networks, or via cell phone, texting, or telephone.

2. All e-contacts with students should be through the district's email/telephone system or through a depersonalized social media platform, set up through the district's existing network, except in emergency situations.
3. Extra-curricular advisors and/or coaches wishing to establish a social media platform must do so by using a Dracut Public Schools email address to do so. In such cases, the password will be provided to the district in a manner it proscribes.
4. All contact and messages by extra-curricular advisors and/or coaches with group/team members shall be sent to more than one member (i.e. captains, officers), except messages concerning medical or academic privacy matters, in which case the messages will be copied to the school principal and/or the athletic director.
5. Employees may not list current students as "friends/followers" on networking sites.
6. Teachers shall not give out their private cell phone or home phone numbers without prior approval of the district.
7. Official business of the school should occur through existing school provided platforms (phone, email, authorized social media platforms).
8. Before posting photos and videos, parental authorization to utilize a student's image must be sought.
9. Authorization to utilize a colleague's image must also be sought.
10. Dracut public school employees are personally responsible for the content they publish online.
11. The lines between public and private, personal and professional are blurred in the digital world. If you identify yourself as a Dracut employee you are now connected to colleagues, students, parents and the community. It is not recommended that you identify yourself as a Dracut employee on your personal social media.
12. When contributing online, do not post confidential student information.
13. Disclaimers should be placed on school-based social media.
14. It is required that teachers moderate content contributed by students in the course of an assignment and report any inappropriate material.
15. No addresses or phone numbers should appear on school-based social media.
16. When uploading digital pics or avatars that represent yourself make sure you select an appropriate image. Images reflect on your professionalism.
17. Remember a social networking site is an extension of your personality, and as such an extension of your professional life and your classroom. If it would seem inappropriate to put a certain photo in the wall, is it really correct to put it online?
18. Employees should be aware of the public and widespread nature of such media and again refrain from any comment that could be deemed unprofessional including personal views and beliefs.

#### Student Guidelines:

1. Follow the school's code of conduct when writing online. It is acceptable to disagree with someone else's opinions, however, do it in a respectful way. Make sure that criticism is constructive and not hurtful. What is inappropriate in the classroom is inappropriate online.

2. Be safe online. Never give out personal information, including, but not limited to, last names, phone numbers, addresses, exact birthdates, and pictures. Do not share your password with anyone besides your teachers and parents.
3. Be aware that pictures may also be protected under copyright laws. Verify you have permission to use the image or it is under *Creative Commons* attribution.
4. How you represent yourself online is an extension of yourself. Do not misrepresent yourself by using someone else's identity.
5. If you run across inappropriate material that makes you feel uncomfortable, or is not respectful, tell your teacher right away.
6. Students who do not abide by these terms and conditions may lose their opportunity to take part in the project and/or access to future use of online tools.
7. Be aware that consistent with School Committee Policies (see harassment, discrimination, bullying) actions taken on social media platforms, whether school based or private, that impact the school environment, may lead to disciplinary action.

References:

603 CMR 23.00

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99)

CROSS REFERENCE: IJNB, Technology Acceptable Use Policy

## **Face Coverings Policy**

The Dracut Public Schools is committed to providing a safe environment in schools during the ongoing COVID-19 pandemic. Maintaining a safe environment is critical to the District's ability to returning students to a full-time classroom learning experience.

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

A face covering that covers the nose and mouth must be worn by all individuals in school buildings and on school transportation.

Individuals may be excused from the requirement for the following list of reasons, per CDC guidance: The individual:

- has trouble breathing.
- is unconscious.
- in incapacitated.
- cannot remove the mask or face covering without assistance.

In addition, masks or face coverings will not be required for anyone who has a medical, behavioral or other challenge making it unsafe to wear a face mask or face covering. A written note from a physician is required for a requested exemption. Parents may not excuse their child from the face mask requirement by signing a waiver.

Exceptions to this policy under certain circumstances, such as for students with medical, behavioral or other challenges who are unable to wear masks, must be approved by the building principal in consultation with the school nurse and/or local Board of Health. Face shields or physical barriers may provide an alternative in some instances.

Additionally, face masks or face coverings will not be required when appropriate social distancing is enforced:

- during mask breaks
- while eating or drinking
- during physical education classes
- while outside
- when appropriate social distancing measures are in place as determined by a teacher or school administrator such as mask breaks

A student's mask or face covering is to be provided by the student's family. Staff members are responsible for providing their own face coverings. However, the district will supply disposable face covering for individuals who arrive at a building, or board school transportation, without one.

If students are in violation of this policy, the building principal will consult with the parent/guardians to determine whether an exception is appropriate, or the student may be removed from the school building for in-person learning until such time as they can comply with the requirement, or the requirement is lifted.

