

# Galvin Middle School Student/Parent Handbook



## Home of the Generals 2021 – 2022

If you need this document translated, please contact your school principal.  
Si necesita este documento traducido, por favor comuníquese con el director de la escuela.  
Se você precisa este documento traduzido, entre em contato seu director a escola.  
Si vous avez besoin de traduire ce document, s'il vous plaît contacter votre directeur d'école.  
如果您需要本文件翻譯，請連絡您所在的學校負責人。  
إذا كنت تحتاج/تحتاجين لترجمة هذه الوثيقة، المرجو مراسلة مدير المدرسة

Galvin Middle School  
Wakefield, Massachusetts

# **STUDENT/PARENT HANDBOOK**

**2021-2022**

## **WAKEFIELD SCHOOL OFFICIALS**

### **SCHOOL COMMITTEE**

Ami Wall	Tom Markham
Susan Veilleux	Mike Boudreau
Amy Leeman	Stephen Ingalls
	Kevin Piskadlo

### **CENTRAL OFFICE ADMINISTRATION**

Douglas Lyons, Superintendent of Schools  
Kara Mauro, Assistant Superintendent of Schools  
Christine Bufagna, School Business Administrator  
Rosie Galvin, Administrator of Special Education and Student Services  
Tim O'Brien, Director of Facilities and Transportation  
Jeffrey Weiner, Technology Director  
Estelle Burdick, Director of Wakefield Academy  
Danielle Collins, Director of Food Services

### **GALVIN MIDDLE SCHOOL ADMINISTRATION**

Megan E. Webb, Principal  
Allison G. Hammer, Assistant Principal  
Andrew D. Tetrault, Assistant Principal

**The mission of the Wakefield Public Schools is to prepare students for college, career, and community by providing rich and challenging curriculum, high quality instruction, and**

# **educational experiences that meet their individual needs and interests.**

## **NON-DISCRIMINATION STATEMENT**

The Wakefield 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 Wakefield Public Schools are 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 to the District may be referred to the District's Title IX Coordinator, to the Assistant Secretary of the U.S. Department of Education, or both.

The Wakefield 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 the District 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 is 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.

To file a complaint alleging discrimination or harassment on the basis of race, color, national origin, sex, disability, age, sexual orientation, gender identity, homelessness, religion, or immigration status, or to make an inquiry concerning the application of Title II, Title VI, Title IX, Section 504, the ADA, the Age Discrimination Act, the Age Discrimination in Employment Act, or applicable state laws and their respective implementing regulations, please contact:

Civil Rights Officer/  
Title IX Coordinator  
Ms. Kara Mauro,  
Assistant Superintendent  
60 Farm Street  
Wakefield, Ma. 01880  
Phone: (781) 246-6400

504 Compliance Officer/Homeless Liaison  
Rosie Galvin

Administrator of Special Education and Student Services  
60 Farm Street  
Wakefield, Ma. 01880  
Phone: (781) 246-6400

Inquiries concerning the applicability of the aforementioned federal laws and regulations to Wakefield Public Schools also may be referred to the U.S. Department of Education, Office of Civil Rights (OCR), 5 Post Office Square, 8<sup>th</sup> Floor, Boston, Massachusetts 02109-3392.  
Telephone (617) 289-0111 TTY (617) 223-9695

## **Title IX of the Education Amendments of 1972**

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

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

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

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

The District's Title IX Coordinator is:

**Kara Mauro**  
**Assistant Superintendent**  
**60 Farm Street**  
**Wakefield, Ma. 01880**  
**Phone: (781) 246-6400**

## Galvin Middle School Mission, Vision, & Core Values

The Galvin Middle School strives to provide students and staff with a safe, respectful, and positive learning environment where students will achieve academic and social/emotional success. Our school community embraces the unique intellectual, emotional, physical, and social differences of all students while striving to meet the needs of all learners.

### *Core Values*

#### **INTEGRITY**

We practice doing the right thing.

#### **COMMUNITY**

We care deeply about our school.

#### **ACCEPTANCE**

We celebrate our differences.

#### **RELATIONSHIPS**

We respect and learn from each other.

#### **EXCELLENCE**

We give our personal best.

### *Social/Emotional Learning:*

Students will demonstrate...

- Self-awareness
- Self-management
- Responsible decision-making
- Relationship skills
- Social awareness

*Vision: "To do the right thing and take care of one another while striving to be an inclusive and student-centered learning environment."*



## **A Welcome Letter from the Principal**

Dear Galvin Middle School Families,

On behalf of the faculty, staff, and administration, it is with great excitement that I welcome you to the Galvin Middle School for the 2021-2022 school year. Each September, we have the wonderful opportunity to begin the school year with renewed energy, commitment, and a sense of purpose. Students will have the opportunity to meet new teachers and classmates. Teachers will have the opportunity to form connections and build positive relationships with a new group of students.

The purpose of our handbook is to ensure that all families and students have a clear understanding of our GMS core values and our expectations of how we do things at the Galvin. Please take the time to read our handbook and use it as a resource throughout the school year.

Our primary goal is to meet the academic, social, and emotional needs of every student. It is our responsibility to provide all students with the opportunity to grow, experience success, and fulfill their potential. In return, we believe it is every student's responsibility to give his/her personal best and practice being a positive member of our school community.

I wish each and every student the best of luck as this year begins. Please do not hesitate to stop by my office or contact me at any time if you have any suggestions or concerns for this upcoming year.

Sincerely,  
Ms. [Megan Webb](#)  
GMS Principal

### **Tips to Support Your Middle School Student**

- Establish consistent routines before and after school.
- Set up a routine/regular time to do homework free from distractions
- Ensure your child has the proper recommended supplies (see [website](#))
- Prepare for the next school day (i.e. - have clothes and school materials for the next school day organized the night before)
- Ensure your child has time for a healthy breakfast (school breakfast is available)
- Consider and explore after school activities that keep your child engaged, active, and making positive choices
- Seek academic help for your child if needed (i.e. - contact teachers, student services, administration, etc.)
- Ensure students get a good night's sleep (i.e. take electronic devices away at a certain time at night and/or common area in home to charge devices)
- Frequently monitor and discuss social media usage with your child

Visit [commonsensemedia.org](https://commonsensemedia.org) for resources and tips

**Table of Contents (In Alphabetical Order)**

[Academic/Social and Emotional Learning](#)  
[Advisory](#)  
[Allergies in School Setting Process](#)  
[Attendance](#)  
[Behavioral Expectations](#)  
[Beverages / Working Snacks](#)  
[Bicycles/Scooters/Skateboards](#)  
[Breakfast](#)  
[Bullying / Harassment Incident Report Form](#)  
[Bullying Prevention/Reporting](#)  
[Cell Phone Expectations](#)  
[Chromebooks](#)  
[Clubs and Activities](#)  
[Covid-19 Related Procedures](#)  
[Dances](#)  
[Discrimination and Harassment Grievance Procedures](#)  
[Dismissal](#)  
[Extracurricular Activities](#)  
[Field Trips](#)  
[Grade Level Specialist Course Offerings](#)  
[Hazing](#)  
[Health Services](#)  
[Homeless Students: Enrollment Rights and Services](#)  
[Homework Expectations](#)  
[House Model](#)  
[Iparent Portal](#)  
[Lockers](#)  
[Learning Commons](#)  
[Main Office Hours](#)  
[Mandatory Reporting](#)  
[Parent Volunteers](#)  
[Program of Studies](#)  
[PTO](#)  
[Report Cards](#)  
[Restraint Policies and Procedures](#)  
[Schedule](#)  
[School Attire](#)  
[School Committee Policies](#)  
[School Council](#)  
[School Resource Officer](#)  
[School to Home Communication](#)  
[Sex Education](#)

[Student Achievement](#)  
[Student Records](#)  
[Student Residency Requirement](#)  
[Student Support Services](#)  
[Students in Foster Care](#)  
[Students Permanently Leaving School](#)  
[Students who are English Language Learners](#)  
[Students with Disabilities](#)  
[Summer School/ Retention Policy](#)  
[Tardiness](#)  
[Team Model](#)  
[Tobacco Product Use Prohibited](#)  
[Visitors/Observations](#)  
[Wakefield Academy](#)

## Middle School Schedule/Model

GRADE 5	GRADE 6	GRADE 7	GRADE 8
Homeroom 7:50-7:53	Homeroom 7:50-7:53	Homeroom 7:50-7:53	Homeroom 7:50-7:53
Period 1 7:54-8:43	Period 1 7:54-8:43	Period 1 7:54-8:43	Period 1 7:54-8:43
Period 2 8:45-9:34	Period 2 8:45-9:34	Period 2 8:45-9:34	Period 2 8:45-9:34
Period 3 9:36-10:25	Period 3 9:36-10:25	Period 3 9:36-10:25	Period 3 9:36-10:25
Period 4 10:27-11:16	Period 4 10:27-11:16	Period 4 10:27-10:52	Period 4 10:27-11:16
		Lunch 10:54-11:16	
Lunch 11:19-11:41	Period 5 11:18-12:07	Period 4 11:18-11:42	Period 5 11:18-11:43
Period 5 11:44-12:33		Period 5 11:44-12:33	Lunch 11:45-12:07
	Lunch 12:10-12:32		Period 5 12:09-12:33
Period 6 12:35-1:24	Period 6 12:35-1:24	Period 6 12:35-1:24	Period 6 12:35-1:24
Period 7 1:26-2:15	Period 7 1:26-2:15	Period 7 1:26-2:15	Period 7 1:26-2:15



## **Team Model**

Students at the Galvin Middle School are organized into teams for core academic instruction (math, science, social studies, and English language arts). In 5<sup>th</sup> grade, teams are made up of two teachers, while in grades 6-8, teams are made up of four teachers. Additionally, all teams have a special education teacher and paraprofessional who support the learning of all students.

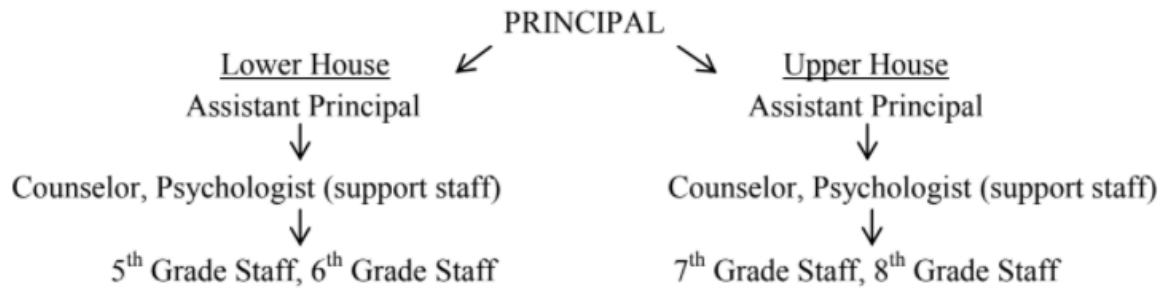
Each team has a team leader who can act as the point person for family communication and questions and serve as a liaison to the school administration.

Students have their core academic classes on their team and their specialist classes off team. When students are at their specialist classes (*see table below*), the team of teachers will have the opportunity to meet to discuss their students, analyze data from assessments, review curriculum, plan for upcoming events and/or assessments, schedule meetings with families, or converse about strategies that can meet the individual needs of all their students.

Through this team approach, we are able to create a small school feel within each grade. Team placement is a thoughtful process that considers many factors to determine the best experience for each student. We value parental input, as it provides us with information to better know your student; however, the principal will make the final determination for all team and class placements.

## House Model

Our “upper” house consists of 7<sup>th</sup> and 8<sup>th</sup> grade and our “lower” house consists of 5<sup>th</sup> and 6<sup>th</sup> grade. The assistant principal for the upper house is Andrew Tetrault and the assistant principal for the lower house is Allison Hammer. Our principal is the overseer of both houses. Each house has a team of professionals that facilitates the operational management to meet the developmental needs of students.



LOWER HOUSE		UPPER HOUSE	
Grade 5 Teams	Grade 6 Teams	Grade 7 Teams	Grade 8 Teams
J	G	D	A
K	H	E	B
L	I	F	C
M			
N			
O			

## Grade Level Specialist Course Offerings

FY - full year    HY- half year

<b>5<sup>th</sup> Grade</b>	<b>6<sup>th</sup> Grade</b>	<b>7<sup>th</sup> Grade</b>	<b>8<sup>th</sup> Grade</b>
P.E.-FY World Language-FY Perf. Ensemble-FY Art-HY Health-HY	P.E.-FY World Language-FY Perf. Ensemble-FY Art-HY STEM Innovations-HY	P.E.-HY World Language-FY Health-HY STEM Innovations-HY Perf. Ensemble (FY) or Music Appreciation (HY) Art-HY	P.E.-HY World Language-FY Health-HY STEM Innovations-HY Perf. Ensemble (FY) or Music Appreciation (HY) Art-HY

## **Academic and Social/Emotional Learning**

### **Advisory**

Advisory at the Galvin Middle School is an opportunity for our students to practice our social-emotional skills and participate in activities that reflect our core values. Students meet in small groups with an Advisory teacher to build and strengthen relationships and school community. Advisory will occur during early release days during the 2021-2022 school year.

### **Edna-May Paulson Library/Learning Commons**

The Edna-May Paulson Learning Commons is our school media center/library. This is a space where the student's academic needs, interests, and learning are met through the support of our media specialist staff. The Learning Commons is accessible to students throughout the school day (7:45-2:15) and with *administrative permission*, before and after school. For more information please visit the Learning Commons website:

<http://gmslc.weebly.com>

### **Homework**

Homework is an important extension of the learning that takes place in school. Homework provides practice of skills and the application of principles and concepts. Homework also includes developing strong habits such as building study skills for any upcoming assessments (tests and quizzes) as well as managing time to complete long term assignments. Please note that if homework completion becomes problematic and impacts student performance, teachers may work with administrators to develop interventions including after school support.

*Though it is impossible to predict the time necessary for individual students to spend on completing homework as each student is at a different learning rate, we can suggest the following time ranges:*

- **Lower House (5th and 6th grade): 30-60 minutes**
- **Upper House (7th and 8th grade): 60-90 minutes**

*If students are spending more on homework than the suggested time range, parents are encouraged to communicate with teachers via email or a note in the student agenda.*

- Students who have been absent should see individual teachers as soon as possible upon their return, to determine when and what missed work must be made up.
- When absent, students should check Google Classroom pages and/or team websites to stay current with assignments and expectations
- Students will be excused from homework for religious or ethnic observances as outlined in School Committee policy 906-R.

- Teachers are not required to provide homework prior to family vacations, and students who have taken a vacation during school time should be prepared to make up work when they return.

## **GMS Program of Studies - click below to view**

[Program of Studies](#)

### **Report Cards**

Report cards are issued three (3) times during the school year. Students are provided hard copies of report cards for the first two marking periods, and all three report cards will also be published on iPass. It is expected that students have a parent/guardian sign report cards and return to HR teachers within a week of being issued.

If a student receives an incomplete on the report card due to illness or absence, he/she will be given two weeks from the time the grades close to complete the missing work. Prolonged illnesses or extenuating circumstances should be discussed with the principal.

### **Student Achievement**

Students are recognized at the Galvin Middle School for academic success, growth mindset, and outstanding citizenship. Please note that academic honors are recognized only in grades 7 and 8.

- **High Honors (7th and 8th grade only):** *requires a quarterly average of "A" or above in all subjects on the student's schedule. The student must also earn a 1 in effort and conduct in all subjects.*
- **Honors (7th and 8th grade only):** *requires a quarterly average of "A" or above in at least two core subject areas and "B" or better in all other subjects, with effort and conduct grades being a 1 or 2 in all classes.*
- **Honorable Mention (7th and 8th grade only):** *requires a quarterly average of a "B" or better in all subjects with effort and conduct being a 1 or 2 in all classes.*
- **Growth Mindset Awards:** *Students in all grades who have made strong growth in any particular area (academics, attendance, social/emotional) are recognized each term for their perseverance and improvement.*
- **4 Star Generals:** *Each term, staff nominates a student who has consistently exemplified our core values and is recognized as a 4 Star General.*
- **Monthly ICARE Recognition:** *Students are recognized by staff for demonstrating behaviors in and out of the classroom that follow our core values.*

### **Summer School/Retention Procedure**

1. A student who fails one or more of their core classes for the year (final letter grade average) will be required to attend and pass summer school for that subject. Families will be responsible for the cost of summer school. Financial assistance may be offered.

2. If a student fails three (3) or more core subjects, he/she will be considered for retention. Upon the successful completion of summer school, a parent/guardian may meet with the principal to discuss student promotion. The principal retains the right to make the final decision in all cases.

*Early Notification & Intervention:* Immediately after the first report card, if a student has failed one or more (1) or more subjects, parents will be notified by the administration/team. Parents/guardians and the student will be invited to meet with the team to establish an academic plan to support their child.

## **Extracurricular Activities**

The Galvin Middle School has a proud, vibrant, and exciting after school culture. Students are encouraged to explore and participate in the many offered extracurricular activities. Participation in any of these activities can provide students with enrichment opportunities, opportunities to meet and make new friends, and a strong sense of belonging to the school community. Students with disabilities must be afforded an equal opportunity to participate in extracurricular activities.

Students who are absent from school are not eligible to participate in any extracurricular activities without administrative approval. Additionally, any after school obligations (detention, make-up work, etc.) are to be completed first before participation in any extracurricular activity.

### **Dances**

The Student Council holds dances for 7th and 8th grade Galvin Middle School students only. Dances are a school activity and all school rules regarding dress and behavior apply. Students and parents must sign a contract for students to attend school dances. Any student who has had major disciplinary issues (suspensions, Saturday School, multiple detentions) may lose the privilege of attending the next school dance at the discretion of the administration. The dance contract can be accessed by visiting:  
<https://fs22.formsite.com/WakefieldPublicSchools/form16/index.html>

### **Field Trips**

Field trips are a privilege, and as such, we expect our students to reflect our core values at all times during the field trip. There are a variety of field trips over the course of the middle school experience, including day trips and overnight trips. Students who go on field trips are representatives of the Galvin Middle School, the town of Wakefield, and their families. Students who consistently struggle to meet these expectations during the school year may be excluded from field trips. Final decisions will be subject to administrative review. Students not participating in field trips are expected to attend school the day of the trip. Please contact the principal to discuss financial assistance for any field trip.

## **Galvin Clubs and Activities**

### **Best Buddies**

Best Buddies Inc. is the world's largest organization dedicated to ending the social, physical, and economic isolation of the 200 million people with intellectual and developmental disabilities (IDD). The Galvin chapter of Best Buddies is open to students in grades 5-8 who want to connect with and make meaningful friendships with other students in our building. Activities include regular Best Buddies lunches and after school activities.

For more information, please visit [www.bestbuddies.org](http://www.bestbuddies.org)

### **Community Service Club**

Community Service Club is for any student in grades 5-8 who wants to make a positive difference in the lives of others in our school and the community. Students participate in a variety of volunteer opportunities, fundraisers, and collection drives. They also design and run their own service project. The club meets about once per week most of the school year. Please contact [Mr. Vaillancourt](#) for more information about this club.

### **Drama Club**

The GMS drama club produces one musical per year. The drama club consists of two parts: cast and crew. Participation in the cast is based on an audition, experience, and need. No audition is required for participation in the crew. All grades may participate. Depending on roles received, the commitment could range from 2-5 hours a week for several months leading up to the play. Please contact [Mr. Reilly](#) for more information about this club.

### **Math Club**

Math club is for any student in grades 5-8 who loves math. Students meet with fellow "Mathletes" to work on practice problems in preparation for math meets. At these meets, students compete with other middle school students from various cities and towns in the area. The Math Club typically meets two (2) mornings a week before school for about 35 minutes in the Learning Commons and Math Meets are held after school. Transportation is provided when competing in other communities. Please contact [Mr. MacInnis](#) for more information about this club.

### **Diversity Leaders**

Students who consistently demonstrate our GMS core values may be identified to serve as a Diversity Leader in our school. Once trained, students will teach lessons to students in the younger grades about embracing diversity, inclusion, and acceptance in our community.

### **Peer Mentor Program**

The Peer Mentor Program provides 7th and 8th graders with the opportunity to serve as peer mentors to 5th and 6th grade students after school including homework and organizational help. Upper House Peer Mentors are recommended by their teachers based on their ability to be role models for our younger students. Please contact [Ms. Fitzpatrick](#) or [Ms. Manning](#) for more information about this club.