Violations of this policy by staff will be handled in the same manner as other violations of School Committee policy. Visitors in violation of this policy will be denied entry to the school/district facility.

This policy will remain in place until revised or rescinded by the School Committee.

Guidance Statements

**Massachusetts Department of Public Health**

<https://www.mass.gov/doc/updated-advisory-regarding-masks-and-face-coverings-july-30-2021-0/download>

**Center for Disease Control and Prevention – Guidance for Covid-19 Prevention in K-12 Schools Updated August 5, 2021 -** <https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/k-12-guidance.htm>

**Center for Disease Controls – Guidance for Covid-19 Prevention on Public Transportation**  
<https://www.cdc.gov/coronavirus/2019-ncov/travelers/face-masks-public-transportation.html>

**Massachusetts Department of Elementary and Secondary Education – Fall 2021 Covid-19 Guidance**  
<https://www.doe.mass.edu/covid19/on-desktop/2021-0730fall-2021-covid19-guidance.pdf>

Adopted by Dracut School Committee August 17, 2021

## **Massachusetts Student Records Laws and The Family and Educational Rights Privacy Act (FERPA)**

The Dracut Public Schools complies with applicable federal and state laws and regulations pertaining to Student Records. Those laws and regulations are designed to ensure a parent's and eligible student's rights to access, inspect, and to request amendment of the child's student record.

The Massachusetts Student Record regulations and the Family Educational Rights and Privacy Act (FERPA) apply to all information kept by a school on a student in a manner such that he or she may be individually identified. The regulations divide the record into the transcript and the temporary record. The transcript includes only the minimum information necessary to reflect the student's educational progress. This information includes name, address, course titles, grades, credits, and grade level completed.

The temporary record contains the majority of the information maintained by the school system about the student. This may include such things as standardized test results, class rank, school sponsored extra-curricular activities, and evaluations and comments by teachers, counselors, and other persons. The temporary record is destroyed no later than seven (7) years after the student leaves the school system.

The following is a summary of major parent and student rights regarding their student records:

*Inspection of Record* - A parent, or a student who has entered the ninth grade or is at least fourteen (14) years old, has the right to inspect all portions of the student record upon request. The record must be made available to the parent or student within ten (10) days of the request, unless the parent or student consents to a delay. In the event the parent/student requests copies of a student record, the District may charge the parents/student for said copies at the District rate.

*Confidentiality of Record* - With a few exceptions, no individuals or organizations but the parent, student, and authorized school personnel working are allowed to have access to information derived the student record without specific, informed, written consent of the parent or the student.

*Amendment of Record* - The parent and student have the right to add relevant comments, information, or other written materials to the student record. In addition, the parent and student have the right to request that information of the record be amended or deleted. The parent and student have a right to a conference with the school principal to make their objections known. Within a week after the conference, the principal must render a decision in writing. If the parent and student are not satisfied with the decision, the regulations contain provisions through which the decision may be appealed to higher authorities in the school system.

*Directory Information* - Federal law requires that the District release the names, addresses and telephone listings of students to military recruiters and institutions of higher education upon request for recruitment and scholarship purposes without prior consent. In addition, the District may release the following directory information about a student without prior consent: a student's name, address, telephone listing, date and place of birth, major fields of study, dates of attendance, weight and height of members of athletic teams, class participation in officially recognized activities and sports, degrees, honors and awards, post-high school plans and directory information such as homeroom assignments. However, in all instances, parents may request that such directory information not be released without prior consent by notifying their school building office in writing by the end of September of each school year.

*Destruction of Records* - The regulations require that certain parts of the student record, such as the temporary record, be destroyed within a certain period of time after the student leaves the school system. School authorities are also allowed to destroy misleading, outdated, or irrelevant information in the record from time to time while the student is enrolled in the school system. Before any such information may be

destroyed, the parent and student must be notified, and have an opportunity to receive a copy of any of the information before its destruction.

*Transfer of Records:* It is the practice of the Dracut Public Schools to forward the student record of any student who seeks or intends to transfer to another public school district upon request of the receiving district.