### **Science Olympiad**

The Science Olympiad team is full of Galvin Students who participate in training and preparing for competitions which have over 23 individual/team events. These events reflect the ever changing nature of genetics, earth science, chemistry, anatomy, physics, geology, mechanical engineering and technology. For the past few years, the Galvin Middle School has hosted warm-up meets with other communities in preparation for the state tournament in the Spring. Please contact [Mr. Gorski](#) for more information about this club.

### **Student Council**

The lower house student council (5th and 6th grade) is open to any student who would like to participate. The upper house student council (7th and 8th grade) is made up of two student-elected representatives from each homeroom. The student council meets once a month and performs many initiatives, campaigns, and fundraisers in an effort to enhance the school culture of the Galvin Middle School. Please contact [Ms. Langlois](#) (lower house) or [Ms. D'Ambrosio](#) (upper house) for more information.

### **Yearbook Club**

The Yearbook Club is open to 8th graders who seek the opportunity to be responsible for creating our dynamic student yearbook. Meetings usually start in early January, are once a week, and meet until the end of the school year. Please contact [Mr. Winiarski](#) for more information about this club.

### **Youth Action Team**

The Youth Action Team is a group of 7th and 8th grade leaders whose goal is to promote a positive and healthy lifestyle for the Galvin community. The club members work together with the Youth Action Team Leaders from WHS to create and implement a series of projects that are geared towards making healthy decisions. Some of the past projects have included, The News Flush, Movie Night, Video Contests, Galvin Family Feud, and the Galvin's Got Talent Show. The Youth Action Team meets after school weekly throughout the year. Please contact [Ms. Tarness](#) for more information about this club.

### **Wakefield Academy**

Wakefield Academy offers a number of extended day programs at the Galvin Middle School designed to promote students' academic, physical, social, and emotional growth. Wakefield Academy supports working families by providing a safe and enriching environment for students both before and after school. In addition to before and after school programs, there are numerous enrichment programs offered throughout the year. Updates on upcoming program options are made available regularly via email and can be accessed through Wakefield Academy's website:

<http://wakefieldpublicschools.org/WPS/wakefield-academy/>

## **School to Home Communication**



We value a strong school to home partnership and seek to maintain open two-way communication between home and school to support the development of our middle school students. As a general communication guideline for families and students, communication should first begin with the student's teacher(s). Emails are the quickest and easiest way to connect with a teacher for basic questions or to request additional communication. However, a phone call or in person meeting is suggested for more in depth conversations.

If a classroom or academic situation arises where parents/guardians want to contact the school administration, we welcome this as an option; however, we will always inquire if parents have spoken directly with teachers first.

Below are the different forms of school/home communication:

<b><i>School Updates</i></b>	<b><i>Academic Progress/Team Updates</i></b>	<b><i>Meetings</i></b>
Online Daily Bulletin <a href="#">GMS website</a>	iParent Portal	Back To School Night
School Messenger Emails	Trimester Report Cards	Parent/Teacher Conferences
Social Media Accounts <ul style="list-style-type: none"> <li>• Twitter</li> <li>• Instagram</li> </ul>	Google Classroom	Team Meeting (upon request)
PTO Weekly Emails	Team Websites/Newsletters	Student Showcase
		Monthly PTO Meetings

### **iParent - Progress Monitoring**

iParent provides online access to teacher rank books where parents can regularly check their child's academic progress throughout the school year. Families and students are encouraged to frequently monitor progress by viewing their iPass account. For support logging into your account, visit:

[https://drive.google.com/file/d/0B\\_C1wF5PHSJLUFNjVWdrUWJYZGM/view?usp=sharing](https://drive.google.com/file/d/0B_C1wF5PHSJLUFNjVWdrUWJYZGM/view?usp=sharing)

### **Parent Volunteers**

All volunteers are required to complete and submit an application for a background check (CORI) before they can volunteer in the school or chaperone a field trip. This must be done every 3 years. This requirement is for the protection of our children. Additionally, any adult chaperoning an overnight or out of state field trip must be fingerprinted. For more information about required fingerprinting, please visit <https://www.identogo.com/> for more information. The provider code for the Galvin is 03050000.

### **Parent Teacher Organization (PTO)**

The Galvin Middle School has a very active Parent-Teacher Organization for parents to get involved and support numerous activities. Monthly meetings are held and open to any interested parents. The goals of the PTO include improving communication and support for the student activities. The organization has been responsible for raising funds to allow our students and teachers to participate in a variety of programs. Please visit <https://www.galvinpto.com/> for more information.

### **School Council**

The GMS School Council is an advisory group of school staff, parents, community representatives, and administration that meets regularly during the school year to review school issues and matters. The School Council has been in operation since the passage of the Education Reform Act of 1993. An election is held on Back to School Night to vote for parents who have expressed interest. School Council membership is a two-year term.

### **Attendance**

Consistent attendance directly relates to academic achievement, growth, and the overall development of students. The Galvin Middle School administration reviews student attendance on a regular basis. State law allows students to accumulate 7 unexcused absences within a 6-month period before a school is mandated to take action.

### **Absences**

1. Whenever a student is absent from school, parents/guardians are required to notify the Child Safety Line at **781-246-6410** (press #1) as soon as possible and no later than 9:00 am on the day of the absence. Otherwise a child will be considered truant.
2. Absences will be recorded as either “excused” or “unexcused.” Absences will be excused for the following reasons:
  - o physician’s note validating the student’s illness and the dates of an absence(s) is received in the main office
  - o observation of a religious holiday
  - o legal matters, which require personal appearance in court
  - o family matters excused at administration’s discretion (i.e. funeral)
3. ***All other absences will be considered unexcused, even when a parent/guardian calls the Child Safety Line. Exceptions will be considered on an individual basis.***
4. Absences from school for family vacations will be considered unexcused and are *strongly discouraged*. Parents/Guardians are required to contact their child’s team leader, administration, and front office staff if a student will miss school due to a vacation.
5. Absence from school excludes the student from participation in any Galvin Middle School extracurricular activity for that day unless permission is coordinated ahead of time with administration.

### **Procedure for Attendance Concerns**

Chapter 76, section 1 of the Mass. General Laws states all children must attend school. A school district may excuse up to ***seven (7) sessions or fourteen (14) half-day sessions in any period of six months***. A school district may file a CRA (Child Requiring Assistance) petition in court or a 51A with the Dept. of Children and Families on behalf of a child under the age of sixteen not attending school on a regular basis.

Based on the above state law, the Galvin Middle School Administration will take the following steps:

- After *4 unexcused absences*, a formal letter will be mailed home from the school.
- If a student reaches *5 unexcused absences*, the Galvin Middle School administration will coordinate a meeting to discuss attendance concerns.
- If attendance continues to be problematic, the school will seek outside assistance.

### **Tardiness**

If a student has not entered school by 7:50 am, he/she will be considered tardy. If a student misses homeroom, they must report to the main office.

A tardy will be excused only with proper documentation (note from doctor, dentist, or hospital). Exceptions may be made for extenuating circumstances upon administrative discussion with parent/guardian.

On the 3rd unexcused tardy of the term, a warning letter will be communicated (email/hard copy) to parents. On the 5th unexcused tardy of the term, and on each subsequent tardy for the remainder of the term, students will be assigned an office detention that day and parents will be notified.

For ongoing tardy concerns, administration will coordinate a meeting with families to discuss strategies to support students arriving to school on time.

### **Attendance: Pupil Absence Notices**

Pupil absence notices to parents and pupil absence meetings with parents will be conducted in accordance with the requirements of M.G.L. c. 76, §1B. Each Principal or designee will notify a student's parent/guardian within 3 days of the student's absence in the event the parent/guardian has not informed the school of the absence. Under M.G.L. c. 76, § 1B, the Wakefield Public Schools has a policy of notifying the parent/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.

### **Dismissal**

To be dismissed from school, a note signed by a parent/guardian, stating the specific reason for dismissal, must be brought in. Please include a phone number where the administration may reach the parent/guardian. *A student must be dismissed to a parent or authorized adult listed on their emergency card.* Anyone picking up a student must show a driver's license or some other form of identification prior to the school releasing the student. Students who leave early due to illness must be dismissed only through the school nurse or the administration. Dismissals through the school nurse are excused. We respectfully request that you contact the main office or school nurse if your child contacts you directly from school asking to be dismissed.

### **Beverages/Working Snacks**

During school hours, the only beverages allowed to be consumed in the classroom is water (clear containers). Students will be asked to dispose of beverages other than water upon entering the school. Teachers will schedule a time during the day when students can have a working snack. The expectation is for the snack to be a healthy and quick option that does not interrupt the learning in the classroom. All snacks must follow our district food policy and be nut free.

### **Bicycles/Scooters/Skateboards**

The school does not accept the responsibility of protecting students' bikes/scooters/skateboards (B/S/S) while students are at school. B/S/S may not be stored inside the school due to fire safety codes. It is the responsibility of students to lock their B/S/S securely to the bike racks. It is expected that B/S/S are walked at all times on school property and in crosswalks. The use of helmets is required by law for students 16 and under, and it is our expectation for students to follow this and stay safe.

### **Breakfast**

Breakfast will be available from 7:00 am to 7:30 am and the cafeteria closes at 7:40 am. The meal consists of a warm item, cold cereal, milk, and juice. Students are able to pay for breakfast using their 4-digit student ID number. It is the student's responsibility to be on time for homeroom attendance. It is expected that only students having breakfast enter the cafeteria before school, unless students are indoors during the a.m. drop off due to inclement weather.

### **Cell Phones**

All cell phones must be turned off and placed in lockers once the school day begins. Teachers may at times permit use of cell phones for classroom use, however any student in possession of a cell phone without permission during the school day will be subject to the behavior expectations and rules set forth in this handbook.

### **Chromebooks**

Students have access to Chromebook devices to enhance their learning experience. As with any materials that are property of WPS, the care and maintenance of Chromebooks is the responsibility of the student while it is in their care. This includes:

- Not putting any stickers/labels on Chromebooks
- Using the Chromebook only for academic purposes
- Reporting any damages as soon as possible to their teacher(s)

If it is determined that student negligence contributed to the loss or damage of a Chromebook, the student/family will be responsible for the cost of repair or replacement.

## **Technology Responsible Use and Internet Safety Policies**

The Wakefield Public Schools and outline acceptable use of the Wakefield Public Schools network, technology devices, digital resources, and network infrastructure, including email and online class resources. All students and staff must agree to abide by the Technology Responsible Use Agreement.

The Wakefield Public Schools monitors the use of the school District's network. There is no expectation of privacy related to information stored and transmitted over the Wakefield Public Schools network. Search of particular files of a user shall be conducted if there is a reasonable suspicion that a user has violated the law, school rules of the code of conduct, or Wakefield School Committee policies. The investigation will be reasonable and in the context of the nature of the alleged policy violation.

Use of the computer network and Internet is an integral part of research and class work, but abuse of this technology can result in loss of privileges. Students 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 in accordance with the disciplinary due process procedures in this handbook.

### **Unacceptable Uses of Technology Resources**

Inappropriate technology use includes but is not limited to the following:

- Interfering with the normal functioning of devices, computer systems, or computer networks.
- Illegal or criminal activities.
- Damaging or theft of devices, computer systems, or computer networks.
- Accessing, modifying, or deleting files/data that do not belong to you.
- Sending or publishing offensive, bullying or harassing messages and content.
- Accessing dangerous information that, if acted upon, could cause damage or danger to others.
- Giving your username or password to any other student, or using the username or password of someone else to access any part of the system.
- Sharing and/or distribution of passwords or using another student or faculty member's password.
- Intentional viewing, downloading or distribution of inappropriate and/or offensive materials.

- Gaining unauthorized access to computer and or telecommunications networks and resources.
- Viewing, transmitting or downloading pornographic, obscene, vulgar and/or indecent materials.
- Using obscene language, harassing, insulting or bullying others, posting of private or personal information about another person, spamming of the school email system, violating any federal or state law, local regulation or school committee policy.
- 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: wire, radio, electromagnetic, photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant message, text message 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 author of posted content or messages, if the creation or impersonation is a violation under law. 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 is a violation under law. Cyber-bullying may occur in and out of school, during and after school hours, at home and in locations outside of the home. When cyber-bullying is alleged, the full cooperation and assistance of parents and families is expected.
- Violating copyright laws and/or the District policy on plagiarism.
- Copying software or applications from Wakefield Public School devices through any electronic means unless the particular licensing agreement in place for the software allows user distribution.
- Intentionally wasting limited network or bandwidth resources.
- Destructions/vandalism of system software, applications, files or other network resources.
- Employing the network for commercial or political purposes. Using the network / Internet to buy or sell products.
- "Hacking" and other illegal activities in attempt to gain unauthorized access to restricted files, other devices or computer systems.
- Uploading any harmful form of programming, bypassing filters; installing any type of server, aliasing / spoofing, peer-to-peer networking or remote-control software.
- Possession of and/or distribution of any software tools designed to facilitate any of the above actions will also be considered an offense.

Saving inappropriate files to any part of the system, including but not limited to:

- Music files
- Movies
- Video games of all types, including ROMs and emulators
- Offensive images or files
- Programs which can be used for malicious purposes
- Any files for which you do not have a legal license
- Any file which is not needed for school purposes or a class assignment

- 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.

NOTE: If a student needs a file for a class project that you think may be considered inappropriate, then he/she needs to have teacher and school administration permission prior to the class project.

### **Lockers**

Each student is assigned a locker. Students are not provided locks by the school; however, they do have the option to bring in a lock. If a student uses a lock, the combination must be shared with their HR teacher/main office. The school will not assume responsibility for anything lost or stolen from a locker. Students may not share lockers and they must utilize only the locker they have been assigned. Students are allowed access to their lockers at prescribed times as communicated by their teachers. **All lockers are school property and administrators reserve the right to search lockers in order to ensure a safe learning environment.** Students are on notice that they do not have an expectation of privacy in school lockers. The schools may conduct announced and unannounced locker inspections.

### **Main Office Hours**

The main office hours are 7:00 a.m. - 4:00 p.m. After 4:00 p.m., staff may not be present. Parents/Guardians and/or students may not enter the building after 4:00 p.m. to retrieve belongings without administration's approval and/or supervision.

### **School Attire**

Students' attire should be appropriate for school and work activities. The administration is authorized to determine what constitutes appropriate dress and to take action, including determining consequences, in instances where individual dress does not meet the stated requirements below. The administration may waive any restriction(s) in cases involving extenuating medical circumstances. As a general guideline, inappropriate clothing for school may include, but is not limited to:

- clothing displaying alcohol, drugs, violence towards others, tobacco, or has a sexual connotation/improper language
- hats/hoods (with the exception of religious, cultural, or medical circumstances)
- footwear that is unsafe for emergency evacuations and classroom activities (flip flops, slippers, open back shoes, high heels)
- clothes that do not sufficiently conceal undergarments at all times
- bathing suits
- Clothing must cover areas from one armpit across to the other armpit, down to approximately three to four inches in length on the upper thighs. Tops must have shoulder straps.
- Any accessories which may cause or inflict bodily harm

The school attire guidelines apply to all extracurricular activities. If a student wears attire that does not comply with the recommended dress, an administrator will call home to work

with parents/guardians on appropriate next steps. The administration appreciates parental/guardian support in helping students make responsible decisions about their attire.

### **Health Services**

There is a fully staffed nurse's office at all times during the school day. If it is necessary for a student to visit with the nurse during the course of the day, a pass is provided by the teacher allowing the student to go to the nurse.

Medication (See SC Policy 1009-R) that must be taken during the course of the day may be dispensed only by the school nurse. Regulations around medications include: medications in a properly labeled container from the pharmacy; dated written orders from the physician (prescribed medications of a week or less do not require a written physician's order the pharmacy bottle will suffice); dated, written permission from the parent; non-Aspirin may be given to students with written parent/guardian permission for treatment of headache, musculoskeletal discomfort, menstrual cramps, and dental pain.

Medications, whether prescription or non-prescription, shall be administered to students by the school nurse, and/or those delegated by her in accordance with 105 CMR 210.

#### **Long Term Daily Medication**

When a student must be given medication in school, both a parental consent form and MD order form must be completed and turned in to the nurse in order to administer the medication. Along with this is a Medication Policy which will also be shared.

The written medication order form should be taken to the student's licensed prescriber (physician or nurse practitioner) for completion and be returned to the school nurse. This order must be renewed as needed and at the beginning of each academic year. Any changes in dosing/orders must be documented on a new medication order form, by both doctor and parent.

Medicine must be delivered to the school in a pharmacy or manufacturer-labeled container by the parent or guardian. The pharmacy should be asked to provide separate medication bottles for school and home. No more than a thirty-day supply of medicine should be delivered to the school.

Students are not allowed to carry prescription or over-the-counter medication on their person. Students may not self-medicate.

#### **Short Term Daily Medication**

Students who require medication during the day for a short period of time (i.e. such as a short-term prescription), should likewise have their medication brought into the Health Office by a parent on the morning it is to be taken. This prescription/medication can remain in the health office until completed. All prescribed short-term medication must also be in a properly labeled prescription container. Students are not allowed to carry prescription or



over-the-counter medication on their person. Students may not self-medicate without prior written approval of the nurse.

Students may carry inhalers with them that have been prescribed by their physician. It is important that the school nurse is made aware when a student is carrying his/her own inhaler.

Families of students with allergies will provide Epi-pens/Benadryl for use at school, preferably, one for the classroom and one for the office. Please contact our nurse, [Ms. Melanson](#), with any additional questions or concerns.

## **Face Coverings**

The Wakefield Public School District is committed to providing a safe environment as schools reopen during the ongoing COVID-19 pandemic. Maintaining a safe environment is critical to the District's ability to returning students to a full-time, in-person 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, in accordance with guidance from the Center for Disease Control (CDC), the Department of Elementary and Secondary Education (DESE), and the Massachusetts Department of Public Health (MassDPH), the following requirements are 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, even when social distancing is observed. Face coverings should be at least two-ply and be able to stop respiratory droplets from reaching others. Gaiters, bandanas and masks with one-way valves or vents will not be permitted.

Individuals may be excused from the requirement for the following list of reasons, per CDC guidance: The individual: has trouble breathing; is unconscious; is 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, religious exemption, or other challenge, making it unsafe to wear a face mask or face covering. A written note from a physician or counselor is required for a requested medical or behavioral exemption. For a religious exemption, a parent or guardian may provide a written attestation indicating that the mask requirement conflicts with their sincerely held religious beliefs. Parents may not excuse their child from the face mask requirement by signing a waiver.

Additionally, face masks or face coverings will not be required when appropriate social distancing is enforced, including, but not limited to: during mask breaks; while eating or drinking; while outside under supervision.

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 or local Board of Health. Face shields or physical barriers may provide an alternative in some instances.

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, in accordance with the disciplinary due process procedures provided for in this handbook.

Violations of this policy by staff will be handled in the same manner as other violations of School Committee policy and/or school rules in accordance with the disciplinary due process procedures provided for in this handbook.

Visitors in violation of this policy will be denied entry to the school/district facility. This policy will remain in place until rescinded by the School Committee.

### **Allergies in School Setting Process**

The prevalence of reported food allergies has continued to increase significantly over the last several years. Those children diagnosed with a food allergy are at significant risk of anaphylaxis, a life-threatening reaction. In October 2002, the Massachusetts Department of Education in collaboration with the American Academy of Allergy, Asthma and Immunology recommended that all schools have in place a system to identify children with life-threatening allergies. Education of all staff in life-threatening allergy awareness is the cornerstone of this initiative.

#### **School-wide Expectations**

At all times, Wakefield Public Schools seeks to remain sensitive to all life-threatening allergies and will take reasonable measures to ensure a peanut, nut and latex-sensitive environment. **We ask all parents to refrain from sending peanut, nut and latex products to school with their children.**

Food allergies may be addressed through the Section 504 process as appropriate.