*Non-Custodial Parents:* Unless there is a court order to the contrary, a non-custodial parent (parent without physical custody of the student) of any public school student has the right, subject to certain procedures, to receive information regarding the student's achievements, involvement, behavior, etc. A non-custodial parent who wishes to have this information shall submit a written request annually to the child's school principal. Upon receipt of such a request, the principal shall send written notification to the custodial parent by certified and first class mail that the records and information will be provided to the non-custodial parent in twenty-one (21) calendar days unless the custodial parent provides documentation of the non-custodial parent's ineligibility to access such information. In all cases where school records are provided to a non-custodial parent, the electronic and postal address and other contact information for the custodial parent shall be removed from the records provided. Any such records provided to the non-custodial parent shall be marked to indicate that they may not be used to enroll the student in another school. Upon receipt of a court order that prohibits the distribution of information pursuant to G.L. c. 71, §34H, the school will notify the non-custodial parent that it shall cease to provide access to the student record to the non-custodial parent. M.G.L. c.71, §34H, 603 CMR 23.07.

*Third Party Access:* Authorized school personnel, to include: (a) school administrators, teachers, counselors and other professionals who are employed by the school committee or who are providing services to the student under an agreement between the school committee and a service provider, and who are working directly with the student in an administrative, teaching, counseling, and/or diagnostic capacity; (b) administrative office staff and clerical personnel, employed by the school committee or under a school committee service contract, and whose duties require them to have access to student records for purposes of processing information for the student record; and (c) the Evaluation Team which evaluates a student, shall have access to the student record of students to whom they are providing services, when such access is required in the performance of their official duties. The consent of the parent or eligible student shall not be necessary.

*Complaints:* A parent or eligible student has a right to file a complaint with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, D.C. 20202-5901, (202) 260-3887 or with the Massachusetts Department of Education, 350 Main Street, Malden, MA 02148, 781-338-3300. If you have any questions regarding this notice, or would like more information and/or a copy of the Massachusetts Department of Education Student Record Regulations, please contact the building principal.



## **NOTICE OF PUPIL RIGHTS AMENDMENT (PPRA)**

The Protection of Pupil Rights Amendment (PPRA) affords parents and students who are 18 or emancipated minors (“eligible students”) certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

Consent before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”).

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

### **Receive notice and an opportunity to opt a student out of:**

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under Massachusetts State law; and
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

### **Inspect, upon request and before administration or use:**

1. Protected information surveys of students;
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

The Dracut Public Schools will develop and adopt policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. (The Dracut Public Schools will directly notify parents and eligible students of these policies at least annually at the start of each school year and after any substantive changes.) The Dracut Public Schools will also directly notify parents and eligible students of these policies at least annually at the start of each school year and after any substantive changes.) The Dracut Public Schools will also directly notify parents and eligible students, such as through U.S. mail or e-mail, at least annually at the start of each school year of the specific or approximate dates of the following activities and provide an opportunity to opt a student out of participating in collection, disclosure, or use of personal information for marketing, sales or other distribution. The Dracut School District will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. The Dracut School District will also directly notify, such as through U.S. mail or e-mail, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his child out

of participation of the specific activity or survey. The Dracut School District will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time.

For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- ❖ Collection, disclosure, or use of personal information for marketing, sales, or other distribution.
- ❖ Administration of any protected information survey not funded in whole or part by ED.
- ❖ Any non-emergency, invasive physical examination or screening as described above.

*Parents who believe their rights have been violated may file a complaint with:*

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-5920

### **McKinney-Vento Homeless Education Assistance Act**

The federal McKinney-Vento Homeless Education Assistance Act requires that schools immediately enroll homeless students in school, even if they do not have the documents usually required for enrollment, such as school records, medical records or proof of residency, as long as the student has been properly immunized. Information on lead screenings as well as immunization records may be transferred over the phone. Parents or Guardians intending to register students who are homeless should be aware of the following guidelines:

1. Homeless students have a right to either remain in their school of origin or to attend school where they are temporarily residing;
2. Children who move from a homeless situation into a permanent residence during the course of a school year have the right to stay in the school they were attending while they were temporarily homeless. Transportation may not be provided once permanent housing is found;
3. Students who chose to enroll in school where they are temporarily residing must be enrolled immediately, even if they do not bring the records usually required for enrollment with them;

If a homeless student arrives without records, the school district's designated Homeless Education Liaison will assist the family and contact the previously attended school system to obtain the required records;

A child who is homeless and attending any school served by the local educational agency is eligible for Title I services;

A child who is homeless and attending any school served by the local educational agency is eligible for the Free and Reduced Lunch Program.

For further information, please contact Ellie Marino, Coordinator for the Homeless, at (978) 374-5773 or on the following website:

<http://www.doe.mass.edu/hssss/program/homeless.html>.

### **Parent Notification Regarding Sexual Education And Human Sexuality Issues**

Massachusetts General Law Chapter 71, Section 32 A notes that parents be provided an “opt-out” provision for courses (typically sex education or sciences) school assemblies, or other instructional activities and programs that focus on human sexual education, the biological mechanics of human reproduction and sexual development, or human sexuality issues. Parents wishing to review curricula and/or exempt their child/children from instruction of the aforementioned topics must contact the building Principal in writing.