Selected portions of the Wakefield Public Schools Allergies in School Setting Policy are included below. For the complete text of the policy,

- All schools will require that any parties and celebrations during the school day be food free.
- The use of food for curriculum instruction or special luncheons during the school day will be restricted to the Culinary Arts, Life Skills programs and the WHS Alternative Program. Food may be permitted for curriculum and/or instructional purposes only when (1) an alternative instructional method cannot provide equal educational value and (2) all measures are taken to ensure the safety and wellbeing of students and staff.
- The use of food as a reward in any classroom shall be excluded.
- The principal of each school, especially at the elementary level, shall implement a No Food or Utensil Sharing practice.
- School nurses will provide allergy awareness education and EpiPen and epinephrine auto injector training for all Wakefield School Department employees, based on the Department of Education and Department of Public Health recommendations.
- The parent/guardian or primary care physician of any student with a life threatening allergy shall provide documentation to the school system that contains the following information:
  - Identification of the allergy
  - Description of typical symptoms
  - Dosing instructions for medication
- This information shall be updated at least annually or as needed due to changes in the student's health needs. All past documentation of a student's health report, along with any new or updated information received, shall be reviewed and utilized by school nurses.

### **Mandatory Reporting**

All professional staff are informed annually of their obligations to report cases of suspected child abuse and neglect as specified in M.G.L. c. 119, § 51A-51F and M.G.L. c. 71, § 37L.

### **Motor Vehicle Idling**

For the safety of staff and students, operators of school buses and personal motor vehicles, including students, faculty, staff, and visitors, shall be restricted from prolonged idling of such vehicles on school grounds and violators may be subject to a fine. M.G.L. c. 90, § 16B.

### **School Resource Officer**

Our full time School Resource Officer (SRO) supports the administration and staff to provide a safe learning environment for students in accordance with M.G.L. c. 71, 37P. Our school resource officer may assist with more egregious student conduct such as: vandalizing school property, use of an audio recording device without permission, stealing,

possession of (with or without intent to sell) drugs, alcohol, or drug paraphernalia, hazing, false fire alarm or 911 call, discriminatory harassment, bullying, and physical attack or assault of any member of the Galvin community.

### **Sex Education**

In accordance with General Laws Chapter 71, Section 32A, all parents/guardians of students in our school are notified by means of this handbook of the courses and curriculum we offer that primarily involves human sexual education or human sexuality issues. Parents/guardians of students who enroll in school after the start of the school year will be provided with a handbook at the time of enrollment. If the planned curriculum changes during the school year, to the extent practicable, parents/guardians will be notified of this fact in a timely manner before implementation.

Within the scope of the existing curriculum, the following courses have components that include issues of human sexual education or human sexuality issues:

Anatomy & Physiology	Health
Biology	Psychology
Environmental Science	Sociology

Under Massachusetts Law, you may:

1. Exempt your child from any portion of the curriculum that primarily involves human sexual education or human sexuality issues, without penalty to the student, by sending a letter to the principal requesting an exemption. Any student who is exempted by request of the parent/guardian under this policy may be given an alternative assignment.
2. Inspect and review program instruction materials for these curricula, which will be made accessible to parents/guardians and others to the extent practicable. Parents/guardians may arrange with the principal to review the materials at the school and may also review them at other locations that may be determined by the principal.

### **Student Support Services**

The Student Support Service Team consists of counselors and psychologists whose primary role is to support the social and emotional development and needs of our students within the operations of our school day. Our Student Support Team works closely with teachers, administrators, the school nurse, and the school resource officer to support the needs of all students. Our Student Support Team also works closely with parents to provide outside resources and referrals for counseling and mental health needs. For more information or resources, please visit:

<https://www.wakefieldstudentsupport.com/>

## **Students with Disabilities**

Both our State and Federal governments have passed important legislation affecting students, parents, and schools. This legislation is designed to provide equal educational opportunities and to inform parents and students of their rights. Each act of legislation is quite lengthy, so only brief summaries are included in this Handbook. Anyone wishing additional information may contact the Special Education Office at 781-246-6416.

Section 504 of the Rehabilitation Act of 1973 ("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. Pursuant to Section 504, any qualified student with a disability is entitled to a free appropriate public education (FAPE). Under Section 504 FAPE is the provision of regular or special education and related aids and services designed to meet a student's individual educational needs as adequately as the needs of nondisabled students are met. Additionally, the Wakefield 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 District 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.

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. For more information regarding the services available to students with disabilities, please contact the school guidance counselor or Special Education Administrator at your child's school or the Office of the Director of Special Education and Student Services.

The 504 Compliance Officer is: Rosie Galvin, Administrator of Special Education and Student Services, 60 Farm Street, Wakefield, MA 01880, 781-246-6400.

### **Students who are English Language Learners (ELL)**

All students, as they enroll in Wakefield Public Schools, are required to complete a Home Language Survey. If a language in addition to English is spoken at home, or if a student's first language is not English, the student will be assessed for English language proficiency. Students scoring below expectations on the English language proficiency testing and recommended for ELL services will receive ELL support services during the school day. Students receiving ELL support are required to participate in state-wide assessments. If parents elect to exclude their child from ELL services, they must check the box marked "No" on the Permission for Services form or contact the principal in person, via telephone or email. Students will exit the ELL Program after passing statewide testing, and based on the results of standardized testing, classroom performance and teacher recommendation.

### **Students in Foster Care**

The purpose of this policy is to ensure the educational stability of students in foster care and their equal access to the same free and appropriate public education through high school graduation as provided to other students as required by law. Educational stability has a lasting impact on students' academic achievement and wellbeing, and the School Committee is committed to supporting district and community efforts to ensure that students in foster care have access to high-quality, stable educational experiences.

The law requires that foster care students continue to attend their school of origin, unless after a collaborative decision-making process it is determined to be in the student's best interest to enroll in and attend school in the district in which a foster care provider or facility is located (if different). The law also requires that when it is not in the student's best interest to remain in the school of origin, the student is immediately enrolled and attending in a new school district, even if records normally required for enrollment cannot be quickly produced. Additionally, the law requires the Department of Children and Families (DCF), The Department of Elementary and Secondary Education (DESE), and the school district to designate points of contact; and also that the district collaborate with DCF and other school district to ensure that students will receive transportation to the school of origin if needed.

#### **Best Interest Determination**

Decisions about whether a student in foster care should continue to attend the school of origin should be made collaboratively by DCF, the student (as appropriate), the student's family and/or foster family (and if different, the person authorized to make educational decisions on behalf of the student), the school and district of origin, and (when different) the local district where the student is placed. Best

interest determinations should focus on the needs of each individual student and take into account a variety of factors. Every effort should be made to reach agreement regarding the appropriate school placement of a student in foster care. However, if there is disagreement regarding school placement for a student in foster care, DCF will finalize the best interest determination.

The district can seek review of DCF's decision by utilizing a Foster Care School Selection Dispute Resolution Process established by DESE and DCF. Decisions made through this process are not subject to review. Under the law, to promote educational stability, students should continue to attend their schools of origin while best interest determinations are being made.

### Transportation

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

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

### Immediate Enrollment

If it is in the best interest of a student in foster care to leave the school of origin, the student must be enrolled in school in the local school district immediately. To minimize disruption of the student's education, the law requires the district to enroll the student in a new school right away, without waiting to receive the typical student enrollment documentation (other than emergency contact information). The enrolling school must immediately contact the child's school and district of origin to obtain the relevant records and documentation, and the school and district of origin should immediately transfer those records.

To facilitate enrollment, DCF representatives will present the district with a form that indicates that the student is in foster care, along with their state-agency identification badge, when enrolling students.

## **Educational Opportunities for Military Children**

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

moves required by parents' or guardians' military deployment. The full school committee policy on Educational Opportunities for Military Children may be found

### **Students Permanently Leaving School, M.G.L. c. 76, §18**

No student who has not graduated from high school shall be considered to have permanently left public school unless an administrator of the school which the student last attended has sent notice within a period of 5 days from the student's tenth consecutive absence to the student and the parent or guardian of that student in both the primary language of the parent or guardian, to the extent practicable, and English. The notice shall initially offer at least 2 dates and times for an exit interview between the superintendent, or a designee, and the student and the parent or guardian of the student to occur prior to the student permanently leaving school and shall include contact information for scheduling the exit interview. The notice shall indicate that the parties shall agree upon a date and time for the exit interview, and that interview shall occur within ten (10) days after the sending of the notice. The time for the exit interview may be extended at the request of the parent or guardian and no extension shall be for longer than fourteen (14) days. The superintendent, or a designee, may proceed with any such interview without a parent or guardian if the superintendent, or a designee, makes a good faith effort to include the parent or guardian. The exit interview shall be for the purpose of discussing the reasons for the student permanently leaving school and to consider alternative education or other placements.

The superintendent or designee shall convene a team of school personnel, such as the principal, guidance counselor, teachers, attendance officer and other relevant school staff, to participate in the exit interview with the student and the parent or guardian of the student. During the exit interview, the student shall be given information about the detrimental effects of early withdrawal from school, the benefits of earning a high school diploma and the alternative education programs and services available to the student.

### **Student Records**

The Wakefield 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 educational records maintained 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 transcript is kept by the school system for at least sixty (60) years after the student leaves the system.



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 extracurricular 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 eligible 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. The eligible student or parent shall have the right upon request to meet with professional qualified school personnel to have any of the contents of the student record interpreted.

***Confidentiality of Record*** - With a few exceptions, no individuals or organizations but the parent, student, and authorized school personnel are allowed to have access to information in the student record without specific, informed, written consent of the parent or the eligible 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, with limited exception under state and federal law, 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 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*** – In accordance with 603 CMR 23.07(4)(g), it is the practice of the Wakefield Public Schools to forward the student record of any student who seeks or intends to enroll, or already has enrolled in another public-school district, if the disclosure is for purposes of the student's enrollment or transfer. The parent or eligible student has the right to receive a copy of the school record that is forwarded to the new school.

***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 M.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.

### **Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)**

PPRA affords parents 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") if the survey is funded in whole or in part by a program of the U.S. Department of Education (DOE): political affiliations or beliefs of the student or student's parent; Mental or psychological problems of the student or student's family; sex behavior 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 the following: any other protected information survey, regardless of funding; 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 State law; and 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: protected information surveys of students; instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law. Specific activities and surveys covered under this requirement include: the collection, disclosure, or use of personal information for marketing, sales or other distribution; the administration of any protected information survey not funded in

whole or in part by DOE; and any non-emergency, invasive physical examination or screening as described above.

The District will provide parents/guardians, within a reasonable period of time prior to the administration of the surveys and activities, a notification of the surveys and activities and provide an opportunity to opt their child out, as well as an opportunity to review the surveys.

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. 20202-5901

### **Student Residency Requirement**

The Wakefield Public Schools does not participate in the School Choice Program. Unless legally homeless, students must have a legal residence in Wakefield in order to attend Wakefield Public Schools. Please refer to Wakefield School Committee policy (PO) 1003-(E) for additional residency information.**Homeless Students: Enrollment Rights and Services**

To the extent practical and as required by law, the district will work with homeless students and their families to provide stability in school attendance and other services. Special attention will be given to ensuring the enrollment and attendance of homeless students not currently attending school. Homeless students will be provided district services for which they are eligible, including Head Start and comparable preschool programs, Title I, similar state programs, special education, bilingual education, vocational and technical education programs, gifted and talented programs and school nutrition programs. A child who is homeless or an unaccompanied youth and attending any school served by the local educational agency is eligible for Title I services and the Free and Reduced Lunch program.

The goal of the McKinney-Vento Homeless Education Assistance Act is: (1) To ensure that each child or youth experiencing homelessness has equal access to the same free, appropriate public education, including a public preschool education, as provided to other children and youths; (2) In any State that has a compulsory residency requirement as a component of the State's compulsory school attendance laws or other laws, regulations, practices, or policies that may act as a barrier to the enrollment, attendance, or success in school of homeless children and youths, the State will review and undertake steps to revise such laws, regulations, practices, or policies to ensure that homeless children and youths are afforded the same free, appropriate public education as provided to other children and youths; (3) Homelessness alone is not sufficient reason to separate students from the mainstream school environment; (4) Homeless children and youths should have access to the education and other services that such children and youths need to ensure that such children and youths have an opportunity to meet the same challenging student academic achievement standards to which all students are held.

### Definition of Homeless Children and Youth

The term "unaccompanied youth" includes a homeless child or youth not in the physical custody of a parent or guardian. Homeless children and youth are defined as individuals who lack a fixed, regular, and adequate nighttime residence and includes children and youth living in the following situations:

- (i) children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals;
- (ii) children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human;
- (iii) children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- (iv) migratory children who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

### Homeless Education Liaison

Wakefield provides various types of support for students experiencing homelessness in order to help them attend school consistently. Eligible families may be living in shelters or may not have their own lease because they are temporarily staying with family members or acquaintances due to economic hardship or similar reason. Contact the district's Homeless Education Coordinator, at 413-534-2000, ext. 1140 for more details.

### Enrollment and Dispute Resolution

Students identified as experiencing homelessness have a right to remain in their school of origin or to attend the school where they are temporarily residing. Students who choose to remain in their school of origin have the right to remain there until the end of the school year in which they become permanently housed. with transportation if needed through the end of the school year (June).

The Wakefield Public Schools will immediately enroll students experiencing homelessness in school, even if they do not have the documents usually required for enrollment – such as school records, medical records or proof of residency. Emergency contact information is required at the time of enrollment consistent with district policies, including compliance with the state's address confidentiality program when necessary. The District's liaison for

homelessness will assist students who arrive without records by contacting the previously attended school system to obtain the required records.

Should a parent/guardian or unaccompanied youth disagree with the school placement decision of the liaison for homelessness, the parent/guardian or unaccompanied youth has the right to appeal. The parent/guardian or unaccompanied youth will be provided with written notification in the language of the home of the placement decision and the paperwork to complete the appeal process. While the placement decision is under appeal, the student will be allowed to attend the school of the parent/guardian's or unaccompanied youth's choice and receive transportation (according to the District transportation policy) while the dispute is under review by the Department of Elementary and Secondary Education.

### **Visitors / Observations**

Visitors must enter through the main office entrance of the school. To assist in maintaining the safety of the students and staff of the Galvin Middle School, each visitor must ring the doorbell, check-in with the main office staff, sign the visitor log, and wear a visitor badge. Parents/guardians should not be in classrooms unless accompanied by school staff.

Observations of a student's current and/or proposed special education program may be conducted by a parent/guardian or his/her designee in accordance with M.G.L. c. 71B § 3. Parents must request an observation five (5) days in advance and can submit the request to the building Special Education Administrator and building Principal. Observers may be required to sign a non-disclosure form to protect student confidentiality.

### **Behavioral Expectations**

In order to provide a safe and positive school environment for all students and staff, the following sections include expectations and regulations that allow us to function as a school community.

Most times, behavioral issues can be worked out effectively between students and teachers through private, respectful, and thoughtful conversations. When a conversation does not lead to a positive change in student behavior, teachers may either issue a consequence as described in the behavior rubric on the following pages or refer a student to meet with an administrator.

### **Behavior Rubric**

The following pages contain a guide for teachers and administrators to use when administering consequences for behaviors; consequences may vary based on the unique circumstances of each situation at the discretion of the administration. Please note that

every incident is handled in an individual manner and student confidentiality is required and protected by law.

Consequences for behaviors that are not described in the below rubric will be determined by an administrator. Galvin administrators have discretion to administer consequences beyond what is outlined in this rubric. In addition, student support staff will be recommended to meet with students who demonstrate patterns of concerning behavior.

As indicated throughout our handbook, depending on the nature of the incident, violation of our school rules may lead to the exclusion of students from school events (dances, field trips, activities).

In many cases, consequences will include an appropriate level of restorative practices including apologies, reflective conversations, education around a topic, and community service.

Please note that M.G.L. c. 71, §370 prohibits bullying and retaliation in all public and private schools, and requires schools and school districts to take certain steps to address bullying incidents. For additional information regarding discipline and district policies including the WPS District Bullying Policy please go to the district policy page: <http://wakefieldpublicschools.org/WPS/wps-policy-book/>.

*In order to maintain a safe learning environment, when there is reasonable suspicion that a search may result in the discovery of evidence that a student has violated either the school rules or the law, administrators may conduct a search of a student's locker, backpack, and/or possessions (personal bags, pockets of clothing, and footwear). In these cases, every effort will be made to contact a parent/guardian provided a situation is not an urgent matter. Please see Backpacks/Search and Seizure section below.*

***Teachers/Administrators will contact parents when the rubric is used as a behavior intervention.***

***Lower House students will not be held after school without prior parent notification to arrange for transportation.***

Please note that the grouping of offenses and response ranges are designed to assist the principal or his or her designee in determining the appropriate sanction. Please note, however, that all disciplinary decisions are made on an individualized basis and that these groupings and the response ranges below do not limit the principal or designee's discretion to impose more or less severe sanctions based on the circumstances presented. Alternatives to suspension will be considered in all cases in a manner consistent with M.G.L. c. 71, 37H  $\frac{3}{4}$ .

Behavior	1st Consequence	2nd Consequence	3rd Consequence
<b>Unauthorized use of cell phones during school hours</b>	<ul style="list-style-type: none"> <li>-Cell phone will be turned in to an administrator</li> <li>-Cell phone kept in main office for 2 days during school hours</li> </ul>	<ul style="list-style-type: none"> <li>-Cell phone will be turned in to an administrator</li> <li>- Parent must pick up phone from main office</li> <li>-Cell phone kept in main office for 5 days during school hours</li> <li>-Office detention</li> </ul>	<ul style="list-style-type: none"> <li>-Cell phone will be turned in to an administrator</li> <li>-Parent must pick up phone from main office</li> <li>-Parent meeting to develop behavior plan</li> <li>-Administrative consequence will be assigned</li> </ul>
<b>Inappropriate use of technology including Chromebooks and any other technology devices during school hours (e.g. violation of technology user agreement, taking videos/pictures without staff permission, using other student WPS account)</b>	<ul style="list-style-type: none"> <li>-Depending on the nature of the incident, administration will determine appropriate response, including but not limited to loss of technology use, after school detention, meeting with parents and school resource officer, and short-term or long-term suspension as appropriate.</li> <li>-Regular monitoring of student account history</li> </ul>		
<b>Bullying as defined in M.G.L.c. 71. <i>This includes cyberbullying as well as behaviors that occur <u>outside of school hours</u> which create a hostile environment at school for other students.</i></b>	<ul style="list-style-type: none"> <li>-Referral to administration</li> <li>-Restorative practices</li> <li>-Possible police notification</li> <li>-Safety Plan developed</li> <li>-in school suspension; short-term or long-term suspension as appropriate</li> </ul>	<ul style="list-style-type: none"> <li>-Referral to administration, additional consequences up to short-term or long-term suspension</li> </ul>	<ul style="list-style-type: none"> <li>-Referral to administration, additional consequences up to short-term or long-term suspension</li> </ul>
<b>Discriminatory language/behavior that targets the race, religion, physical traits, gender identification, sexual orientation, ethnicity, disabilities of others</b>	<ul style="list-style-type: none"> <li>- short term or long-term suspension</li> <li>-restorative practices</li> <li>-Parent Meeting</li> <li>-SRO referral</li> </ul>	<ul style="list-style-type: none"> <li>-Referral to administration</li> <li>- potential short-term or long-term suspension</li> </ul>	<ul style="list-style-type: none"> <li>-Referral to administration</li> <li>- potential short-term or long-term suspension</li> </ul>