**COMPUTER NETWORK, INTERNET, & E-MAIL  
ACCEPTABLE USE POLICY**

I/We have read the Acceptable Use Policy for the Dracut Public Schools. I/We understand that this access is designed for educational purposes. I/We have discussed with my son/daughter his/her responsibilities regarding the use of the Dracut Public Schools network and internet access. My/Our son/daughter understands and agrees to follow the Acceptable Use Policy of the Dracut Public Schools. I/We understand that any violation by my/our son/daughter of the terms of the Acceptable Use Policy may result in the suspension or revocation of his/her computer and internet privileges and may also result in school disciplinary action, including being removed from a course. I/We will not hold the Dracut Public Schools liable or responsible for any materials my/our son/daughter accesses, acquires, or transmits via the Dracut Public Schools computer network and/or internet connection.

I/We hereby give permission for my/our son/daughter to use the network at school. I/We further agree to indemnify the Dracut Public Schools for any losses, costs, or damages, including reasonable attorney's fees, incurred by the Dracut Public Schools relating to or arising out of any violation by my/our son/daughter of the Acceptable Use Policy.

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

\_\_\_\_\_  
Date Signed:

**RELEASE OF INFORMATION**

A recently enacted law requires schools to release the names, addresses, and telephone numbers of students to military recruiters and institutions of higher learning upon request. Please indicate your desire by checking the appropriate box.

\_\_\_\_\_ I AGREE to have my child's information released.

\_\_\_\_\_ I DO NOT want my child's directory information, such as name, address, or telephone number released to higher learning institutions or for non-educational purposes other than those required by law.

\_\_\_\_\_ I DO NOT want my child photographed or my child's picture to be used for any purpose, including videotape.

I have read and understand the policies, procedures, responsibilities, and rules in this student handbook. I have discussed these with my son/daughter. My son/daughter has read and understands the policies, procedures, responsibilities, and rules of Dracut High School.

**I/We have read and understand the student handbook rules.  
Please sign all spaces for both computer use and handbook rules.**

\_\_\_\_\_  
Student Name—Printed

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

**Student/Parent Acknowledgement of Dracut High School's  
BULLYING & HARASSMENT POLICY**  
**(Please sign below after reading and discussing this form with your child)**

I/We have read the Bullying Policy for the Dracut Public Schools. I/We understand that this policy is designed to make Dracut High School safe for all students. I/We have discussed with my son/daughter his/her responsibilities regarding bullying and reporting of bullying or harassment. I/We understand that any violation by my/our son/daughter of the bullying policy may result in school disciplinary action, including being removed from a course. Furthermore, if my child is a target of bullying, I will inform the administration of Dracut High School. All students and parents/guardians should understand that bullying could lead to detention, suspension, or expulsion.

**“Bullying”**, the repeated use by one or more students of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a victim that: (i) causes physical or emotional harm to the victim or damage to the victim’s property; (ii) places the victim in reasonable fear of harm to himself or of damage to his property; (iii) creates a hostile environment at school for the victim; (iv) infringes on the rights of the victim at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school. For the purpose of this section, bullying shall include cyber-bullying.

**“Cyber-bullying”**, 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 or facsimile communications. Cyber-bullying shall also include (i) the creation of a web page or blog in which the creator assumes the identity of another person or (ii) the knowing impersonation of another person as the author of posted content or messages, if the creation of impersonation creates any of the conditions enumerated in clauses (i) to (v), inclusive, of 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 clauses (i) to (v), inclusive, of the definition of bullying.”

**Bullying shall be prohibited:** (i) on school grounds, property immediately adjacent to school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a school district or school, or through the use of technology or an electronic device owned, leased or used by a school district or school and (ii) at a location, activity, function or program that is not school-related, or through the use of technology or an electronic device that is not owned, leased or used by a school district or school, if the bullying creates a hostile environment at school for the victim, infringes on the rights of the victim at school or materially and substantially disrupts the education process or the orderly operation of a school. Nothing contained herein shall require schools to staff any non-school related activities, functions, or programs. Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying shall be prohibited.

I have read and understand the anti-bullying policies, procedures, responsibilities, and rules in the online DHS Student Handbook. I have discussed the issues with my son/daughter.

**I/We have read and understand Dracut High School’s bullying policy.**

\_\_\_\_\_

\_\_\_\_\_  
**Student Name (Printed)**

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

\_\_\_\_\_  
**Date Signed**

\_\_\_\_\_  
**Parent/Guardian Signature**

\_\_\_\_\_  
**Date Signed**