<b>Includes graffiti, hate symbols, and hate language</b>	-Student Support Referral		
<b>Verbal, written, or electronic threats insinuating/stating emotional or bodily harm; threatening remarks</b>	-Referral to administration  -potential short-term or long-term suspension  -Potential referral to SRO	- short-term or long-term suspension  -SRO referral	- short-term or long-term suspension  -SRO referral
<b>Teasing-name calling</b>	-Teacher warning  -Possible teacher detention  -Restorative practice -potential in school suspension or short-term suspension	-office detention(s)  -Parent discussion  -Possible Student Support referral - potential in school suspension or short-term suspension	-Suspension/Saturday school  -Possible SRO referral -short term or long-term suspension
<b>Use of profane/obscene language on school campus (depending on severity)</b>	-Teacher/Administrator warning  -Possible teacher/office detention - in school suspension, short term suspension	- office detention(s)  -possible in school suspension, short-term suspension	- possible in school suspension, short term suspension, long term suspension or Saturday School
<b>Physical contact with another person in the building (student or staff) including punching, pushing, shoving, and/or kicking</b>	-Potential: in school suspension, short-term suspension, long-term suspension, expulsion (if assault on school staff)  -restorative practices  -potential SRO referral	-potential: in school suspension, short-term suspension, long-term suspension, expulsion (if assault on school staff)  -SRO referral  -Student Support referral	- potential: in school suspension, short-term suspension, long-term suspension, expulsion (if assault on school staff)  -SRO referral  -Student Support referral
<b>Fighting on school grounds</b>	- potential : short-term suspension, long-term suspension,	-Referral to administration - short-term suspension, long-term suspension,	-Referral to administration - short-term suspension, long-term suspension,
<b>Encouraging, arranging, or planning a fight between students</b>	-Referral to administration  -Possible disciplinary action, including in	- potential 1 day in school suspension or more	- potential 2 days in school suspension or more

	school suspension, short-term suspension, long-term suspension	- potential short-term suspension, long-term suspension  -restorative practices	- potential short-term suspension, long-term suspension  -restorative practices
<b>Vandalism or damage of school property  (e.g. Chromebooks, graffiti on school grounds/bathrooms)</b>	-potential: 1 office detention where damage restitution will take place  -Potential police notification  - potential in school suspension, short-term suspension, long-term suspension	-Saturday School  -Damage restitution will take place  - potential in school suspension, short-term suspension, long-term suspension	-Suspension  -Damage restitution will take place  -potential in school suspension, short-term suspension, long-term suspension
<b>Stealing</b>	-Item replaced if possible  -Referral to administration  -Potential police notification  - potential in school suspension, short-term suspension, long-term suspension	-Referral to administration  - potential in school suspension, short-term suspension, long-term suspension	-Referral to administration  - potential in school suspension, short-term suspension, long-term suspension
<b>Leaving school grounds without permission</b>	-potential 1 day in school suspension or more  - potential in school suspension, short-term suspension  -SRO referral	- potential 2 days in school suspension or more  - potential in school suspension, short-term suspension  -SRO referral	- potential 3 days in school suspension or more  -SRO referral  - potential in school suspension, short-term suspension, long-term suspension
<b>Skiping class</b>	-1 Saturday school	- potential 1 day in school suspension or more	-potential 2 days in school suspension or more

<b>Failure to serve a teacher or office detention</b>	<ul style="list-style-type: none"> <li>-Parent discussion</li> <li>-Assigned a second detention</li> </ul>	<ul style="list-style-type: none"> <li>-Parent meeting</li> <li>-Saturday school</li> </ul>	<ul style="list-style-type: none"> <li>- potential 1 day in school suspension or more, short term suspension</li> </ul>
<b>Insubordinate behavior towards any school staff (refusal to follow staff directions/requests)</b>	<ul style="list-style-type: none"> <li>-Minimum consequence: 1 teacher detention</li> <li>- potential in school suspension, short-term suspension, long-term suspension</li> </ul>	<ul style="list-style-type: none"> <li>- potential 2 office detentions; short-term suspension, long-term suspension</li> <li>-Parent discussion</li> </ul>	<ul style="list-style-type: none"> <li>- potential Saturday school, in school suspension, short-term suspension, long-term suspension</li> </ul>
<b>Plagiarism (taking the words, thoughts, or ideas of another person, including internet or website sources, and using them as your own work without properly citing the original author, writer, or speaker)</b>	<ul style="list-style-type: none"> <li>-1 teacher detention to learn about plagiarism</li> <li>-Student will have the opportunity to redo assignments for credit at teacher's discretion.</li> <li>- potential Parent discussion</li> <li>- potential in school suspension, short term suspension, long term suspension</li> </ul>	<ul style="list-style-type: none"> <li>-Student receives zero on assignment at teacher discretion</li> <li>-Referral to administration</li> <li>- Parent discussion</li> <li>- potential in school suspension, short term suspension, long term suspension</li> </ul>	<ul style="list-style-type: none"> <li>-Referral to administration</li> <li>- potential in school suspension, short term suspension, long term suspension.</li> </ul>
<b>Academic Dishonesty - cheating on a test/quiz, copying other student work/assignments</b>	<ul style="list-style-type: none"> <li>- Potential loss of credit</li> <li>- 1 Teacher detention to discuss incident</li> <li>- potential Parent discussion</li> <li>- potential in school suspension, short term suspension, long term suspension</li> </ul>	<ul style="list-style-type: none"> <li>-Referral to administration</li> <li>-Parent discussion</li> <li>- potential in school suspension, short term suspension, long term suspension</li> </ul>	<ul style="list-style-type: none"> <li>-Referral to administration</li> <li>- potential in school suspension, short term suspension, long term suspension</li> </ul>
<b>Disruptive behavior on the bus</b>	<ul style="list-style-type: none"> <li>-Referred directly to administrator</li> <li>-Possible temporary removal from bus</li> <li>- potential in school suspension, short term suspension, long term suspension</li> </ul>	<ul style="list-style-type: none"> <li>-Referral to administration</li> <li>- potential in school suspension, short term suspension, long term suspension</li> </ul>	<ul style="list-style-type: none"> <li>-Referral to administration</li> <li>- potential in school suspension, short term suspension, long term suspension</li> </ul>

<b>Smoking and/or possession of tobacco related products including vaping devices, matches, or lighters in school or on school property.</b>	<ul style="list-style-type: none"> <li>- potential 2-day suspension or more, short term suspension,</li> <li>-Diversion Program referral to WPD</li> <li>-Referral to administration for additional offenses (consequences may include in school suspension, short-term suspension, long-term suspension)</li> </ul>
<b>False fire alarm or 911 call, or any fire related issue</b>	<ul style="list-style-type: none"> <li>-Referral directly to administration for consequences, which may include in school suspension, short-term suspension, or long-term suspension</li> <li>-Police and fire department notification</li> </ul>
<b>Possession of dangerous weapon or item perceived as dangerous a weapon.</b>	<ul style="list-style-type: none"> <li>-Referral directly to administration for consequences</li> <li>-Potential short-term suspension, long-term suspension, or expulsion</li> <li>-Police notification</li> </ul>
<b>Possession of drugs, drug paraphernalia, alcohol, other controlled substances.</b>	<ul style="list-style-type: none"> <li>-Referral directly to administration</li> <li>-Diversion Program referral through WPD</li> <li>-Potential short-term suspension or long-term suspension; possession of a controlled substance as defined by M.G.L. c. 94C on school grounds or at school sponsored- or school-related events or activities may result in expulsion.</li> <li>-Police notification</li> </ul>
<b>Selling or intent to distribute drugs, drug paraphernalia, alcohol, or other controlled substances.</b>	<ul style="list-style-type: none"> <li>-Referral directly to administration for consequences</li> <li>-Potential long-term suspension</li> <li>-Police notification</li> </ul>
<b>Issuance of a felony criminal complaint or felony delinquency complaint against a student</b>	<ul style="list-style-type: none"> <li>- Potential short-term or long-term suspension if principal determines student's continued presence in the school would have a substantial detrimental effect on the general welfare of the school,</li> </ul>
<b>Adjudication of felony delinquency offense, admission of guilt of felony offense, or conviction of felony offense</b>	<ul style="list-style-type: none"> <li>- Potential expulsion if principal determines student's continued presence in the school would have a substantial detrimental effect on the general welfare of the school.</li> </ul>

**Office Detentions: 2:20pm-3:15pm**  
**Saturday School: 8:00 am - 11:00 am**

## **Backpacks / Search and Seizure**

Searches may be conducted by authorized school personnel when, under ordinary circumstances, there are reasonable grounds for suspecting that a search will turn up evidence that a student has violated or is violating either the rules of the school or the law. All measures adopted in conducting searches of students, their possessions, their vehicles on school property, while under school supervision or in attendance at a school function will be limited in scope by the objectives of the search in light of the age and sex of the student and the nature of the infraction being investigated. Search of a student may extend to articles of clothing such as pockets; and to the removal and search of outer garments such as hats, caps, headgear, jackets, coats, sweaters, sweatshirts, or shoes; and to items such as pocketbooks, lunch bags, book bags, athletic bags, or backpacks.

When reasonably possible, search of a student's belongings will be conducted in the presence of a second school official. Use of canines on the exterior of vehicles or other items to detect odors do not constitute a search.

Should a student refuse to voluntarily comply with a request for a search, the student will remain under adult supervision until parents, and, if necessary, police, can arrive at the school to assist, as appropriate, in the investigation.

Students are hereby given notice that STUDENT LOCKERS ARE ACCESSIBLE TO SCHOOL OFFICIALS AND MAY BE SUBJECT TO SEARCH AT THE DISCRETION OF SCHOOL OFFICIALS. Students have no expectation of privacy in their school lockers.

As a condition of entry into any school event, for student safety, all belongings and vehicles are subject to search for contraband.

Contraband seized as a result of routine locker inspection will be turned over to the police if the material seized is of an illegal or dangerous nature. Parents will be notified of the seizure as soon as possible after the seizure. VEHICLES PARKED ON SCHOOL GROUNDS OR AT SCHOOL FUNCTIONS ARE SUBJECT TO SEARCH.

Search of a student or his/her belongings in accordance with the above policy may take place at school or at any school sponsored event on or off school property or during the transportation to such event.

It is expected that all backpacks are left in student's assigned lockers during the school day. For safety reasons, students may not carry any type of backpacks or string bags during the day unless permission is provided by the nurse and/or administration. **If reasonable suspicion exists, administrators reserve the right to search backpacks while on school campus. When possible, administrators will make efforts to contact parents/guardians prior to searching a backpack.**

## **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. Suspensions or exclusions pursuant to M.G.L. c. 71, §§37H and 37H ½ do not count towards the calculation of the number of days of suspension under M.G.L. c. 71, § 37H 3/4. Similarly, days of emergency removal do not count as days of suspension under M.G.L. c. 71, § 37H 3/4.

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 3/4 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 3/4: 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 3/4: – 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 3/4: 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 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 – Short-Term Suspension; M.G.L c. 71, § 37H 3/4: 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 ¾: 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 ½ of G.L. c. 71, no student may be placed on long-term suspension for one or more disciplinary offenses for more than ninety (90) school days in a school year beginning with the first day that the student is

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

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 3/4: 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 Wakefield 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 37H 1/2. The

Principal's Hearing and appeals process identified below apply to suspensions under M.G.L. c. §§ 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 Wakefield 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 Wakefield 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 Wakefield 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 Wakefield 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 Wakefield Public Schools with regard to the expulsion.

### **Opportunity to Make Academic Progress**

The Wakefield 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.

### **Hazing**

The term hazing refers to any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation. Notwithstanding any other provisions of this section to be contrary, consent shall not be available as a defense to any prosecution under this action. Ch. 269, s.17.

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/herself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars. Ch. 269, s. 18.

Each institution of secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections seventeen and eighteen; provided, however, that an institution's compliance with this section's requirements that an institution issue copies of this section

and sections seventeen and eighteen to unaffiliated student groups, teams or organizations shall not constitute evidence of the institution's recognition or endorsement of said unaffiliated student groups, teams or organizations.

Click [here](#) to view the Anti-Hazing Law, M.G.L. c. 269 §§17-19.

## **Physical Restraint Policies and Procedures**

The Wakefield 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 may be used only as an emergency procedure of last resort and shall be prohibited in public education programs except when a student's behavior poses a threat of assault, or imminent, serious, physical harm to self or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions, or such interventions are deemed inappropriate under the circumstances. Physical restraint shall mean direct physical contact that prevents or significantly restricts a student's freedom of movement. Physical restraint does not include: brief physical contact to promote student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing comfort, or a physical escort.

Physical restraint shall not be used: (a) as a means of discipline or punishment; (b) when the student cannot be safely restrained because it is medically contraindicated for reasons including, but not limited to, asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting; (c) as a response to property destruction, disruption of school order, a student's refusal to comply with a public education program rule or staff directive, or verbal threats when those actions do not constitute a threat of assault, or imminent, serious, physical harm; or (d) as a standard response for any individual student.

No written individual behavior plan or individualized education program (IEP) may include the use of physical restraint as a standard response to any behavior. Physical restraint is an emergency procedure of last resort. 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.

Nothing in Wakefield Public Schools 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 Wakefield Public Schools complies with the requirements of Massachusetts regulations governing the use and reporting of physical restraint in schools, 603 CMR 46.00.

## **Tobacco Product, Alcohol, or Drug Use Prohibited**

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

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

## **WAKEFIELD PUBLIC SCHOOLS**

### ***BULLYING PREVENTION AND INTERVENTION PLAN***

The Wakefield Public Schools are committed to providing all students with a safe learning environment that is free from bullying and cyberbullying. This commitment is an integral part of our comprehensive efforts to promote learning, and to prevent and eliminate all forms of bullying and other harmful and disruptive behavior that can impede the learning process.

The Wakefield Public Schools recognizes that certain students may be more vulnerable to becoming targets of bullying based on actual or perceived characteristics, including race, color, religion, ancestry, national origin, sex, sexual orientation, socioeconomic status, homelessness, academic status, gender identity or expression, pregnant or parenting status, physical appearance, or disability, or by association with a person who has or is perceived to have one or more of these characteristics. The school and/or district will take specific steps to create a safe, supportive environment for vulnerable populations in the school community, and provide all students with the skills, knowledge, and strategies to prevent or respond to bullying or harassment.

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

The Bullying Prevention and Intervention Plan is a comprehensive approach to addressing bullying and harassment, and the school or district is committed to working with students, staff, families, law enforcement agencies, and the community. In consultation with these constituencies, we have established this Plan for preventing, intervening, and responding to incidents of bullying, cyberbullying, and retaliation.

The full text of the Bullying Prevention and Intervention Plan is available

## **Discrimination and Harassment Grievance Procedures**

### **Civil Rights Grievance Procedure**

The Wakefield Regional School District 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, teachers, certified and support personnel, students, vendors and other individuals at school or at school-sponsored or 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 Wakefield 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 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 Amendments 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, below.

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, sex, sexual orientation, gender identity, disability or religion that is sufficiently severe, persistent or pervasive to create 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: (i) 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 (ii) 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 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 a Respondent.

- D. **Informal Process:** If the District concludes that it is possible to resolve a matter, whether after formal complaint or an informal report, in a prompt, fair and adequate manner through an informal process involving, and with the consent of, the Complainant and Respondent, the District may seek to do so. The informal process is voluntary, and the Complainant and/or Respondent may terminate or decline any informal process at any time, without penalty.

- E. **Formal Process:** A formal complaint shall state (if known to the reporter or Complainant) the name(s) of the persons involved and witnesses to the conduct, describe the conduct, and identify, to the extent possible, the dates and locations of the conduct. The complaint shall be signed and dated by the reporter and/or Complainant. Complaints will be investigated promptly and equitably by the Civil Rights Coordinator or Principal. Investigations may be initiated whenever warranted, in the absence of a formal complaint, or after a formal complaint has been withdrawn.

- 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, may dismiss the complaint; (b) if the alleged conduct (or complaint) could not, even if true, constitute discrimination, harassment, or retaliation, but is within the scope of another procedure, the Civil Rights Coordinator or Principal may refer the matter to the appropriate personnel; (c) if the Civil Rights Coordinator or Principal concludes that it is possible to resolve the complaint in a prompt, fair and adequate manner through an informal process involving and with the consent of both parties, the Civil Rights Coordinator or Principal may seek to do so in accordance with Section D, above; or (d) if the alleged conduct, if substantiated, would constitute discrimination, harassment, or retaliation, the Civil Rights Coordinator or Principal will initiate an investigation. The Civil Rights Coordinator or Principal may also identify and initiate any interim measures. See Section G.

- 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:
  - a. 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.

- b. 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.
- c. The privacy rights of the parties shall be maintained in accordance with applicable state and federal laws.
- d. The investigator will keep a written record of the investigation process.
- e. The investigation will be completed within twenty (20) school days of the date of receipt of the complaint.
- f. The notification of the outcome of the investigation, including 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.
- g. Nothing in this Procedure will preclude the investigator, in his or her discretion, from completing the investigation sooner than the time period described above.

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

- K. If the investigator determines that discrimination, harassment, or retaliation has occurred, the District shall take steps to eliminate the discriminatory or harassing environment, which shall include but is not 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 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 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 accused 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 relevant 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 to the Superintendent, Wakefield Public Schools, 60 Farm Street, Wakefield, MA 01880. The Superintendent will decide the appeal within thirty (30) calendar days of the date of receipt of the written appeal.

M. Civil Rights Coordinator:

<b>Employees</b>	<i>Kara Mauro Asst. Superintendent 60 Farm Street Wakefield, MA 01880 781-246-6400</i>	<b>Students</b>	<i>Kara Mauro Asst. Superintendent 60 Farm Street Wakefield, MA 01880 781-246-6400</i>
------------------	--	-----------------	--

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 100-R Bullying Prevention; SC Policy 104-R, Nondiscrimination.

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

### **OVERVIEW**

The Wakefield Public Schools (“District”) are 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 Wakefield Public Schools 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 Wakefield 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 are available above in this handbook.

## 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 District 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.



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: the District 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(D).

**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.
- (4) After receipt of the answers by the parties, any follow-up questions by the parties shall be submitted to the decision-maker in writing within three (3) calendar days, and those follow-up questions shall be responded to in writing within three (3) calendar days of receipt.

- (5) Each party will be provided a copy of the other party's or witness's written answers.

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

- (1) The decision-maker shall issue a written determination regarding responsibility with a description of the procedural steps taken, findings of fact, conclusions about whether the alleged conduct occurred, rationale for the result as to each allegation, the range of disciplinary sanctions to which the respondent may be subject, whether remedies will be provided to the complainant, and procedures and bases for appeal. The decision-maker's written determination shall not be completed by the Title IX Coordinator or the investigator.
  - (2) Standard of Proof: The decision-maker shall make factual findings based on a preponderance of the evidence standard.
  - (3) The decision-maker's findings shall be based on an objective review of all relevant evidence, inculpatory and exculpatory, and avoid credibility determinations based on a person's status as a complainant, respondent, or witness.
  - (4) The decision-maker shall not draw inferences about the determination of responsibility based solely on a party's failure or refusal to answer questions.
  - (5) The written determination must be sent simultaneously to both parties.
  - (6) This determination shall be sent within twenty (20) school days of the issuance of the investigative report unless an extension is agreed upon by the parties or if the process is otherwise reasonably delayed. Except where the parties have agreed to an extension of the timeline or where the process is otherwise reasonably delayed, the written determination shall be issued within sixty (60) school days of receipt of the Formal Complaint.
- B. Remedies: If the decision-maker determines that sexual harassment has occurred, the District administration shall take steps to eliminate the harassing environment, which may include but not be limited to providing remedies to a complainant that are designed to restore or preserve the complainant's equal access to the District's education programs and/or activities. These remedies may be the same individualized services as the supportive measures outlined in Section I(D) 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 or designee, Wakefield Public Schools, 60 Farm Street, Wakefield, MA 01880.

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: Kara Mauro, Assistant Superintendent, 60 Farm Street, Wakefield, Ma. 01880 Phone: (781) 246-6400 Email: [kara.mauro@wpsk12.org](mailto:kara.mauro@wpsk12.org)

- Investigator(s): Depending on which school the claim is from, the investigator would be *the Title IX Coordinator, Assistant Principal, Principal or Title IX Coordinator's designee.* \
- Decision-maker: The Principal (if not the investigator) or the Principal's Designee.
- Appeal Officer: Superintendent, Assistant Superintendent or Superintendent Designee.
- Informal Resolution Facilitator: Director of Guidance, Assistant Superintendent (if not the investigator), or Director of Student Services.

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 100-R, Bullying Prevention; SC Policy 104-R, Nondiscrimination.

## **SCHOOL COMMITTEE POLICIES AND PROCEDURES**

Please view all School Committee policies on our [website](https://www.wakefieldpublicschools.org/district/pages/policy-book) at <https://www.wakefieldpublicschools.org/district/pages/policy-book>

***Printed copies of any policy or procedure are uncontrolled. To ensure that you are viewing the most up-to-date, approved version of a policy or procedure, please access them on the Wakefield Public Schools website, <http://wakefieldpublicschools.org/WPS/>.***

**If you need this document translated, please contact your school principal.  
Si necesita este documento traducido, por favor comuníquese con el director de la escuela.**



**Se você precisa este documento traduzido, entre em contato seu director a escola.**

**Si vous avez besoin de traduire ce document, s'il vous plaît contacter votre directeur d'école.**

**如果您需要本文件翻譯，請連絡您所在的學校負責人。**

**إذا كنت تحتاج/تحتاجين لترجمة هذه الوثيقة، المرجو مراسلة مدير المدرسة**